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MOFFATT MUST APPEAR AND EXPLAIN HIMSELF

His Allegation That Other Companies Have Violated the Anti-rebate Laws Must be Explained to the Jury in Judge Landis Court.

One Statement Made May Render Moffatt Amenable to Fine and Imprisonment for Contempt of Court—Judge Landis Announces Complete Immunity for the Chicago and Alton Because of Information Furnished in the Standard Trial.

Chicago, Sept. 24.—Federal Judge Landis today formally granted immunity to the Chicago & Alton for turning state's evidence against the Standard Oil company of Indiana, and then called the hand of Standard Oil in insinuating that he had selected it for a victim of "trust busting."

He ordered President James A. Moffatt of the Standard Oil company of Indiana, to appear before the grand jury next Tuesday and explain what he meant by the statement contained in a pamphlet issued by him that "for fifteen years other shippers have shipped freight out of this territory under circumstances similar to those under which the Standard Oil company was indicted and fined" and to tell why he inserted the line: "Is there any reason why the Standard Oil has been selected as victim?"

Judge Landis instructed the jury to make a thorough investigation into Moffatt's charge and if it found evidence of other violations to return indictments. The jury was then adjourned to reconvene to hear Moffatt's testimony.

Copies of the pamphlet were made

to the Chicago & Alton the privilege granted an accomplice who becomes a witness for the prosecution.

ARE OVERCOMING THE PLAGUE IN 'FRISCO

San Francisco, Sept. 24.—Dr. Rupert Blue, of the marine hospital service, and President Will Ophuls of the city board of health, today issued the following statement: "From our knowledge of plague, the prevention of a sudden outbreak in epidemic form can be predicted with assurance, but a certain number of cases will continue to occur for a considerable period in spite of all preventive measures."

The record to date follows: Identified cases, forty-two; deaths, twenty-four; suspects under observation twenty-five.

ed to Judge Landis during the recess since the trial of the oil company. The allusion to the selection of the company as a "victim" may render Moffatt liable to fine and imprisonment for contempt of court. The pamphlet, a statement of the Standard's views of the prosecution, was circulated among stockholders and employees.

Of the Alton immunity bath, Judge Landis said: "The railroad company caused its employees to make false and fictitious entries and to keep bogus records. There are many men in the penitentiary for making false entries. But in dealing with criminal classes, it is customary to promise immunity to the least culpable in order to convict the greater criminal. That is the situation in this case."

The motion was made by Mr. Sims in conformance with a request from Attorney General Bonaparte, who, in a letter, said he had gone over all the testimony by witnesses in the employ of the Chicago & Alton, and that "although some parts of the evidence are undeniably open to adverse criticism, the most perfect good faith requires the government to accord

other considerations," Brady declares and he and Commodore E. C. Benedict organized the Manhattan to protect the People's Gas company of Chicago, and insure its securing plenty of crude oil at a reasonable rate. It had been purchasing from the Standard, but feared cut off.

CHURCH WILL SPLIT

The Tinsely Heresy Charge Has Been an Echo in the Accuser's Church

Youngstown, O., Sept. 24.—A split in the Epworth Methodist Episcopal church is imminent following the resignation of practically the entire corps of officers of the Sunday school, brought about by the position of Dr. Sherman F. Wood, the pastor, in the Tinsely heresy trial. Dr. Wood was pronounced in endorsing the recent charges against Tinsely, resulting in a trial at the Cleveland conference, which acquitted the accused.

Superintendent Wick Flower, assistant superintendent Richard Shale, who is deputy county treasurer; Treasurer W. J. Perry, Miss May White, organist J. H. Decker, chorister and a dozen teachers of the Sunday school staff have resigned and threatened to withdraw from the church.

They all support Dr. Tinsely in his disputes over doctrine with other preachers here.

MEMORY LACKING

Kellogg However Secured Valuable Facts From Brady.

New York, Sept. 24.—Anthony R. Brady, multi-millionaire gas and traction expert developed a surprising lack of memory when he took the stand today in the hearing of the government's action designed to secure the dissolution of the Standard Oil company of New Jersey.

Brady, however, proved better than even Kellogg had hoped by furnishing the first direct evidence that the British company that bought the Manhattan Oil company did so presumably for the Standard, and the sale was made through a Standard agent. He produced a copy of an option dated August 21, 1899 for 20,000 shares of Manhattan stock which was given to the General Industrial Syndicate (limited) of London, England. The consideration was "one dollar and

MOTHER STRANGLES HER THREE CHILDREN

She Goes to Her Husband and Informs Him of What She Has Done—Her Only Explanation is that She Did not Want the Children to go Crazy as She had Done.

Buffalo, N. Y., Sept. 24.—One of the most shocking tragedies in the history of Buffalo occurred today when Bertha Mund, thirty-seven, wife of Frederick Mund, murdered her three children, Christopher, eight; Helen, two and Frieda, six months.

When a policeman entered the house he found the three children dead in bed. There was a rope around the neck of Frieda, the baby. To strangle Christopher and

Helen, the mother had used part of the bed clothing.

Frederick Mund, husband of the woman, works for the Pennsylvania railroad company. He went to work at 7 o'clock. At 9 o'clock Mrs. Mund called on her husband and calmly informed him she had killed their three children. The husband seized the woman and ran to his house. Finding her story true, he summoned the police, who hurried Mrs. Mund to the station. It is believed the woman is insane. She says she didn't want her children to go crazy as she had done.

MAY PRECIPITATE A ROIT IN NEW YORK

Sheriff Hayes Appoints and Arms Four Hundred Deputies Who will be on Duty at the Polls for Primary Election—May Clash with Mayor McClelland's Police.

New York, Sept. 24.—Four hundred special deputy sheriffs, armed with badges, clubs and revolvers, furnished by Sheriff Hayes, a follower of Lander Charles F. Murphy, of Tammany hall, may precipitate bloody riots at the polls when they are opened for primary balloting this afternoon.

This is the first time in many years that deputies have been sworn in. Heretofore the police have been sufficient, but as they are under the control of Mayor McClelland and his commissioner, General Bingham, Tammany claims they are to be used to oppress Tammany workers. Hence the Tammany sheriff has named the deputies. Bingham declares if they interfere with his police, there will be "things done" while Hayes insists

he is the chief law officer of the county and his men are superior to the police.

Tammany has a fight in twenty-two of the thirty-five county election districts. Everything points to the overthrow of McClelland's forces. McClelland himself claims victory in but nine districts. Charles Murphy declared today he would carry every district, but two.

John J. Dooley, politician, member of Tammany hall, who seeks leadership of the Democratic party in the Twenty-Third assembly district at the primaries this afternoon, was attacked by two unknown persons while en route to his home at an early hour and sustained a fractured skull. He was hit by a brick and his assailants were beating him when they were frightened by passersby.

STUYVESANT FISH WILL FIGHT E. H. HARRIMAN

Illinois Central Stockholders' Meeting in Chicago, in October Promises to Furnish Some Sensations--Fish Wants all Proxies Possible.

His Determination to Quietly Retire Has Been Altered and Now He Proposes to Fight to a Finish--In a Long Letter Asking for Proxies, He Tells the Stockholders Something of the Moves Which are Proposed by Harriman One of Which is to Turn Over the Illinois Central to the Union Pacific.

New York, Sept. 24.—That Stuyvesant Fish means to fight E. H. Harriman to a finish and assume once more a position of commanding importance in the affairs of the Illinois Central, from which Mr. Harriman ousted him, was made evident yesterday when Mr. Fish sent out a long letter to stockholders, asking them for their proxies to vote at the annual meeting of the company, which is to be held in Chicago, Oct. 16.

Mr. Fish has not heretofore solicited proxies. In a statement made last August, when the old row between himself and Mr. Harriman blazed up again, he said that he intended to be present at the meeting and vote his own shares and such proxies as might be confided in him, but now it appears he has decided to go gunning for his old foe with all the proxies he can get hold of, and prevent, if possible, the election of Mr. Harriman and three of his friends to the four places in the directorate to be filled at that meeting.

Mr. Fish himself is one of the retiring directors, and John Jacob Astor and Mr. Harriman also go out. A successor to the late John C. Welling is also to be elected.

Mr. Fish asks the stockholders to make out their proxies to his two colleagues in the board, Charles M. Beach and James Dew Cutting and himself. As he promised last August, when he and Mr. Harriman had the dispute as to who owned the largest number of shares, Mr. Fish reviews in his letter some recent acts of the present management and tells what happened to the resolution he had tried to read at a recent meeting. He omits to relate what hap-

pened to President Haraban, however, at this meeting, which was the one at which Mr. Haraban was "punched" by Mr. Fish.

Mr. Fish, in his letter, says that he had expected to retire quietly at the coming meeting, but that many stockholders had already sent him their proxies and had also asked him for a word respecting the recent management of the company.

"For some time," the letter goes on to say, "there has been a persistent effort to place the control of your corporation in the hands of those dominating the Union Pacific and Southern Pacific companies. I have felt it my duty to oppose this effort in order to loyally discharge my obligations of trusteeship to the Illinois Central."

Mr. Fish goes on to say that the Illinois Central is essentially a North and South trunk line, running athwart the general trend of traffic, and for that reason its best advantage lay

in avoiding any exclusive traffic alliances.

To secure the largest revenue, the importance of the Illinois Central should be maintained, Mr. Fish said, in order that it should receive the largest possible tonnage in return for the volume of business produced along its own line. It would be the very thing that would make its control of such value to the Harriman lines.

Mr. Fish goes on to point out to the stockholders that of their present directors, Mr. Harriman is head of the Union Pacific and Southern Pacific and Charles A. Peabody and Robert W. Gaellet are members of the Union Pacific board and asserts that there has been a systematic and persistent effort to secure control of the board in the interests of the Union Pacific. An attempt to elect still another Union Pacific director, a director of the Illinois Central, he says, was only defeated by the use of his proxies at the last election.

"It was repeatedly and persistently stated by Mr. Harriman and Mr. Peabody and at the stockholders' meeting by Mr. William Nelson Cromwell their attorney," says Mr. Fish, "that the Union Pacific had no interest in the Illinois Central shares and it was denied that there was any purpose to control the Illinois Central in the interest of the Union Pacific, or to make it subservient thereto. Yet, later, when the testimony taken before the interstate commerce commission was disclosed, it was found, in face of these statements, that the Union Pacific had bought before your stockholders' meeting 281,231 shares, or 29.59 per cent. of the entire capital stock of your company."

Mr. Fish calls attention to the

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SENATOR IS HOME

With His Bride, Beveridge Arrives in New York This Morning.

New York, Sept. 24.—The Kaiser Wilhelm II, of the North German Lloyd line, with Senator Beveridge and his bride and a distinguished company of Americans on board, reached here today after a fast passage of five days, seven hours and thirteen minutes from Cherbourg, Southampton and Bremen. Last night at the usual concert Senator Beveridge made a speech and a large sum was raised for the season's fund.

HEARST SAYS HE IS OUT OF THE RACE

The New Yorker Denies That the Independence League Conference Was Called to Launch His Boom—Says He Prefers to Live a Private Life.

New York, Sept. 23.—"I am not a presidential candidate on the independence league, or any other ticket," says William R. Hearst, answering the Chicago Tribune's assertion that the league's coming conference in the Illinois metropolis is formally to launch the New York editor's boom.

"An independence league conference has been called here for September 27, but nothing has been determined as to what it shall do in national politics.

"I do not say I am not a candidate in the Rooseveltian sense, publicly declining the nomination and

privately working to get it, nor do I say it through any feeling of disappointment at the result of the late election.

"I dislike holding or running for office and I particularly dislike being placed in a position where my sincerity can be questioned through campaigning for an office I do not want and would only consent to hold from a sense of public duty.

"I am satisfied to be a private citizen and to labor through the league and through the election of others to promote the principles I believe in.

"I cannot conceive of any conditions under which I would be willing to become a presidential candidate."

LOOK WHO'S COMING!



SEEING WHO CAN GRAFT THE MOST

Chicago Deputies Sheriffs and Policemen are Vieing With Each Other to Determine Who is the Best Grafter—Police in Hold-up Business and Sheriffs' Deputies Sell Opium and Allow Prisoners to Escape.

Chicago, Sept. 24.—The Chicago police force and Cook county deputy sheriffs are vieing each other in a "graft" contest. Disclosures up to date award even honors. While the police have shown as the heroes of half a dozen hold-ups, the deputy sheriffs are charged with having supplied opium and cocaine to prisoners and aided inmates of the jail to saw their way to liberty.

James Kastakos, a Greek fruit dealer before Municipal Judge Pettit this morning testified he had been beaten and robbed of \$90 by Policemen McAvoy, Jennings, Steindle and Pierce.

Mrs. Nora Sullivan charges she was insulted by a policeman to whom she made complaint that she had been robbed. When she asked him to make an investigation, he threatened to arrest her.

Patrolman Thomas Woodward has

been discharged and awaits prosecution on the charge of having clubbed and robbed a drunken man. Policemen Coleman and Reed are charged to have "shot up" a saloon in western style because the proprietor "argued" with them.

Richard Barry, a notorious offender, is accused of buying for \$20 the recommendation of a police officer for his pardon from the workhouse.

Since March, fifteen "probationary" officers, most of whom are under twenty-five years old, and were sworn in during the teamsters' strike, have been subjected to criminal charges.

Four deputy sheriffs already are under fire on account of the escape of two prisoners and the sale of postage stamps at double prices and of opium, tobacco, whiskey and cocaine to inmates of the jail.