

GOVERNMENT RESTS IN TERRY-BOSHAN TRIAL.

**Alleged Large Excess of Sample Copies
---25 Pretty Girl Witnesses For
the Defence Arrive.**

Portland, Me., Feb. 28.—(Special.)—The government rested this afternoon in the trial of George Fred Terry and Harry W. Boshan, both of Waterville, on an indictment alleging fraud by the misuse of the second class postal privilege and Warren C. Philbrook will make the opening address for the defence in the morning. The most important testimony given today was by Leroy S. Sanborn, a former city auditor for Portland, who made computations of the records obtained by the postoffice inspectors at the Waterville postoffice and at the Sawyer Publishing Co. The computations made by Mr. Sanborn were comprehensive and the tabulations made by him covered many sheets of paper. He was on the stand three hours.

These computations show that from March to October inclusive, 905,665 sample copies were sent through the mails in excess of the number permitted by regulations. These regulations provide that sample copies in excess of the number authorized to be sent at postal rates must be paid for at one cent each and according to the figures of Mr. Sanborn the excess copies should have paid \$905,665.

In order to make these calculations copies of the magazines for each month in wrappers were weighed and the average weight per copy was obtained. Computations were then made of the total weight of samples and regulars for each month, of the weights reported by the three weighers in the postoffice, of the weights reported by Boshan, and of the regular and sample copies sent through the mails as indicated by the stencils and duly reported in the Sawyer Publishing Co. plant. Mr. Sanborn was not cross-examined.

The last two witnesses for the government were Miss Maud R. Freeman of Waterville, foreman at the addressing department, and Mrs. Mamie V. Murray, inspector of wrappers.

The witnesses for the defence arrived today. Among them were 25 pretty young women from Waterville, who were employed by the Publishing Co. up to the time that the second class mailing privilege was taken away by the postoffice department. They sat in the witness' seats on one side of the court room and with their pretty and gaily colored garments were the chief objects of attention. The young women apparently enjoyed the sensation of being in the courtroom and they were in one of the sensational incidents of the trial, and pointing to them, asked the inspector if he meant the jury to understand that these young ladies had anticipated an indictment by two months and purposely made errors in marking sacks in order to give him (Mr. Philbrook) an opportunity to ask a question in court, the girls giggled and laughed and seemed to enjoy the incident hugely.

There is so much documentary evidence in the case that it is difficult to indicate what the government has made out. For proving the second count in the indictment the government will rely chiefly on the weight reports of the clerks in the office and the weight reports of Boshan to the assistant postmaster. These according to the

computations of Mr. Sanborn show a discrepancy of many hundred thousand pounds for the period covered by the indictment. During the month of May the records show that where the weighing clerks report 53,466 pounds of regulars; Boshan reported to the assistant postmaster 91,598 pounds of regulars, or an excess of 38,132 pounds for that month alone.

There is no allegation that these papers were not paid for at the postal rate of postage, but it is the allegation of the government that by transferring weights of stamps to the accounts of weights of regulars that Boshan deceived the assistant postmaster and in that way procured the carrying of excess sample copies at postage rates when they should have been paid for at the rate of one cent each. While this was the main element in the attempt to prove this allegation in the indictment extensive collateral testimony was put in which took up a great deal of the time of the court.

As the indictment alleges a conspiracy it will be necessary to connect Mr. Terry with the transactions in order to hold either and the movement depends largely upon the proposed testimony of the postoffice inspectors as to an alleged confession by Boshan. When that alleged confession was kept out the defence scored heavily.

The government has introduced a great deal of documentary and verbal evidence in relation to the conduct of the witness at the Publishing House and from this circumstantial evidence expect to show that a conspiracy to defraud existed. Some of the most important of this evidence is that the number of stencils used to direct copies to regular subscribers and actual numbers of papers sent out as regular subscribers as shown in the daily records do not jibe by more than 100,000 for nearly every month covered by the indictment.

The defence has objected to the introduction of papers and documents on the ground of a variance in the indictment and while Judge Hale has admitted nearly all of these papers and documents the defence has saved exceptions. The variance alleged is that what the indictment names the publication Sawyer's Magazine, the title printed on the publication is Sawyer's, Judge Hale has ruled that it is a matter of fact for the jury to decide whether the publication is as well known by one title as another and a great deal of evidence has been presented on this point. While the government assumes that this point is of little importance it has insisted every one of its witnesses in regard to it and has presented subscription blanks, premium circulars and other documents to show that the title Sawyer's Magazine was used in the by the publishers.

Inspector Howard Sheffer resumed the stand when court came in this morning and his direct examination was continued by District Attorney Whitehouse. Inspector Sheffer was asked in regard to the beginning of the investigation and the conference with Mr. Terry in Mr. Terry's office when Inspector Robinson and Mr. Wilmet were present. The testimony of the witness was corroborative of that of Inspector Robinson and Mr. Wilmet who had testified yesterday in regard to the conferences and investigation.

The witness went into detail in relation to the sacks of Sawyer's and in the cellar behind paper in rolls. The witness said there were about 20 sacks of the November issue and an examination of several sacks showed that they contained samples. The inspectors discussed several plans of finding out why the bags were put there and finally agreed to interrogate Superintendent Townsend.

They saw the superintendent on the second floor after dinner of that day. The witness said:

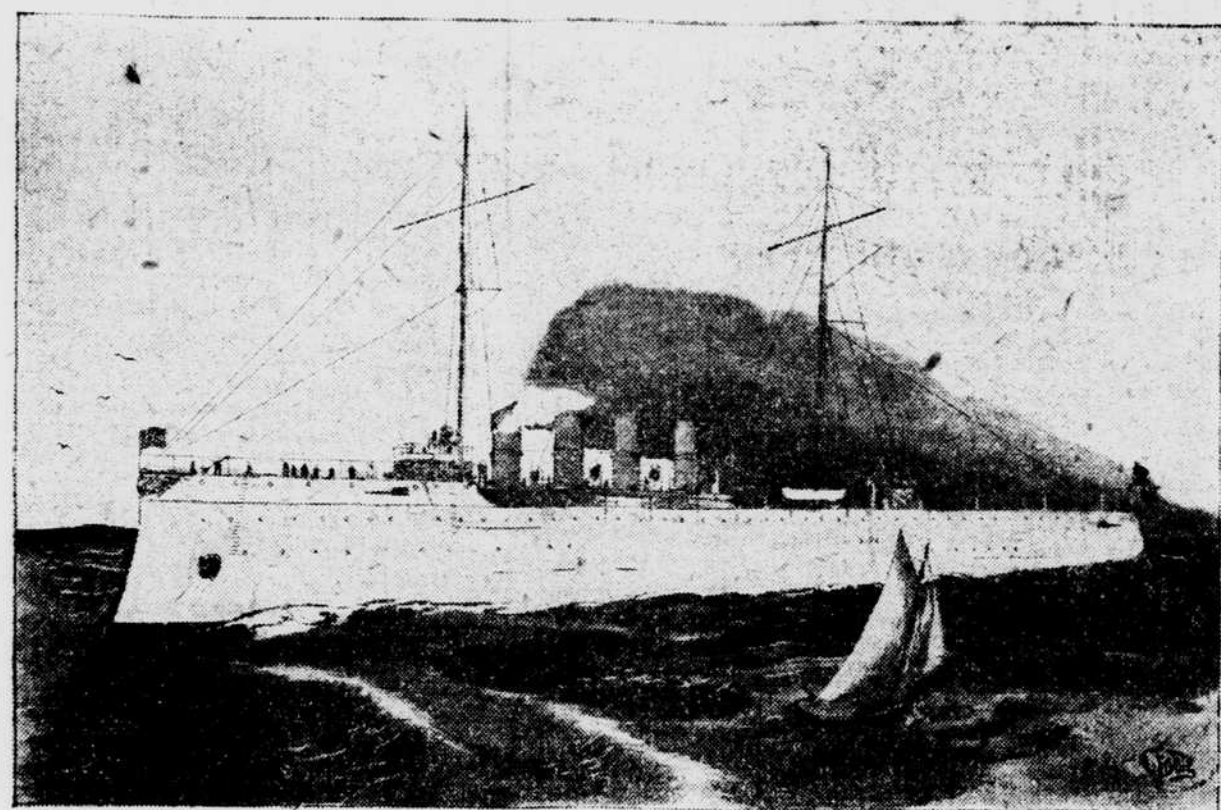
"Mr. Townsend, have all of Sawyer's for November been wrapped and mailed?"

"Yes," replied Mr. Townsend, "all with the exception of about 100 which were on trucks." If any of the papers had not been wrapped and mailed you would know it? "Yes," Mr. Townsend replied. "How about those in the cellar?" asked Inspector Robinson. "Didn't know there were any in the cellar," Mr. Townsend answered. "There certainly are some there," I replied and Mr. Townsend said, "Then I don't know of them." Mr. Robinson said, "Come down into the cellar and I will show them to you." "Oh," replied Mr. Townsend, "I remember now that there are some down there." He went down to the basement and looked at them. Mr. Robinson asked, "Why were these kept here?" and Mr. Townsend replied, "They are kept by the orders of Mr. Terry, who desires to make changes in a new circular to be sent out in the same mail with them."

The remainder of his testimony on this matter was similar to that given by Inspector Robinson and Mr. Wilmet.

Some of the new testimony offered by this witness was of conversations (Continued on Page Twelve.)

U. S. S. CHESTER, BATH BUILT CRUISER, MAKES GOOD IN OFFICIAL TRY-OUT.



By courtesy of the Bath Anvil.

26.07 Knot Gait Shown In Official Trial Friday On Owl's Head Course.

Rockland, Me., Feb. 28.—A magnificent showing was made by the scout cruiser Chester on her official sea standardization trial today. The mean of her highest five runs over the mile course when corrected probably will show a speed of 25 knots an hour, a knot in excess of her contract requirement. Seventeen runs were made over the course. The fastest mile, uncorrected, was at the rate of 26.21 knots an hour. Another fast mile was at the rate of 26.14 knots an hour. The anchor tests followed and were successful.

Just before the departure of the Chester for her 24-hour endurance run late this afternoon, it was announced unofficially that the corrected time of her best mile in today's standardization trial was 26.07 knots an hour. The horsepower developed is said to have been about 16,000.

At 5 o'clock the cruiser left the harbor to enter upon her 24-hour run, which will test her endurance while traveling at cruising speed of 12 knots an hour. The cruiser will report at Portland tomorrow night.

The machinery behaved admirably

and the Parsons turbine engines, which were given a test for the first time in a United States warship, excited the admiration of the naval officials who were sent to superintend the trial. The ship gave little or no vibration even when she was plowing through the waves at a 26-knot clip.

The navigating officer was Capt. Charles L. Blair of Bath. President John S. Hyde of the Bath Iron Works, the builders, and other officials of the company were on board as was Commander Henry B. Wilson of New Jersey, who is to be captain of the new craft.

The Chester was launched from the yard of the Bath Iron Works last June. Although the second in three ships of her class to go down the ways, the rapid progress made on the final stages of her construction brought her first to the mark to undergo the severe tests of an official try-out.

The Chester is designed by the navy department to serve as advance

runner to the main fleet. There are two others, the Birmingham and Salem, now under construction at the Fore River yard, Quincy, Mass. Each of the ships is equipped with different types of engines, and as they in turn go over the course it will be interesting to compare the results attained and the speed that may be produced with each.

It was confidently expected that the Chester would exceed the required speed of 21 knots. The last government vessel built in Bath, the battleship Goodhue, now on route to the Pacific in Evans' fleet, exceeded all requirements, as did the steamer Camden, constructed at the Iron Works for a private company. The performance of the Chester last week in a seven-hour run from Boston to Bath, and that, too, in heavy winter seas, showed her class.

The dimensions of the Chester are as follows:

Length between perpendiculars.....43 ft. 8 in.
Length overall.....47 ft. 8 in.
Beam.....16 ft. 8 in.
Draft, fully loaded.....12 ft. 8 in.
Displacement, normal.....2,500 tons
Displacement, fully loaded.....3,100 tons
Total draft.....14 ft. 9 in.
Fuel oil capacity.....1,200 tons
Coal to be carried on trial.....45 tons
Contract speed.....21 knots
The battery consists of three six-inch guns and two five-inch guns and two 21-inch submerged torpedo tubes. She is completely equipped with electrical appliances and has every modern improvement for vessels of her type.

Horrigan for Mayor.

Biddeford, Me., Feb. 28.—The Democratic majority caucus nominated Cornelius Horrigan tonight. Mr. Horrigan is one of the city's representatives to the Legislature.

ENDORSE REPUBLICANS.

Brunswick Democrats Find No Fault With Present Administration.

Brunswick, Me., Feb. 28.—(Special.)—A Democratic caucus was held at the court room this evening. The machine had been well oiled and adjusted, so that it took but a few minutes to grind all the business that had been agreed on before the meeting was called to order, so the caucuses lasted but a few minutes. The nominations were as follows:

Selectmen, Henry C. Upton, Alvan Snow and Telephone Lapointe; school committee for two years, Dr. E. H. Andrews. The following Republican office holders were endorsed: Treasurer Samuel L. Forsyth, Collector of Taxes John R. Stanwood, School Committee Edward W. Wheeler, (for three years), Auditors Ira T. Booker and Harry E. Thompson. The caucus also nominated Charles Franklin Strout, a Republican, for road commissioner. The Republican caucuses will be held tomorrow afternoon.

NO RELEASE PROCEEDINGS

For Woodbury Unless His Health Should Grow Worse.

Foxcroft, Me., Feb. 28.—Judge Calvin W. Brown of counsel for Herbert Woodbury, who was held without bail yesterday for the grand jury of the September term of the supreme court and committed to Dover jail on the charge of wife murder, stated today that no immediate move would be made to attempt to obtain the release of Woodbury on bail.

He said any action along this line would depend upon Woodbury's health. He is suffering with heart trouble and rheumatism and if the confinement aggravates these afflictions so that his life is seriously threatened an action may be brought in the supreme court for the purpose of securing the prisoner's release on bail. It has been suggested that Woodbury, if kept in jail, would not live to be tried in September.

TEN CASES OF SMALLPOX

Developed In Foxcroft Village, N. B.—No New Ones At Moncton.

Moncton, N. B., Feb. 28.—Ten new cases of smallpox have developed at Foxcroft village, a few miles from here. Seven houses are now quarantined there. The contagion came from one home where a card party was held and later smallpox developed. There have been no new cases in Moncton since Sunday night.

The entire standing army of the Tongva Islands has just been disbanded. It having been decided that an army is of no further use in the kingdom. The army consisted of six officers and thirty men.—London Standard.

FOWLER FINANCIAL BILL IS REPORTED.

Most of Committee Reserve Right to Oppose Certain Features---Fowler's Synopsis of the Measure.

Washington, Feb. 28.—By a vote of 11 to 5, three members being present and not voting, the House committee on banking and currency today authorized its chairman, Representative Fowler of New Jersey, to report to the House the Fowler currency bill with the recommendation that it be passed. In voting for the favorable report upon the bill, Mr. Weeks reserved the right to oppose on the floor the clause providing for a federal guaranty of national bank deposits.

Although today's vote was reached after weeks of hearings and exhaustive discussion of its various provisions in executive session it does not commit the banking and currency committee to the bill's support on the floor of the House.

Ten of the 11 members who voted affirmatively reserved the individual right to oppose any section of it and to offer and urge any amendment when the bill is called up. A majority of the committee felt the necessity of getting the bill before the House without further delay so that its provisions as revised in committee may become a subject of open debate both in the House of Representatives and in the press of the country.

The committee recommended in six of its salient features. The clause permitting national banks to do a trust savings bank business was appended by striking out the savings bank section. The clause making all of the national banks within each of the proposed reserved districts specifically liable for 10 per cent. of the check and note liabilities of failed national banks within that district was revised to read 25 per cent.

The bill as originally framed, allowed each national bank to take out a note at credit notes to the extent of 100 per cent. of its capital stock with the approval of the comptroller of the treasury and an unlimited additional amount with the approval of the board of managers of the reserve district to which the bank belonged. This provision was revised so that the local amount of credit notes issuable to any bank shall not exceed 200 per cent. of its capital stock.

The bill originally provided that of the deposit guaranty fund to be created by a tax of 2 per cent. of the credit notes issued, 50 per cent. should be invested in United States 2 per cent. bonds, and 50 per cent. should be held in reserve. This is a gold fund. The

bill, as revised, stipulates the investment of the entire fund in United States two and sixes their flat purchase price at 10, which was the average price for the month of February last. The revised bill in order to carry out the bond currency class, provided that after the guaranty fund has reached the sum of \$25,000,000 the secretary of the treasury shall issue gold certificates in amounts corresponding with the annual 2 per cent. payments on the total outstanding credit notes issued, these gold certificates to take place of an equal amount of outstanding greenbacks. As the estimated annual tax on credit notes would be \$14,000,000, about 14 years would be required for the total retirement of the country's present bond secured currency after the guaranty fund reached the amount of \$25,000,000.

One of the most interesting provisions of the bill as revised in committee requires the government to collect its claims and to pay its current expenses through the banks. That is, the government would continue to hold in the treasury the greenback redemption fund amounting to \$150,000,000 and the gold certificate redemption fund, amounting to about \$20,000,000, and its general fund for the conduct of the government would be kept on deposit in various national banks, subject to check and instead of paying out general money by vouchers and treasury checks, payments would be by bank checks.

At the minority's conference some weeks ago, which resulted in the introduction of the minority currency bill by John Sharp Williams, the plan was practically agreed upon that the Democratic members of the banking and currency committee should at the proper time make a minority report offering the Williams bill as a substitute for the Fowler bill. The plan was dependent upon a joint conference of the minority of the finance committee in the Senate and that of the banking and currency committee in the House.

That conference has not been held. The reason, as reported, is that the minority in the Senate has bound itself to the Bailey bill as a substitute for the Aldrich bill and that therefore it is unwilling to confer with the House minority on the Williams bill.

Ten days was granted by the committee to the Democratic members in

(Continued on Page Two.)

A Political Situation Without Precedent In City of Bath.

Bath, Me., Feb. 28.—(Special.)—One of the most peculiar campaigns ever waged in this city will come to an end with Monday's municipal election, and the outcome is being awaited with great interest owing to these peculiar conditions.

Mayor George E. Hughes, Democrat, is to be Bath's next mayor, having received the unanimous renomination at the hands of his party at the caucus last week, while the Republicans have no majority candidate this year, a condition that has not existed under just these circumstances within the history of the city. In these wards where the Republican ward officers have not been endorsed by the Democrats, great danger lies in the fact that there may be a large stay-at-home vote, larger in fact than usual, while the Democratic vote will be nominal, and there the Republican tickets are to be jeopardized.

Taking the aldermanic nominees for instance: In Ward 1 the Democrats endorsed the Republican nomination of John M. Schofield, as they did that of John A. Morse, that of Alfred R. Pratt in 5 and E. Randall Leonard of 7, while in 2 Dr. Walter E. Rowe was nominated against Chairman Wilbur C. Oliver of the Republican city committee but refused to sign nomination papers; in 3 the Democrats nominated Councilman Joseph C.

Varnum for alderman against Fred L. Brockley, the Republican candidate, and in 6 the Democrats nominated James C. Atkinson against Councilman Arthur K. Purington, the Republican nominee.

Other situations, some of them complex, have been brought about in the nominations for the common council, the Democrats in some cases having endorsed Republican nominations in whole and some in part, and in some cases have their full tickets in opposition to the Republican nominees. In Ward 7 they made but two nominations, Councilman Frank A. Smith, who is president of the lower board, and Councilman Herbert L. Grienell, who is a member of the Legislature. The third man to be elected to the board will be one of three Republican nominees, Milton H. Douglas, Walter Madden or Harry T. Passmore, and opinion seems to be about evenly divided as to which it will be.

In the contesting wards every effort will be made to get out the full Republican vote on the ground that Republican ward officers should have just as much support as the nominee for mayor, and by so doing it is believed the Republican nominees will win, although they expect the majorities will be smaller than usual.

Such peculiar conditions have never existed before and this makes the outcome all the more interesting.

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