

THE TRIAL AT BOISE

COUNSEL FOR DEFENSE ENDEAVOR TO PROVE CONSPIRACY OF MINE OWNERS.

PROVED ALIBI FOR ORCHARD

Owner of the House Has Secured Judgment Against Gas Company for Explosion—Claim Simpkins Dead.

Boise, Idaho.—A review of the evidence introduced in the course of the last five days brings the inevitable conclusion that counsel for the defense would endeavor to prove to the satisfaction of the jury that the Pinkerton agency and the Mine Owners' association, with the knowledge and approval of the governor of Idaho, the former governor of Colorado, the former adjutant general of Colorado and other influential people, conspired to secure the death by hanging of William D. Hayward, Charles H. Moyer and George A. Pettibone, and that incidentally the mine owners are directly responsible for the killing of 14 men in the Independence depot.

The evidence so far introduced by the defense goes to prove that Orchard, knowing of the blowing up of the Bunker Hill and Sullivan concentrator in 1899; of the explosion in the Vindicator mine and of the blowing up of the Independence depot; of the killing of Lyte Gregory, and of the explosion at Bradley's residence in San Francisco, accused himself of having committed the crimes and the murder of 17 men, when in fact he had little or no personal connection with any of them.

Orchard Was Miles Away.

Witnesses have sworn that Orchard was not at Gardner on the day the Bunker Hill and Sullivan concentrator was blown up; that facts connected with the Vindicator mine tend to the conclusion that the explosion was accidental; that while Orchard may have been present when the Independence depot was destroyed, Steve Adams was in fact the man who was employed by the mine owners to blow up a piece of useless property, but that a blunder resulted in loss of life; that Lyte Gregory was murdered at the instance of the United Mine Workers and not of the Western Federation, and that Orchard, possessing a mania for boasting of the commission of great crimes, was lying when he said he was connected with the bomb at Bradley's house.

Evidence has also been introduced to show that both Orchard and Simpkins had personal motive for killing former Governor Steunenberg and that Simpkins' motive was the stronger of the two in that he was subject to unjust punishment and torture at the hands of negro troops called in by the association in 1899. Further evidence as to the explosion at the Bradley house is yet to come. Depositions from Mr. Bradley will be introduced. They were made recently in San Francisco. Bradley swears that the explosion was due to an accumulation of escaping gas and that the owner of the house secured a judgment for damages against the gas company before a jury, and further that an appeal to the superior court resulted in a confirmation of the finding of the jury in the lower court.

Simpkins' Presence Not Denied.

The defense has not attempted to deny the presence of Jack Simpkins in Caldwell, in company with Orchard, shortly before the murder of Steunenberg, and the evidence as to the treatment of Simpkins shortly before the murder of Steunenberg and the evidence as to the treatment of Simpkins by the authorities while he was in the bull pen indicates that the defense does not intend to clear Simpkins by participation in that crime as an accessory before the fact. It has been repeatedly stated, as a matter of current report, that counsel for the defense knew of the whereabouts of Simpkins, who has been a fugitive since Steunenberg's murder.

Gold Decreased, Silver Increasing.

Helena, Mont.—There is a slight decrease in the amount of gold received at the United States assay office for the fiscal year just ended and an increase in the silver. Gold received was \$2,052,046.67, silver \$59,131.04. The total receipts for June were \$110,758.22, of which \$108,581.55 was in gold. Chouteau county was the banner producer last month.

Battleship Collision Denied.

Paris—Minister of Marine M. Thomson received a dispatch from Vice Admiral Toujeard, commander-in-chief of the Mediterranean squadron, emphatically denying the reported collision between the battleship Jaureguiberry and a torpedo boat destroyer.

Longshoremen Strike Again.

New York—The longshoremen on the docks of the Cunard line steamer struck when the Umbria from Liverpool docked. The men demanded 60c an hour for Sunday work.

Havana Cigar Plants Close.

Havana.—The cigarmakers who are on strike, not having replied to the ultimatum of the manufacturers to submit their differences to arbitration, which has expired, the manufacturers announce their intention to close all the plants indefinitely.

OIL TRUST IS CITED

JUDGE LANDIS ORDERS ROCKEFELLER'S PRESENCE IN COURT.

THE REBATE CASE IS DELAYED

Information Upon Which to Base Proposed Fines Is Withheld—Court's Order Defied.

Chicago.—The most important and far-reaching edict in the present epoch of the government's prosecution of trusts was made when Federal Judge Landis ordered the clerk of his court to issue subpoenas for John D. Rockefeller, president; W. H. Tilford, treasurer, and C. M. Pratt, secretary of the Standard Oil Co. of New Jersey, and for J. A. Moffat, president, and G. W. Stall, secretary and treasurer of the Standard Oil Co. of Indiana. The court directed that such men as the court will later designate as being proper subjects of questioning be brought into court to give testimony July 6 at 10 a. m.

H. E. Felton, president of the Union Tank Line and director of the traffic of the Standard Oil Co., and F. A. Wann, a high official of the Chicago & Alton railroad at the time the law is alleged to have been violated, were also summoned.

The court announced that it would go into the innermost workings of the Standard Oil Co., its subsidiary companies, railroads and other corporations with which it transacted or does transact business; that it would inquire into the facts of its organization, its ownership, its declaration of dividends, and all matters relating to it in any way.

Clerk Made Admissions.

Judge Landis had previously called before him two clerks employed by the Chicago & Alton and Chicago & Eastern Illinois railroads. One of them made admissions that the Chicago & Alton had repeatedly violated the anti-rebating laws.

Attorney Miller for the Standard objected to the testimony when the witness was asked to repeat it more definitely and give exact instances. Upon Miller's advice the clerk refused to repeat his statements. Miller turned to the court and said:

"With all due respect for the honorable court, we decline to furnish the information desired, believing that the request was impertinent, extra-judicial and without the jurisdiction of the court. The profits and the dividends of a world-wide corporation can not be used here as aggravating the offense of this defendant corporation, which is entirely different from the corporation from which you seek information. Were the information you seek pertinent to the issue, and were it necessary for use in passing judgment upon the defendant, it should have been produced as evidence before the jury. When court convened Attorney Miller for the Standard moved that the case be dismissed. Judge Landis peremptorily denied it. Then a motion seeking arrest of judgment upon the conviction for rebating was offered and met the same fate.

All May Be Summoned.

If the court decides to question all of the officers and directors of the Standard Oil Co. of New Jersey, the Standard Oil Co. of Indiana, the Union Tank Line and other magnates of the oil corporation and subsidiary railroad lines, they will all have to appear in court. It is practically settled that H. H. Rogers will be required to attend.

FOUR SHOT IN QUARREL.

Brothers Fight Brothers With Fatal Results to One of Them.

New York.—As the result of a quarrel between the Sparta Bros. and the Lande Bros. at Cliffside, N. J., four men were shot, one probably fatally. It is alleged that George Sparta opened fire on the Lande Bros. one of whom, Carlo 18 year-old, fell, fatally wounded. Carlos Brother returned the fire and Clifardo Sparta dropped one bullet having punctured a lung and come out of the back. George Sparta escaped but it is said that his jaw was broken by a bullet. Michael Roos, a bystander was wounded in the shoulder.

British Move Supported by U. S.

The Hague.—The British proposition regarding the laying of floating mines made before the first sub-committee of the third committee of the peace conference will be supported by the U. S. and Japan. William Stead's paper, The Conference Courier, says the text of propositions are mysteriously cabled to America, while they should be kept secret until the discussion is over. Andrew Carnegie, having approved the site and plans for the palace of peace building left for Scotland.

Killed by Falling Scaffold.

San Francisco.—Six men fell over fifty feet from a collapsing scaffold on a building in course of erection at 49 Fourth street. All were badly injured. John Riley died on the way to a hospital.

Karl Hau Trial July 17.

Karl Hau, professor of Roman Law at George Washington University, Washington, D. C., charged with the murder of his mother-in-law, Frau Molter, will begin here July 17.

STANDARD OIL IN DEEPER

FIVE UNTRIED INDICTMENTS CARRY LIABILITY TO \$81,360,000 FINES.

SIMS MAKES A STATEMENT

Four Railroads Involved May Also Be Mulcted in Heavy Penalties—Oil Trust Chiefs Cited.

Chicago.—Consternation was created among Standard Oil representatives here when United States District Attorney Sims announced that, besides the indictment on which the company was convicted, the government has five other indictments containing 4068 counts. On these the big corporation is liable to a maximum fine of \$20,000 for each offense, a total of \$81,360,000, this in addition to its liability to fines aggregating \$29,240,000 in the cases in which it has already been convicted.

As Judge Landis refused to compel the government to elect one count and grant the motion of the Standard Oil

Government Ownership of Telegraph Properties Is Suggested

Chicago, Ill., June 29.—Secretary Russell of the Telegraphers' union issued an appeal to all locals to cooperate in preparing for presentation to congress of a petition for the condemnation of the property of the Western Union and Postal Telegraph companies, and its purchase by the government. Russell gives as reason for the request that a "great economic necessity has arisen which demands such action." The attorneys of the union have unearthed a law that was enacted just after the civil war, the provisions of which are said to be:

"The United States may, for postal, military or other purposes, purchase all telegraph lines, property and effects of any and all companies acting

under the provisions of the act of July 24, 1866, entitled 'an act to aid in the construction of telegraph lines,' and secure to the government the use of the same for postal, military and other purposes. The appraisement of the property of the owners of such companies shall be made by a competent commission of five persons, two of whom shall be selected by the postmaster general, two by the company interested, and the fifth by the four persons previously so selected."

Russell declares the value of the physical property of the Western Union has been estimated by a member of congress at \$35,000,000. The company has issued stocks and bonds to the amount of \$125,000,000.

Company's attorneys to limit the offenses to one, it is regarded as almost certain that conviction in the additional indictments will result in separate fines for each count. The minimum of all fines, in this event, would be \$1,000 each for the 1466 counts in the first case, \$1,466,000, and for the untried counts in the last five indictments, \$4,068,000.

Railroads Also Liable.

The railroads are liable for about two-thirds fines aggregating the amount in which the oil company may be mulcted. The statutes of limitation would prevent them from being indicted for one-third of the alleged offenses. District Attorney Sims refused to say whether or not he will present the evidence against the railroad companies and ask for their indictment.

The Elkins amendment destroyed the imprisonment provision of the original law, but this has been restored by the Hepburn amendment. It is a question whether any of the alleged acts were committed after the enactment of the Hepburn law. If so, the officials of the offending corporations, upon conviction, may also be imprisoned. The only evidence thus far adduced relates to offenses concerning which there is no liability for imprisonment.

Officials Are Cited.

In accordance with his announcement that he would summon officials of the Standard Oil Company, including John D. Rockefeller, to appear before him to give information concerning the workings of the oil trust, United States District Judge Landis instructed his clerk to issue subpoenas directing 14 of them to be in his court on July 6.

John D. Rockefeller is one of them and the others are: J. A. Moffat, W. P. Cowan, Wm. Rockefeller, G. W. Stahl, H. H. Rogers, John D. Archbold, W. H. Hillford, C. N. Pratt, Chas. T. White, W. P. Howe, H. E. Felton and Fred A. Wann. Felton is president of the Union Tank Line and Wann was formerly connected with the Chicago & Alton railroad. The remainder are Standard Oil officials.

Smoke Preventers in Session.

Milwaukee, Wis.—Smoke Inspector Charles Foethke of this city was elected president of the International Association for the Prevention of Smoke at the final session of the association.

Saloons Go Up in Flames.

El Paso, Tex.—Fire destroyed the entire saloon section of Morenci, Ariz. The loss aggregates \$100,000. Twenty-seven buildings were wiped out.

ROADS REDUCE FARE

TWO-CENT RATE GOES INTO EFFECT IN ILLINOIS.

IT APPLIES TO ALL STATE TRAFFIC

All Railroads in Illinois Will Conform With New Law for a Time Says Passenger Association.

Chicago.—The 2-cent fare law went into effect on all railroads in Illinois. The General Passenger Association and the Western Passenger Association, which include nearly all lines in the state, announced that the rate provided by the law would be effective on all state traffic. Interstate regulations now in effect will be maintained under the federal rate law until a new tariff has been prepared.

The delay and litigation so freely predicted at the time the law was passed will at least be delayed as far as the railroads are concerned, until the new rate has been tried for several months. It is said the officials of the various roads affected by the law have agreed to submit to the new rate for a time and then to carry the law into the courts with a showing of deficit, should there be any, that will support a plea that the 2-cent rate is a loss to the roads.

There is a grain of comfort in the Illinois law to the railroads, as it gives the companies the right to charge at

under the provisions of the act of July 24, 1866, entitled 'an act to aid in the construction of telegraph lines,' and secure to the government the use of the same for postal, military and other purposes. The appraisement of the property of the owners of such companies shall be made by a competent commission of five persons, two of whom shall be selected by the postmaster general, two by the company interested, and the fifth by the four persons previously so selected."

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Francis Murphy Dead.

Expires at Home of His Daughter in California After Lingering Illness.

Los Angeles, Cal.—Francis Murphy, the noted apostle of temperance, is dead. The end came peacefully at the residence of his daughter in this city, where for three weeks he has been ill. For more than a week all hope of recovery had been given up and the one effort which physicians made was to sustain life until members of his family could reach here from the East. The immediate cause of death was diabetes.

At his bedside were his devoted wife and his son, Thomas Edwin Murphy of Philadelphia.

DEATH IN VOLCANO.

Lake of Boiling Water Sweeps Over Valdivia Province in Chili.

Valparaiso, Chili.—A volcano which has appeared in La Union district of the Province of Valdivia stopped the course of the Papatun river with an immense stone dam.

An extensive lake soon formed, the waters of which filled the valley up to the crater. Soon after the water began to boil, and as it continued to rise its pressure swept the dam away, inundating the neighboring country.

Everything living was killed. Fourteen corpses have been found among the steaming debris. The new volcano lies close to Mochu Puyehue and Pilan volcanoes.

Was a New York Motorman.

New York.—Paul Kelly, who was arrested in San Francisco, was the motorman of the elevated express train which, during the rush hours one morning in September, 1905, was wrecked on the curve at 53d street and Ninth avenue. The second and third cars plunged into the street and six persons were killed and many others injured.

Officers Voluntarily Retired.

Washington.—The navy department announced the following volunteer retirements under the personnel act: Captains Charles Grimes Boatman and William Henry Beehler, commandant of the naval station in Key West, and Commanders William S. Halsey, Frederick W. Coffin and Arthur W. Dodd.

Frisco Earthquake Decision.

San Francisco, Cal.—An important legal point developed by the earthquake of a year ago was settled when Judge Seawell decided that contractor and property owner were put on a level by the act of God and neither could recover from the other in cases of misfortunes resulting from the earthquake.

REBELS FIGHT ON TO CANTON

THE REVOLUTIONARY ARMY CAPTURES TOWNS, SLAUGHTERING AS IT PASSES ON.

IMPERIAL TROOPS DEFEATED

Insurrection Reported Well Organized and Armed with French Quick-Firing Rifles and Machine Guns.

Victoria, B. C.—Refugees were fleeing to Hong Kong from the districts affected by the revolution in South China, when the steamer Empress of Japan, which arrived here, left that city.

All reported the rebel movement as most pretentious, with an army organized after European methods. War notes, which the rebel leaders promise to redeem at twice their face value after the fall of Canton, were being issued, proclamations posted and everything carried out in form.

Most of the arms used are French quick-firing rifles and machine guns, smuggled during the past three years by way of Amoy and Canton.

After capturing the towns on the way to Swato, the rebel forces moved again northward, seemingly making toward Canton. Hiehoo, on the Kowloon mainland opposite Hongkong, was captured, the imperial troops being badly worsted.

France Takes Advantage.

France is taking advantage of the outbreak to press for a French expedition being sent to Canton to protest that city and Peking officials are reported as strenuously opposing such a move.

Large quantities of supplies for the rebels are arriving at Hongkong in the names of foreigners.

Some bloody incidents are reported. At Wongkong, near Swato, where the civil and military officials were butchered (as in the other cities taken), Yang, a customs official, was killed before the standard of the rebels and the standard was sprinkled with his blood, as were some of the banners.

Families of some of the officials were forced to drown themselves in wells. Refugees are arriving in sad condition, many having abandoned everything, even the sick and children, in their precipitous flight.

Outbreaks have been reported also from Human and Sechuan.

MINING OFFICIALS INDICTED.

Charged with Using the Mails in Scheme to Defraud.

Denver, Col.—Charged with using the mails in furtherance of a scheme to defraud, the medium being the Financial Security and Trust Co., the Goldfield Gold Mining Co. and the Free Coinage Mining and Smelting Co., W. F. McQuarrie, president of the first named company, and one of the most prominent and wealthiest mining promoters in Denver; Dr. D. A. Saunders, one of his assistants in the business, and F. A. Saunders, secretary of the Financial Security and Trust Co., were indicted by the federal grand jury. They were arrested and each gave bond in the sum of \$2,500.

Investigate Cultivation of Opium.

Pekin.—An edict issued here orders all officials strictly to carry out the anti-opium edict, regulations for the carrying into effect of which were issued Nov. 21, and commands an investigation into the quantity of land at present devoted to the cultivation of opium. The new edict promises rewards to officials faithfully executing these regulations and threaten punishment to those disobeying the order.

Fired on Crown Prince.

Berlin.—The Tageblatt's Belgrade correspondent telegraphs that Crown Prince George of Servia narrowly escaped death while rowing on the river. Having approached the Hungarian shore, the customs officials commanded him to stop and permit them to examine his boat. This the prince refused to do and started for the Servian shore, which he safely reached amidst a shower of bullets from the officials.

Acquitted of Anti-Militarism.

Paris.—The trial of ten 'anti-militarists,' who signed the manifesto which was placarded on the walls of Paris May 1, appealing to the soldiers to join the workmen and fight against capital, was continued. After the speeches of counsel the jury acquitted the men.

Drew \$30,000 on Forged Check.

Harbin.—A revolutionist, dressed as an officer of the frontier guards, drew \$30,000 from the Russo-Chinese bank on a forged check and decamped.

To Meet in Nashville.

Milwaukee, Wis.—Nashville, Tenn., was selected as the place of the next meeting of the Secretary Treasurer Association of the United Commercial Travelers of America at its closing meeting. J. M. Berry, Dallas, Tex., was elected president.

Balloon Falls in the Sea.

Nieuport, Belgium.—A balloon coming from the direction of Dunkirk fell into the sea near here. Tugs have gone out in an attempt to rescue the aeronaut.

TO EXPOSE FRAUDS

LAND GRABBING OPERATIONS IN CALIFORNIA COME NEXT.

GOVERNMENT COLLECTING EVIDENCE

California State Official Says Big Timber Thieves Are Being Protected.

San Francisco.—That moneyed speculators in the East and on the Pacific Coast are conducting tremendous land-grabbing operations in California that the United States authorities have failed repeatedly to take any notice of these unlawful proceedings, and that an expose, involving prominent capitalists and corporations, will be made are the assertions by State Mineralogist T. Lee Aubury.

Mr. Aubury says he has been approached by timber thieves with bribes to discontinue his investigations and that government officials sent out from Washington to make inquiries have been guilty of crooked dealings. Aubury gave out a statement setting forth the allegations upon which he bases his charges.

"Under my direction," he says "the State Mining Bureau collected evidence in October and November, 1902, in regard to the great frauds which were being committed in acquiring timber lands in Northern California, and a detailed report was furnished the general office. From that time until the present I have been hammering at the Department of the Interior to prosecute big timber thieves.

"The government has had special agents collecting evidence, and enough has already been collected to send hundreds of persons to jail. I have waited six years and there is nothing doing. In the meantime the statute of limitations is running and the frauds which have been committed will not be punishable."

Aubury says he is confident President Roosevelt wants to prosecute the land thieves, but claims the president is misled by confidential agents.

A PRINCE ON THE STAGE.

French Nobleman Gets Permission to Give Three Concerts.

Paris—Prince Robert De Broglie, who married Miss Estella Alexander of California, a variety actress, has received permission from Prefect of Police Lepine to give three concerts here. Hitherto the police had refused to allow the prince to appear on the stage, owing to the opposition of his family, although his wife has appeared at the Colonial and Orpheum. The marriage of Prince Robert and Miss Alexander (who was the divorced wife of Sidney B. Veit) aroused considerable ill feeling, resulting in Prince Amedee, father of Prince Robert and uncle of the Duke of Broglie, head of the house, filing a demand in the Paris courts for the annulment of his son's marriage which took place in Chicago last year.

DAMAGE JUDGMENT UPHELD.

Widow of Kentucky Fued Victim Sues for \$8,000.

Frankfort, Ky.—A damage judgment of the Clark circuit court awarding Mrs. Abriel Marcum, widow of Attorney James B. Marcum, who was assassinated at Jackson, Breathitt county, and her children \$8,000 to be recovered of Judge James Hargis and Edward Callahan on the ground that they had caused Marcum to be shot was upheld by the Kentucky court of appeals. Hargis was the county judge and Callahan the sheriff of Breathitt county when Marcum was assassinated.

Charged Inhumanity and Cruelty.

St. Paul, Minn.—The supreme court of Minnesota denied the appeal of Mrs. E. W. Williams, head of the Winona Humane society, from whom E. W. Williams, a shoe manufacturer, obtained a divorce a year ago on grounds of cruel and inhuman treatment. Mrs. Williams has taken part in many national humane society movements, and during the trial resented her husband's charges of inhumanity and cruelty.

Senator Stone in Manila.

Manila.—Senator W. J. Stone of Missouri and C. A. Towne of New York arrived in this city. They will be the guests of Gov. Smith. Many entertainments have been arranged for them. They will make a tour of the islands before their return to America.

Senator by Direct Vote.

Madison, Wis.—The assembly by a vote of 69 to 3 passed the senate resolution favoring the election of United States senators by direct vote.

Insurance Man Sentenced.

Minneapolis, Minn.—W. F. Bechtel, former president of the Northwestern National Life Insurance company, was sentenced to state's prison for five years. He was convicted of grand larceny from the company.

Denies Canal Shakeup.

Washington.—Secretary of War Taft, who has returned to Washington, pronounced the rumored resignation of Goethals and other officials of the Panama canal a "tissue of falsehoods."