

THE ST. PAUL GLOBE

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THE WEATHER: In St. Paul and vicinity today: Rain and Warmer.

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COURT WILL CONSIDER HARRIMAN PETITION

Attorneys End Arguments in Legal Battle for Control of Northern Pacific, but Judges Reserve Decision—Elihu Root Indignantly Repels Insinuation Made by Plaintiff's Attorney.

Replying to an insinuation by William D. Guthrie, counsel for Harriman, that the Northern Securities Company had acquired large holdings of stock of the Great Northern and Northern Pacific after the circuit court's decree forbidding such action, Elihu Root, counsel for the Securities company, said in court yesterday: "I doubt if my learned friend appreciated the true scope and nature of the charge which he was making, for it is nothing less than a charge of criminal contempt of this court."

"He made it upon a statement in the opinion rendered by the court as a basis of its decree; and he made it—I will not say knowingly—doubtless forgetting that in that opinion the statement of the amount of stock which was held by the Northern Securities Company was based upon testimony given more than a year before the opinion was written, not upon an accounting brought down to the moment when Mr. Justice Thayer's pen wrote the sentence."

"He made it without one particle of proof, precisely as he makes the demand here to be permitted to show a further illegal combination of these gentlemen which will be effectuated by a distribution of this stock—without one word of proof in any paper that he lays before the court."

"And I am authorized to say that since the decree of this court not one share of stock of either the Northern Pacific or the Great Northern has been acquired by the Northern Securities Company or by any of the defendants in this cause."

Contrary to the impression when the United States circuit court adjourned at 1 o'clock yesterday afternoon after hearing exhaustive arguments by John G. Johnson, of counsel for the defendants, and William D. Guthrie, leading counsel for the petitioners, there will be no decision by the court this morning.

An intimation was made by the court to the attorneys on both sides of the case yesterday afternoon that they need not expect a decision today, and the Eastern lawyers who came to St. Paul to present the arguments in the case left last night for New York.

THE attendance at the opening of the second day of the hearing on the petition of Edwin H. Harriman and Winston L. Pierce and the Oregon Short Line to be allowed to intervene in the Northern Securities case was even larger than on the opening day. Nearly every attorney who had watched the opening proceedings was present, and the court room was packed to suffocation. The presence yesterday of many more women was noticeable than on Tuesday, and among the spectators were the wives of many of the leading lawyers and financiers of St. Paul.

The arguments continued without interruption until nearly 1 o'clock, both John G. Johnson and William D. Guthrie exceeding by some minutes the allotted time of an hour and fifteen minutes assigned to each for the closing of their respective sides.

Two great arguments were made, though in style and treatment the

speakers differed very widely. Attorney Johnson's speech was notable for its sarcastic references to the penitent Union Pacific magnates, its tearing away from the Harriman face the mask of its pretended friendship for the people of the Northwest, its marshaling of facts to prove its contentions of the law to govern, and its rhetorical display.

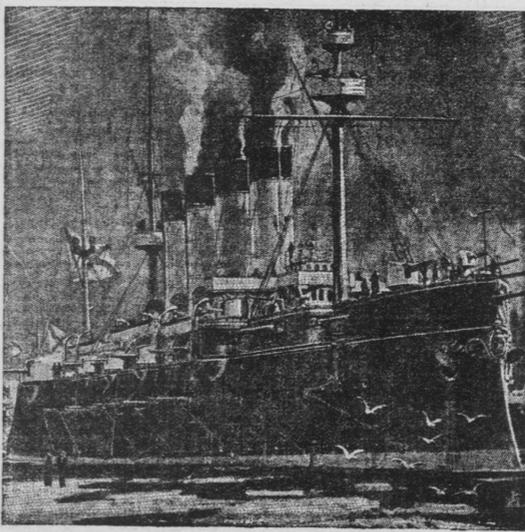
Johnson said in opening that professional compensation is not based on silence, and he earned his fee. His merciless handling of the forces behind the move to disrupt the plan of distributing the assets of the Northern Securities company brought smiles even to the faces of the learned counsel for Mr. Harriman and his associates, while James J. Hill, sitting behind the speaker, did not conceal his satisfaction that his friends of the Northwest could learn from the lips of so eloquent an advocate the real merits in the controversy that is stirring the entire railroad world.

GUTHRIE'S SENSATIONAL CHARGE William D. Guthrie, who followed the counsel for the Northern Securities company and summed up for the Harriman interests, apologized for the absence of his senior, Judge Dillon, of New York, who was prevented by illness from being present. Mr. Guthrie, in an argument of nearly an hour and a half, ably presented his side of the case.

He attacked the plan of distribution proposed by the Northern Securities company and the men who proposed it; they had made no denial of the claim that the plan would give them control of both railroads, except the affidavit of Secretary Nichols, and he

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U. S. BATTLESHIP MISSOURI



By an Explosion In One of Her Turrets off Pensaco a Yesterday 29 Men Lost Their Lives.

DEATH SMITES MEN IN A BATTLESHIP TURRET

Two Thousand Pounds of Powder Explode on the Missouri in Target Practice, Killing Twenty-nine Men, Including Five Officers, and Wounding Five Others, Two of Them Fatally—Capt. Cowles Risks His Life to Rescue a Dying Bluejacket—Lieut. William C. Davidson, of South Dakota, Is Among the Dead.

PENSACOLA, Fla., April 13.—By the explosion of 2,000 pounds of powder in the after twelve-inch turret and the handling room of the battleship Missouri, Capt. William S. Cowles, commanding, twenty-nine men, including five commissioned officers, were instantly killed and five injured, of whom two will die.

The dead are: LIEUT. W. C. DAVIDSON, in charge of the twelve-inch turret. ENSIGN E. A. WEICHERT, of the cruiser Cleveland, gun umpire. MIDSHPMAN W. T. NEUMANN. LIEUT. J. P. V. GRILEY, U. S. M. C. LIEUT. THOMAS WARD JR., DIVISION OFFICER J. K. PEDERSON. BOATSWAIN'S MATE W. BOYGHARD. ORDINARY SEAMAN J. BLOXAPUTLAN. COXSWAIN CHARLES RICE. SEAMAN J. C. HARDY. APPRENTICE, SECOND CLASS, K. J. KIVLIN. SEAMAN J. GADRIS. ORDINARY MARINE N. SCHERBAUTH. ORDINARY SEAMAN J. F. ROLANDS. ELECTRICIAN, SECOND CLASS, H. B. FRANKS. COXSWAIN J. P. STARR. ORDINARY SEAMAN J. C. NUNN. SEAMAN N. SODER. SEAMAN C. E. MEYER, of Oshkosh, Wis. ORDINARY SEAMAN P. R. CASSELLER. APPRENTICE, SECOND CLASS, R. H. ALLISON. ORDINARY SEAMAN R. C. TOBIN. ORDINARY SEAMAN J. J. MULLIGAN. LANDSMAN J. W. COLE. ORDNANCE SERGEANT A. SMITH. GUNNER'S MATE, FIRST CLASS, W. S. SHEPARD.

CHIEF GUNNER'S MATE J. P. BROWN. CHIEF GUNNER'S MATE J. F. KENNEDY. ORDINARY SEAMAN J. M. ROACH. The injured: J. E. Knight, seaman, may recover; J. T. Donnelly, ordinary seaman, dying; R. S. Starr, seaman, will recover;

F. C. Scaub, apprentice, second class, will recover, and a man supposed to be O. B. Moe, of Butte, Mont., apprentice, second class, dying.

Was at Target Practice. The Missouri was on the target range with the Texas and Brooklyn at practice about noon, when a charge of powder in the twelve-inch left-hand gun, ignited from gases, exploded, and dropping below, ignited four charges of powder in the handling room and all exploded. Only one man of the entire turret and handling crew survives.

But for the prompt and efficient work of Capt. Cowles in flooding the handling room and magazine with water, one of the magazines would have exploded and the ship would have been destroyed.

Capt. Cowles, completely prostrated by the disaster, referred all newspaper men to Lieut. Hammer, the ordnance officer.

Cause of the Disaster. According to the latter, about noon, after the first pointer of the after twelve-inch piece had fired his string and the second pointer had fired the third shot of his string, the charge ignited. The fourth shot was being loaded, and from all indications the first half of the charge had been rammed home and the second section was being rammed home, when gases from the shot previously fired, or portions of the cloth cover, ignited the powder.

The breach was open and a thud gave notice of something unusual. No loud report was made, but flames were seen to leap from every portion of the turret. A few seconds later another explosion, somewhat more fierce, occurred. This was in the handling room below, where 3,600 pounds of powder, or four charges, ready to be hoisted above, had ignited.

Flooded Promptly. Fire quarters were sounded and every man on the ship responded and the magazine and handling rooms were flooded with water. In less than five seconds after the first explosion twelve streams of water were being played in the rooms, and when volunteers were called for every man of the ship responded, eager to go into the turrets and rescue the crew. Capt. Cowles gave his commands, and but for his presence of mind and that of the officers of the ship the Missouri would have gone down.

The second explosion occurred near one of the magazines and so hot was the fire that the brass work of the magazine was melted. Smoke and the fumes of the burned powder made it almost impossible to enter either the turret or handling room, but officers and men with handkerchiefs over their faces made efforts to rescue the men inside. Leading the rescuing party was Capt. Cowles.

Captain's Heroic Deed. The officers endeavored to keep him from going below, for men fell unconscious as they entered and had to be pulled out by their comrades, but unheeding their advice, the commanding officer rushed below, followed by Lieut. Clelland Davis.

Capt. Cowles caught up a dying bluejacket in his arms and staggered to the deck with him. The bluejacket, with two others from the handling room, had crawled partly from their place of duty when they had been overcome. Before the fumes of the burning powder had left the turrets officers and men were lifting out the dying and dead men. Three minutes after the explosion all were on deck and surgeons from the Missouri, Texas and Brooklyn were attending to those not dead.

The twenty-five men of the turret were lying in a heap. They had started for the exit when the first explosion had occurred and had just reached there when the more terrible explosion in the handling room occurred, which burned and strangled them to death.

Fate of South Dakota Officer. Lieut. Davidson, the officer in charge of the turret, evidently had given some command to the men, as he was on top of the turret, having fallen there after he had allowed them to pass him to get out of the turret. The bodies were hardly recognizable, the terrible and quick fire having burned clothing from the bodies of the men and the flesh hung from them in shreds. The faces were mutilated by the smoke

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MAKAROFF GOES DOWN WITH SHIP

GREAT DISASTER BEFALLS THE RUSSIAN NAVY

Battleship Petropavlovsk Is Sunk By Japanese Torpedoes or a Mine and the Commanding Admiral and Nine Hundred Men Perish—Grand Duke Cyril Is Badly Wounded—Prince Ouktomsky, Who Succeeds to Command of Squadron, Is Reported to Have Afterward Engaged Eighteen Japanese Warships.

Special Cable to The Globe. (Copyright, 1904, New York Herald.)

ST. PETERSBURG, Wednesday.—The Russian battleship Petropavlovsk has been sunk at Port Arthur and Vice Admiral Makaroff, commander of the Russian fleet, drowned. Several hundred men were lost.

It was decided this evening to give out the official account from Port Arthur. Vice Admiral Makaroff is dead and the Grand Duke Cyril was badly wounded. The report states that the Japanese fleet was approaching and that the Russian fleet had started out to meet it. This is official.

What I am told from a source in which I have every reason to believe I am rightly informed, is that the Russian fleet went out to meet the Japanese, and engaged them with the result that the Petropavlovsk was torpedoed three times at noon and four other ships of the fleet came back badly damaged. The fleet retired to Port Arthur.

Needless to say, consternation reigned in naval circles. The widow of Makaroff is here and has been in a fainting condition all the evening. Early this morning telegrams told how the Easter fetes had passed off at the front undisturbed. At midday special editions were issued saying there was no news beyond details saying a handful of Japanese were crossing the Yalu.

THEN, COMES THE SHOCK.

Then suddenly ugly rumors began to be heard of a naval disaster at Port Arthur and that the line of battleship Petropavlovsk had been sunk, and also that the Grand Duke Cyril, whose brother, the Grand Duke Boris, had just arrived at Port Arthur, had been wounded and only nine officers saved. A little later it was added that Vice Admiral Makaroff was dead, with 900 of the crew either killed or wounded.

The news was entirely unexpected, and, as easily can be imagined, came as a stunning blow. Toward 3 o'clock the Empress Marie and her son, the grand duke, the heir apparent, drove from the Pitkoff palace to the winter palace, both looking extremely serious. Simultaneously the carriages of other members of the imperial family gathered at the winter palace, while the people, not knowing what had taken place, were wondering what it all meant. Failing in details, the general idea prevails that the ship had been torpedoed or struck a sunken Russian mine. The people almost refuse to believe the news is true.

Grand Duke Cyril saved himself by jumping overboard

Continued on Fourth Page.

STRIKE OF IOWA MINERS IS ENDED

Agreement Is Reached Which the Operators Claim as a Victory.

DES MOINES, Iowa, April 13.—The miners and operators of the four Iowa districts arrived at an agreement here today on the report of the subcommittee on scales, whereby the Indianapolis agreement is taken as a basis throughout, with the exception of the wages of top men in the First and Fourth districts, which are to be governed by the 5.5 per cent reduction, with a minimum wage of \$1.08 per day.

The agreement, which is regarded as a complete victory for the operators, who have been contending for the Indianapolis agreement, will have the effect of placing in operation Monday all the mines in the state, employing over 14,000 men. The original fight was begun over the wages of less than 300 men.

SOLID FOR PARKER

New Jersey Democrats Choose Delegates Today.

TRENTON, N. J., April 13.—The Democratic state convention of New Jersey, which will meet here tomorrow, will send a solid Parker delegation to the national convention. The delegation will not be instructed as to a candidate for president, but it will be directed to cast its vote as a unit. There will not be a single Hearst man in the delegation.

MR. LIND RESIGNS A COMMITTEE PLACE

This Will Enable Him to Do Better Work for Constituents.

WASHINGTON, D. C., April 13.—Representative Lind has resigned his position on the committee on claims in favor of Representative Martin Emmerich, of Chicago. Mr. Lind believes he will be able to make better use of his time working on lands and other subjects more close to the interests of his constituents.

—Walter E. Clark.

HARRIMAN IS HURT

Thrown From an Automobile in New Orleans.

NEW ORLEANS, La., April 13.—While leaving the depot today in an automobile, which had just been unloaded from a train, E. H. Harriman, president of the Southern Pacific railway, was thrown to the ground and slightly injured.

MORMONS DEMUR

Refuse to Go to Washington as Witnesses.

SALT LAKE CITY, Utah, April 13.—The News, official organ of the Mormon church, tonight says: "John W. Taylor and Matthew Cowley have each declined to go voluntarily to Washington, in response to ministerial interference, as they view it, with political affairs in the case of Smoot. They do not propose to have their family relations proclaimed throughout the land through their own act unless under compulsion. Senator Smoot is not under any obligations to procure witnesses in the case before the committee."

THE NEWS INDEXED.

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DEMOCRATS TELL HOW TO TRIUMPH

Miles, Cleveland and Other Party Leaders Are Heard at Iroquois Banquet.

CHICAGO, April 13.—Ways and means to bring success to the Democratic party in the presidential campaign this fall were discussed by prominent Democrats, representing every part of the country, who attended the Iroquois club banquet at the Auditorium tonight in celebration of Jefferson's birthday. The chief reform antagonism to trusts, independence for the Philippines and rigid economy in public expenditures were some of the suggestions offered by the speakers to bring about this result. A feature of the banquet was a letter from Grover Cleveland.

When Stephen S. Gregory, the toastmaster of the evening, introduced Gen. Nelson A. Miles, the 600 banqueters rose and greeted the former head of the United States army with decided enthusiasm. Gen. Miles, in his response to the toast, "Our Country," made a forcible argument against imperialism and his words met the approval of the audience. He said among other things: "We hear the boasting of what we are going to do as a 'world power.' There never was a world power that compared in physical grandeur to the great moral world power which we exercised for a hundred years as a nation of free, independent, just and humane people. Should we ever lose that national character our boast of being a world power by mere brute force would be justly held in contempt and our existence as a republic would be of short duration. The world is too familiar with the spectacle of a grotesque power expanding by subjugation."

The present is a time for serious consideration of our national affairs in every city. In every ward, in every miner's camp, in every quiet home, it is not only an occasion for serious thought and deliberation, but for strong, unselfish action, action that will bring together every patriot who believes in Jeffersonian Democracy; and there is needed not only united action by that mighty host, but the cooperation and hearty support of every man. The condition and necessities of our country should awaken the highest and most earnest patriotism in order that existing evils and threatening perils may be eradicated and averted and that for the years of the unknown future the honor and glory of the great republic may be preserved.

The next speaker was United States Senator Edward W. Carmack, of Tennessee, who took for his theme "Thomas Jefferson."

"The Democratic Party" was the subject discussed by Adlai Stevenson, former vice president of the United States. Mr. Stevenson pleaded for a united party and the adoption of living issues in the platform at the St. Louis convention.

The next speaker was Gov. L. F. C. Garvin, of Rhode Island. He responded to the toast, "Democratic Success," and used these words: "Only through the opposition party, the

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Russian Commander Who Was Drowned on His Flagship at Port Arthur.