

DEVLIN'S PROPERTY HELD BY RECEIVERS

Federal Judge Names Cyrus Leland and J. E. Hurley to Take Charge—Hoch Prepares Proceedings Against Kelly.

Topeka, Kas., July 7.—Cyrus Leland of Troy, Kas., and J. E. Hurley, general manager of the Atchison, Topeka and Santa Fe system, were to-day appointed temporary receivers of the properties of C. J. Devlin, placed in voluntary bankruptcy on Thursday night. A bond of \$25,000 will be required.

Mr. Hurley's appointment was made at the request of the Santa Fe Railway Company, through their attorneys. They will be in charge until the creditors elect trustees.

"I named two men," said Judge Pollock, "because I felt that they were more work than one could do. I think the appointments will be generally considered satisfactory."

IS REPUBLICAN LEADER. Mr. Leland formerly was Republican National Committeeman for Kansas City.

From a reliable source it was given out to-day that the total value of the properties turned over by Mr. Devlin to the receiver is \$1,200,000, on which there is an incumbrance of \$400,000, leaving a clear value of \$800,000.

This is in Topeka real estate, Southern Kansas coal fields, Illinois oil fields and bonds and stocks in corporations.

The shims informant states that the total amount of deposits accepted on Friday and Saturday after the bank knew its falling condition was \$60,000.

GIVES BOND FOR \$25,000. Soon after he had been appointed Mr. Leland filed a surety company bond for \$25,000, and immediately arranged with a local capitalist to borrow \$25,000 to meet the pay roll in the various Devlin mines to-morrow.

This action insures the payment of the miners and other Devlin employees to-morrow, so that it is practically certain that there will be no cessation in carrying on the vast Devlin business.

James E. Hurley, the other receiver, is not expected in Topeka until late to-morrow, when it is expected he will immediately qualify.

KELLY STILL DEFIANT. Governor Hoch and Attorney General Coleman are preparing to bring criminal proceedings against State Treasurer Thomas T. Kelly, unless he secures a new bond to replace the old one made invalid by the failure of C. J. Devlin.

The State has \$75,000 tied up in the First National bank, which Kelly must furnish a new bond to secure this, Kelly says he cannot do so.

The Governor has not set any particular time for the bond to be filed, other than that it must be done at once.

STRUCK BY STONE WHILE ON CAR

Miss Mary Boyce Refuses to Prosecute Boy Who Threw Missile—Slightly Injured.

Miss Mary Boyce, daughter of former Councilman Joe Boyce, while on an Olive street car yesterday afternoon was struck in the face by a stone, said to have been thrown by Alvin Swift, 7 years old, living at No. 329 Olive street.

Miss Boyce had left her home at No. 215 West Pine about half a few minutes before the accident. She boarded the car at Spring and was seated near an open window.

When the car reached Leonard avenue the missile sped into the car and struck her.

Miss Boyce's injuries, although slight, were so painful that she abandoned her trip downtown and returned to her home. The boy was not arrested, as she refused to prosecute.

H. W. SCHNEIDER DIES SUDDENLY ON TRAIN

Continued From Page One. He was only 34 years old, and had built up his great fortune principally in St. Louis.

Upon his arrival in this country he worked for a time on railroad construction work in the East. His first big contract undertaking was on the B. & O. road, on which, by a singular coincidence, his death occurred.

WENT TO PANAMA. After finishing this contract he took 300 men to the Isthmus of Panama and constructed the railroad from Aspinwall to Chagres. He withstood the terrible rigors and pestilence of that climate, although he was stricken there with the yellow fever, and was one of the twenty men who survived and returned from the Isthmus.

After recuperating during a couple of years spent in the Rocky Mountains, he came to St. Louis and engaged in the general contracting business.

He enlisted in the Union army at the outbreak of the Civil War and served throughout the war. He was wagonmaster in Phil Sheridan's army, and bore a remarkable resemblance to the famous cavalry leader, on several occasions being mistaken for him.

A CLOTHING SALE THAT SURPASSES ALL OTHERS

To-Day the Globe Offers Free Choice of Hundreds of MEN'S AND YOUNG MEN'S \$15, \$18 AND \$20 VERY FINEST SUITS FOR THE VERY LOW PRICE OF \$8

IN LOOKING OVER OUR VERY FINEST SUITS, WE FIND ONLY THREE AND FOUR OF A KIND IN CERTAIN LOTS. THESE WE FEEL IT GOOD POLICY TO "CLEAN UP." THEREFORE WE MAKE THE MOST LIBERAL CLOTHING OFFER OF THE YEAR!

Advertisement for Globe clothing store featuring a man in a suit, the store name 'Globe' in a stylized font, and prices for suits and pants. Includes text: 'These suits are from the very finest in our entire stock, which every man knows is superior to any in the West.' and '1.50 for \$3 Worsted Pants.' '2.60 for \$4 Worsted Pants.'

KANSAS OIL REFINERY LAW IS HELD UNCONSTITUTIONAL

Supreme Court Declares That Maintenance and Operation of Plant Would Be in Violation of Clause Which Prohibits the Carrying On of Any Works of Internal Improvement — Reviews Growth of Industry and General Public Complaint That Particular Monopoly Was Manipulating Market to Detriment of Independent Producers—Says Indictment of Standard Oil Company Is Undoubtedly True.

GOVERNOR HOCH IS GREATLY DISAPPOINTED AT DECISION.

Topeka, July 7.—The law passed by the Legislature last winter appropriating \$100,000 to build an independent oil refinery at Peru was today declared unconstitutional by the State Supreme Court in an opinion rendered by Associate Justice Greene.

The oil refinery law was considered one of the most direct blows struck at the Standard Oil Company by the last Legislature, which adopted several measures tending to restrict that concern in the handling of the Kansas product.

BILL PROVIDED FOR BRANCH PENITENTIARY. The oil refinery law provided for the erection at Peru of a branch of the State penitentiary to house sufficient prisoners, which was intended, work to the oil plant.

State Treasurer T. T. Kelly and Warden E. R. Jewett, whose duty it was to issue the bonds, declined to sign them in order to first secure a decision on the constitutionality of the act.

Attorney General C. C. Coleman filed mandamus proceedings in the State Supreme Court on behalf of the State to compel these officers to sign the bonds.

ALL MEMBERS OF COURT CONCUR IN OPINION. The opinion to-day, declaring the act to be illegal and unconstitutional, was concurred in by all members of the Supreme Court.

The court holds that the construction of the refinery and the branch Penitentiary in connection with it is in violation of the State Constitution, which declares:

"The State shall never be a party in carrying on any works of internal improvement."

The construction and operation of such a refinery, it is said, would be a work of internal improvement.

COURT REVIEWS COMPLAINT AGAINST STANDARD OIL. The court, continuing, reviews the discovery of great quantities of oil in the State, the rapid improvement of the industry and the "general public complaint that a particular corporation was unjustly manipulating the market of this product so that the producer was being deprived of what rightfully belonged to him, and that a public demand had been made on the Legislature to enact laws that protect the producer."

The court further criticizes Governor H. W. Hoch for raising a scarecrow to frighten the oil trust, scolded, and then for informing the trust that the thing he has set up is a scarecrow.

"The indictment of the Standard Oil Company," says the court, "is no doubt true, and the prosecution was very great, but we must not make a scarecrow of the law."

GOVERNOR HOCH EXPRESSES DISAPPOINTMENT AT DECISION. Governor Hoch was greatly disappointed at the decision and said:

"Now that we have started it we want to go on and run our refinery. We could have secured more than the cost in the price of our oil in a few months."

"If I had been the Supreme Court I would have straddled a point to have declared the law constitutional."

QUEST GAS CONCERN FROM KANSAS FIELD

Sweeping Decision of Supreme Court Makes Outlaw of Company—Had Spent Several Millions in Laying Pipe Lines.

Topeka, July 7.—The State Supreme Court today rendered a decision declaring that the Kansas Natural Gas Company, a Delaware corporation, cannot do business in Kansas.

The decision which is sweeping in its terms, makes an outlaw of the company, which it declares cannot hold property in Kansas and cannot operate in any manner within the State.

The company already has spent several million dollars, it is estimated, in laying out the line in Kansas for the transportation of gas to the State.

The opinion is rendered in the case of the State of Kansas on the relation of Attorney General C. C. Coleman against the Kansas Natural Gas Company.

HAD NO CHARTER. It seems that when the company applied to the Kansas Charter Board for permission to do business in this State the board denied the application.

However, the company went ahead laying its pipes and contracting to deliver gas to many cities.

To date, the company has expended millions of dollars laying pipe lines from the Kansas Gas field to the Missouri line, and to a dozen or more Northern Kansas cities much of the work has practically been completed.

After the Charter Board had acted the Attorney General, in the name of the State, brought this proceeding in quo warranto against the company asking that it be required to show its authority for doing business in Kansas and that it be unable to do so it be ousted from the State.

STOOD ON APPLICATION. The company answered, setting forth its application to the Charter Board and alleging that it had done all things required by the statute and asking that the Charter Board be ordered to grant it a license.

A demurrer to this answer was filed and it was agreed that a final judgment should be entered in accordance with the ruling of the court on the demurrer.

The court sustained the demurrer and entered a judgment of ouster against the gas company, all of which have a tendency to cause the defendant to quit business very promptly.

The opinion of the court was delivered by Justice Greene, all of the Justices concurring.

CONTROLLED KANSAS WELLS. The barred company owns a majority of the producing gas wells in Kansas and is capitalized at \$10,000,000. It has spent six months in constructing a pipe line from Montgomery County to Kansas City.

The court goes far enough to intimate that the company has exhausted its resources and is just on the point of being driven into bankruptcy.

PAUL JONES'S BODY REMOVED TO A CHAPEL AT CHERBOURG. Mrs. Jones's body was removed to a chapel at Cherbourg for burial.

Lies Daring Night in Spaced Town—and To-Day Is to Be Placed on the Brooklyn Trip Home.

Cherbourg, July 7.—The funeral train bearing the body of Admiral Paul Jones and 500 American sailors and marines arrived here from Paris at 7:30 a. m.

An enormous crowd surrounded the railroad station and witnessed the removal of the body to a mortuary chapel erected on the wharf of the American Steamship Line.

The chapel was beautifully decorated with palms, flags and escutcheons from the naval arsenal.

WOMAN RESCUES FRIEND FROM RIVER

Mrs. Frederick W. Gog to Get Gold Medal for Saving Mrs. Charles Rock, Who Was Seized With Cramp.

Topeka, July 7.—As a tribute to the fact that she saved the life of Mrs. Charles Rock of No. 1715 South Twelfth street while fishing on the Osage River last Wednesday, the Femme Osege Club, a local organization, is making preparations to present to Mrs. Fred Gog of No. 2125 Clarence avenue a gold medal.

According to the statements of Mrs. Rock she would surely have been drowned while on the trip had it not been for the interposition of Mrs. Gog, who is an expert swimmer. While struggling in twenty feet of water, but unable to make progress because of a severe cramp, Mrs. Rock was rescued by her friend, who held her until John Schultz, a member of the party, rowed across the river with a boat and took her aboard.

The accident occurred while the club was on a fishing trip in St. Charles County. Several local members of the organization, including Messrs. Charles Rock and Frederick W. Gog, Henry Schroeder, George Ehrnhart and James Robinson, had proceeded down the river a short distance while the two women were fishing from the bank where they could be seen.

Near the opposite shore was John Schultz in a rowboat. While stooping over a deep pool under a shelving bank to inspect a baited line that had been left there Mrs. Rock lost her grasp upon a grapevine which she had been holding and plunged headlong into the river.

RESCUED FRIEND. Although an expert swimmer, owing to the unexpected immersion and to the fact that she had been overheated when submerged, she was at once seized with a violent cramp. Unable to reach her helpless friend, Mrs. Gog, who had run to the back of the river, she plunged into the water, grasped Mrs. Rock as she rose for the third time and held to a trailing vine which extended into the water.

In the meantime John Schultz had been rowing desperately across the river and soon reached the spot, taking both women into his boat and rowing to the lower part of the bank where they could be landed. On account of the time required for him to cross the stream Mrs. Rock says she would surely have been drowned had it not been for the prompt rescue effected by Mrs. Gog.

The incident members of the organization, headed by Mrs. Rock, are arranging to present to the heroine of the occasion a gold trophy, emblematic of the rescue.

"STEEPLE JACK" KILLED.

Man Noted for Daring Meets Death on a Stairway.

REPUBLICAN SPECIAL. New York, July 7.—John Moffett, 39 years old, of No. 142 Mulberry street, Newark, N. J., a "steeple jack" noted for daring feats in the pursuit of his calling, fell down a steep stairway leading from a Chinese restaurant at Mulberry and Mechanic streets, Newark, and broke his skull. He died later in the city hospital.

Moffett came to Newark from San Francisco a year ago. He has a brother, George or Edward, in the publishing business in Manhattan.

Vanderbilt Makes Fast Run.

REPUBLICAN SPECIAL. Toledo, O., July 7.—In order to make an unexpected railroad connection for New York, William K. Vanderbilt was driven from the Detroit and Toledo electric line, a distance of twenty-five miles, at the rate of seventy miles an hour. Vanderbilt felt down a steep stairway while inspecting the road presumably with view of purchasing.

TO COLORADO

Burlington Route \$25

TO COLORADO \$25

Denver, Colorado Springs and Fort Collins. On Sale Daily. Returns Limit October 31. \$38 to Salt Lake City, Ogden and Return. TICKET OFFICES: COR. BROADWAY AND OLIVE AND UNION STATION

GRAIN AND FLOUR LARGEST ITEMS OF EXPORTS FROM ST. LOUIS TO CUBA

Charles H. L. Thomas, honorary Consul of Cuba in St. Louis, has made his report for the first two quarters of the year 1905. The Cuban Consulate was established in St. Louis March 1, 1904, and the report of the first quarter consequently is for the single month of March.

The value of the exports passing through the Consulate in that month was \$3,002.85. The total value of the exports to Cuba passing through the Consulate during the three months of the next quarter, however, amounted to \$29,875.61. Of this amount the largest single items of exports were flour and grain, and Mr. Thomas points out that this fact is of significant interest to millers and grain merchants generally, in that, as it does, what an important center St. Louis has become in the matter of cereal exports to Cuba.

"In spite of the fact that St. Louis is one of the great shoe manufacturing cities of the world," says the report, "the exports in this line are still very low, and the entire export business represents the sale of but two firms. By merely conforming their product to the requirements of the Cuban market, the St. Louis manufacturers, with the existing advantages over foreign competitors of location and tariff preferential, could easily control the shoe trade of the island. This applies also to dry goods and machinery, as well as to other articles for which a ready and prosperous market awaits the exporter if he will but avail himself of the opportunity to seize it."

The table of exports from St. Louis to Cuba for the months of March, April, May and June, as given in Mr. Thomas's report, is as follows:

Table with columns: Month (March, April, May, June), Total, and various export categories like Beds (metal), Beer, Canned corn, Drugs, Flour, Fruit, Grain, Hardware, Paper, Miscellaneous.

POOLSELLING ACT TEST HEARING TO-DAY

According to Advice From Jefferson City Attorney General Hadley and His Assistants Will Not Be in Court.

According to advice from Jefferson City last night, Attorney General Hadley in Kansas City and probably would not appear before the St. Louis County Circuit Court to-day when the plea for abatement of the information against two of the Delmar bookmakers will be argued.

The impression was that General Hadley would assist the county officials in the cases and it is said that the defendants were anxious to have him present at the proceedings. Assistant Blake is the only one connected with General Hadley's department in Jefferson City and he stated last night that he had no instructions to be in Clayton to-day. Prosecuting Attorney Kiehlsson, of the county, will represent the State.

SAYS SANTA FE WILL NOT MANAGE DEVLIN'S MINES.

Topeka, Kas., July 7.—The Atchison, Topeka and Santa Fe Railway will not take part in the management of the coal mines which are involved in the failure of C. J. Devlin, said Clifford H. Wood, attorney for Devlin, to-day.

"The creditors will advance money to carry on the mines and the payment of the miners' wages in the Southern Kansas coal fields for a time.

"The Santa Fe is interested only in seeing that coal is furnished them, as before. The sum of \$40,000 will be advanced by the creditors.

"The Illinois miners have just been paid off and nothing will be due for two weeks to come. We hope with the appointment of a receiver that the mines will become successfully established again."

MOVEMENTS OF OCEAN VESSELS.

London, July 7.—Arrived: Steamer Campania, Montreal and Quebec, via Havre.

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