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FUNSTON COMING EXPECT MARTIAL LAW IN GOLDFIELD

Understood That General Will Take Matters Out of Governor Sparks' Hands.

ACTING PRESIDENT OF FEDERATION ON THE WAY

Attempt to Settle Will Be Made on His Arrival; Miners Pass Resolutions Against Presence of Troops.

GOLDFIELD, Nev., December 10.—It is reported tonight that General Funston is to come to Goldfield to personally take charge of the situation, and more troops, it is said, may be sent.

The meeting of the executive committees of the Goldfield miners' union and of the mine owners' association will be held tonight.

It is believed here that Roosevelt is responsible for the decision that Funston is to come to Goldfield and that the intention is to take the conduct of affairs out of the hands of the governor and the Esmeralda county officials, and that martial law will be declared in Goldfield immediately upon the arrival of Funston.

The mine owners are fearful of the consequence when the attempt to open the mines is made, but they are apparently determined to carry out their intention to resume operations Thursday.

Expect Martial Law. Indications are that the military authorities are preparing to proclaim martial law and that the situation will then be taken out of the hands of Sparks, who is not in touch with the sheriff's office.

Sparks was visited at his hotel by many prominent mine owners today, but decided that any official conference between himself and the officials of the association had taken place.

The universal impression is that martial law will not be declared until after the arrival of Funston, but that preparation will be made at once for the work which will have to be performed by the troops as soon as such action is taken.

Will Try to Start Mines. The mine owners' officials still assert that their original intention to reopen the mines Thursday morning will be carried out and that enough men have been secured to carry out the attempt.

At the meeting of the executive committee of the Miners' union tonight, resolutions condemning the authorities for sending troops, protesting against their remaining here and demanding their withdrawal at once were passed and the decision to stand by their previous declaration in regard to the refusal to accept scrip for wages, was made.

Not to Take Charge. SAN FRANCISCO, Cal., December 10.—Brigadier General Funston tonight said he would leave tomorrow with two or three staff officers for Goldfield for the purpose of looking over the situation, but he wished it made plain that he was not going there to take command of the troops or in any way to supervise Colonel Reynolds, and neither is it his present intention to order additional troops to the mining region.

Funston expects to spend only two or three days at Goldfield.

AHEARN TRIES TO BALK REMOVAL BY GOVERNOR

NEW YORK, December 10.—The refusal of John A. Ahearn to submit passively to his removal from the office of borough president of Manhattan by Governor Hughes, brought about an interesting situation today, when counsel for Ahearn secured a temporary injunction restraining the court clerk from filing the governor's order of removal and the mayor from presiding at a meeting of aldermen for the election of a successor.

YOUTSEY TELLS OF PLOT TO KILL GOVERNOR GOEBEL

Says Governor Taylor Offered Bribe and Pardon for Man Who "Did the Job."

GEORGETOWN, December 10.—Henry Youtsey, now serving a life sentence for complicity in the murder of former Governor Goebel, was a witness today in the trial of Caleb Powers.

Youtsey told of a conversation he had with Dr. W. R. Johnson as to the killing of Goebel and of the purchase by Youtsey of smokeless cartridges on the Cincinnati side.

TWO GO TO JAIL AND ONE TO YUMA

Three Sentences by Judge Nave in United States and Territorial Court.

Sentence was passed on three offenders by Judge Nave yesterday. In the United States court R. G. Scott, who pleaded guilty to selling freewater to Indians, was sentenced to six months imprisonment in the county jail and to pay a fine of \$100.

Edna Earl, who pleaded not guilty to the indictment returned against her jointly with Tom Smith, was tried and the jury after being out a few minutes found her guilty.

SMELTER TRUST CHIEF DENIES DISCRIMINATION AGAINST NEVADA MINES

DENVER, December 10.—Frank Guiterman, general manager in the west for the American Smelting company, today denied the charge that the company was seeking to retard the progress of Nevada mines by refusing to pay cash for ore mined in that state.

FAVORITE SON VOTE. DOVER, Del., December 10.—The democratic state committee today passed a resolution endorsing Judge George Gray of Delaware for the presidency.



FIRST NATIONAL MAY REOPEN ON FEBRUARY ONE

President Porter Talks Encouragingly of the Future of the Suspended Bank.

HAS \$100,000 TO PUT THE WHEELS IN MOTION

Total Assets Would Aggregate More Than \$400,000; If Bank Opens Depositors Must Act Sane and Conservative.

If present plans do not miscarry or bump up against an unsurmountable obstacle in the office of the comptroller of the currency at Washington, the First National bank of Globe will be open for business and resume payment as usual on February 1.

It is officially given out that the bank is in fine condition; that its securities are all gilt-edged, amply covering all loans and that with a return to normal conditions there will be no trouble in realizing on this paper.

"The bank has recently secured \$100,000 in cash," said J. N. Porter yesterday. "If our present plans are not interrupted the capital stock will be doubled, giving us \$100,000 more, and with the cash now on hand and collections to be made, we will have more than \$400,000 in cash with which to resume business."

"Before this can be done, however, it will be necessary for the receiver to thoroughly check up the business of the bank and forward his report and recommendations to the comptroller of the currency. It will then be up to that official to say whether or not we can reopen."

"But there is on thing sure: When the doors of the bank do re-open again it will be for all time. I must be assured in advance that depositors will act sane and conservative. I will never undertake to resume the business unless I am absolutely sanguine that there will be no more unwarranted runs and that I will not be forced again to close my doors."

"I have every confidence in the future of Globe and am willing to risk my own money and the money of my friends if the people are disposed to use good judgment."

\$2,000,000 MORE FOR CARNEGIE INSTITUTE

WASHINGTON, December 10.—Andrew Carnegie has added \$2,000,000 to the \$10,000,000 endowment fund of the Carnegie institute. The announcement was made at a dinner tonight of the board of trustees of the institute.

WANT ROOSEVELT MAN. JACKSONVILLE, Fla., December 10.—The republican state committee today adopted resolutions pledging the party to send delegates to the national convention to vote for a candidate who pledges himself for a continuation of Roosevelt's policies.

ANOTHER BLUE SUNDAY IS PROMISED NEW YORK

NEW YORK, December 10.—After a heated debate the proposed ordinance removing the ban from Sunday concerts and other forms of mild entertainments on the first day of the week was referred by the board of aldermen today to the committee on laws and legislation and New York is promised another "blue" Sunday, as the board will not meet until Tuesday.

MANY CITIES AFTER DEMOCRATIC WIGWAM

CHICAGO, December 10.—Thomas Taggart, chairman of the democratic national committee, left today for Washington, where the committee will meet Thursday to decide upon the date and place of the next democratic convention.

BOLIVIAN BANKER SUICIDES

LA PAZ, Bolivia, December 10.—Felipe Lapinelli, manager of the Banco de Agricoltura, committed suicide today. This with the announcement that a shortage of \$140,000 had been found, has caused a sensation.

NEVADA EDITOR KILLS CROOKED MINE PROMOTER

GOLDFIELD, Nev., December 10.—Francis L. Burton was shot and killed at Mina today by J. Holtzman Buck, editor of the Western Nevada Miner.

Burton, who was a resident of Mina, saying that if the people of that town had the nerve of the Rawhide people, Burton would not be anywhere within a thousand miles of the place.

Burton is alleged to have a record in Colorado and Massachusetts as a promoter and financial sharer. Several years ago he was arrested in Massachusetts in connection with some mining promotion.

Later he came to Goldfield and during the boom started two banks, one at Goldfield and the other at Mina, a small camp south of here. The two banks failed and it developed that they had been robbed by Burton under the guise of a borrower.

Buck, who did the killing, had a newspaper at Rawhide as well as at Mina and both papers were severe in their denunciations of Burton. Buck has always stood high in the state.

DEFENSE CLAIMS IRREGULARITIES BY PROSECUTORS

Motions to Set Aside Indictments Brought Against Local Mining Men.

AMENDED MOTIONS TO BE PRESENTED TODAY

Judge Nave Denies Motions, But Gives Further Time to Strengthen Them; Allegations of Defense.

Motions to quash the indictments recently found by the federal grand jury against R. B. Hegardt, N. S. Berry, E. T. Stewart and R. B. Reil for perjury in connection with the alleged coal land frauds in San Juan county, New Mexico, were made in the United States court yesterday by Attorney E. E. Ellinwood.

The motion to set aside the indictments was a lengthy one and was supported by affidavits from each of the defendants. The motions were filed by Judge Nave, who immediately after had the order of denial vacated, giving the defendants until this morning at 9:30 to amend the motions.

Gordon Was Witness. The motions to quash contain allegations of a number of irregularities in the proceeding of the indictments, the principal one of which is that Peyton Gordon, the assistant attorney general, appeared before the grand jury as a witness without being first sworn, and that he gave as evidence what was purported to be the written and signed testimony of R. B. Hegardt given before the federal grand jury at Santa Fe.

It is understood that in the amended motions which will be made this morning by the attorneys for the defense, more positive statements as to irregularities in the government's proceedings will be made. Just what will follow a possible quashing of the indictments is conjecture, but it has been unofficially stated that a special grand jury will be called to again consider the cases.

SENATE TO INQUIRE INTO BOND ISSUE

WASHINGTON, December 10.—Senator Aldrich today informed the senate that the committee on finance would within a short time bring in a resolution providing for an inquiry into the recent bond issue of the government, and that it would provide for an investigation of all matters contained in the resolution offered by senators concerning the financial stringency and the efforts of the government to relieve the situation.

Next One Will Be Held in Denver Next Month; Questions To Be Considered.

DENVER, December 10.—The call for the eleventh annual convention of the American National Live Stock association to be held in this city January 21-22, was issued today. Among the questions for discussion are: Forest reserves and public grazing land, railroad service, shortage of cars, transportation of live stock attendants and refund of fares to parties who go out to receive live stock actually contracted for, foreign markets for meat products, meat inspection and cost thereof, the financial stringency and its remedy.

AWARDING OF NOBEL PRIZES AT STOCKHOLM

STOCKHOLM, December 10.—The ceremonies attending the distribution of the Nobel prizes apart from that of the peace prize which was awarded at Christiania, took place this afternoon, in the building of the Academy of Sciences. The prize for literature was awarded Rudyard Kipling, that for physics to Professor Albert Michelson of the University of Chicago, medicine to Dr. Laverne of Paris and the chemistry prize to Professor Edward Buchner of the University of Berlin. The prizes this year amounted to \$38,000.

BRIDGE COLLAPSE ON SUSQUEHANNA FATAL TO SEVEN

Forty Men Thrown Into Swollen Waters and a Score Injured, Two Fatally.

BLOOMSBURG, Pa., December 10.—High water tonight caused the collapse of a new bridge, in course of construction over the west branch of the Susquehanna river at Millville, eight miles north of here, which resulted in the death of seven men and the injury of nearly a score of others, two perhaps fatally.

Many of the men were caught in rapid water and carried a mile or more down stream before they could be rescued. One of the most remarkable escapes was that of William Nesbit, who was caught on the iron work and held a prisoner for an hour with his mouth and chin above water before being rescued.

MAYORALTY FIGHT IN BOSTON GOES TO REPUBLICANS

"Honey Fitz" Defeated for Re-Election by Hibbard by Two Thousand Votes.

BOSTON, December 10.—In the closest fought election contest which Boston has known in many years, the city went republican today by 2000 votes. Postmaster George A. Hibbard, republican, defeated Mayor John F. Fitzgerald, democrat, who was a candidate for re-election.

ST. LOUIS SHOCKED

ST. LOUIS, December 10.—A slight earthquake shock which rattled windows in the downtown section was felt tonight at 10:30. The movement seemed to be from north to south.

CONVENTION OF STOCK RAISERS

MONONGAH, W. Va., December 10.—The crowd of idlers who have surged about the pit and entrances to mines Nos. 6 and 8 of the Fairmont Coal company from the moment of the explosion last Friday, has been dwindling ever since the rain started last night until tonight when there only remained the forces employed in the rescue work, newspaper writers and the inconceivable near relatives of victims, who remained faithful in their vigil during the downpour all night and all day, still shivering and enduring physical discomfort in the wet snow that succeeded the rain.

FRISCO BANKER SPENDS ANOTHER DAY BEHIND BARS

General Manager of Suspended Trust Company Unable to Raise \$75,000 Bond.

STILL SILENT ABOUT COLTON SECURITIES

Aged President Brought to City by Detective, But Is Released When He Gives Bail; Depositors Wrangle.

SAN FRANCISCO, December 10.—J. Duizel Brown, general manager of the suspended California Safe Deposit and Trust company, spent another day behind the bars of the city prison because of his inability to obtain a bond for \$75,000 on the charge of embezzlement. Brown was hopeful of release all day and confident that he would be a free man before night, but to his disappointment, tonight the well groomed and suave banker again occupied his dingy cell surrounded by common felons and drunks.

Brown is ready to talk upon the conditions of the suspended bank over which he presided, and which he still insists is solvent, but he became silent when the disappearance of the Colton estate securities was touched upon. He denied that President Walker borrowed \$750,000 from the bank and this denial was corroborated by Bank Commissioner Lynch, who stated that Walker had to his credit \$42,000 deposited in the bank.

President Released. David F. Walker, the aged president of the company, accompanied by his wife, son and daughter, arrived tonight from Santa Barbara in custody of a detective of the local police department. Bond had been submitted to the district attorney's office during the day by a surety company, and after being hooked as the prisoner, he was immediately released. The bank commissioners were in conference with Attorney General Webb this afternoon and beyond stating that the situation looked more hopeful, the commissioners declined to make known the purpose of the conference.

Barnett Stays Home. J. W. Barnett, former vice president and director, who secured his release on bond for \$75,000 yesterday, remained at his home in Marin county today and did not come to the city. Assistant District Attorney Cook is looking into the affairs of the bank, examining as to whether there is evidence on which further criminal proceedings may be brought.

A small gathering of men and women, representing 200 out of the 12,000 depositors, braved the rainstorm this morning and met at Dreamland rink. A committee was appointed to meet other associations of depositors with a view of uniting into one organization for the purpose of taking concerted action. It was presided over by Charles O'Callaghan, an attorney who urged those present not to assign their bank notes to any association or committee of depositors until after the affairs of the bank had been more closely examined. He did not think the bank's condition is as secure as reported, and advocated the calling of a general mass meeting of depositors.

STILL BRINGING UP BODIES FROM MONONGAH MINES

Total List of Bodies Recovered Last Evening Numbered 141; Many More Located.

When darkness fell tonight 141 bodies had been brought to the surface, while many more were located, and with every prospect of the rapid work of recovery of the past twenty-four hours continuing throughout the night.