

ATTORNEY GENERAL CHARGED WITH CONVICTION IN GRAFT

Case of Wickersham Involving Alaskan Coal Deal and Alleged Fraud Promises Plenty of Sensation.

DELEGATE FROM ALASKA STARTLES COMMITTEE

Declares His Cabinet Name-sake Deliberately Allowed Statute of Limitations to Run in Favor of Men Guilty of Perjury.

(Special Dispatch to the Morning Journal)

Washington, July 14.—After secret consideration of charges made by Delegate Wickersham of Alaska, that Attorney General Wickersham deliberately permitted the statute of limitations to run against agents of the Alaska syndicate who defrauded the government through perjury to the extent of \$50,000, the house committee on judiciary has determined to report favorably a resolution of inquiry offered by Delegate Wickersham.

The resolution would call upon the attorney general to furnish the house with all documents, affidavits and testimony in his possession relating to an affidavit submitted to him more than a year ago and sworn to by H. J. Douglas, former auditor of the Alaska syndicate in 1908.

The attorney general when seen tonight, declined to discuss the action of the committee. His friends intimated that the charges were old and that a certain phase of them still was under investigation. They declined to indicate just what the charges were.

Delegate Wickersham stated in the committee when in executive session he produced a copy of an affidavit relating to an alleged criminal act, committed by Captain D. H. Jarvis, of the Alaskan syndicate and formerly prominent in the government revenue cut-off service, who committed suicide in Seattle on June 2, the day following the introduction of Wickersham's resolution calling for production of the papers in the case, and by John H. Bullock of the John J. Seacor Coal company of Newberry.

The substance of these men, it was charged that the government was defrauded on coal contracts and that evidence to that effect was permitted to remain unacted upon by the attorney general's office for more than a year until the time for action under the statute of limitations expired last May.

Delegate Wickersham furnished the committee with photographic copies of letters from an attorney for the Alaska syndicate to D. J. Jarvis, admitting the expenditure of money to control the government witnesses in the Hazy murder trial in 1908, wherein an agent of the Alaska syndicate was accused of murdering laborers employed by rival interests during the construction of a railroad in Alaska.

A photograph of an expense account for the Alaska syndicate, which was employed by the syndicate, it is claimed, to entertain government witnesses and jurymen in that connection. This evidence Delegate Wickersham declared also is in the possession of the government. Delegate Wickersham urged the judiciary committee to demand the Douglas affidavit involving the representatives of the Northwestern Commercial company, one of the Alaska syndicate concerns and the Seacor coal company.

syndicate?" Chairman Clayton inquired.

"I refer to the Alaska syndicate composed of J. Pierpont Morgan, the Guggenheim brothers, Kuhn, Loeb & company, Jacob H. Schiff and Graham."

"Who do you mean by the Guggenheim brothers?" asked Representative Norris of Nebraska.

Senator Guggenheim and his six brothers.

"Who is Graves?" asked Representative Shannon of Illinois.

He represents Close brothers, the English syndicate and other English capitalists.

"Captain Jarvis," added the delegate, "was the confidential agent of Morgan in charge of the syndicate in Seattle. He committed suicide following the introduction of this resolution you are now considering. He knew that this resolution would bring out the facts."

The Douglas affidavit charges that when the war department advertised for coal to supply the Alaska military post, Jarvis, treasurer of the Northwestern company, and John H. Bullock of the Seacor Coal company, a rival of the syndicate, agreed to submit bids which would insure the award of the contract to one company or the other, there being no competitor, agreed to certain litanerage charges and fixed upon a division of the profits.

The Seacor company got the contract to furnish 4,000 tons of coal at \$28 a ton, a price which Douglas claimed was nearly twice too high, and the profits were divided, Douglas himself entering \$6,700 from the Seacor company on the books of the Northwestern company as the latter's share of the profits. Both Bullock and Jarvis, Douglas swears, made false affidavits to the government that no one but the company which each represented had any interest in the contract.

The evidence submitted, indicating an attempt to control government witnesses, is a fac simile copy of a letter written by John H. Carson, counsel for the Alaska syndicate, to Captain Jarvis, under Seattle date, May 6, 1908. The letter reads:

"My Dear Captain:—The enclosed account of Mr. M. B. Morrissy has been submitted to me by him. I do not claim to have personal knowledge of any of the items mentioned—necessarily I could not have such, but I do know that Mr. Morrissy was taking care of several of the government's witnesses (case of United States vs. Hazy.) I saw him take them into restaurants very many times. It was generally recognized around Juneau that the majority of the government's witnesses were broke and I have not the least doubt that Mr. Morrissy cared for them in the manner shown in his account.

"In addition to this I wish to express my appreciation of the services rendered by you, Mr. Jarvis, not only in Juneau, but also at Valdez during the session of the grand jury there. I found him very efficient and competent and his acquaintance with many of the government's witnesses and control over them placed him in a position to do the greatest good in this service in defending this action."

The expense account submitted by Morrissy, dated May 6, 1908, containing among others, the following entries: "Occidental Cafe—for witnesses, \$75. "Alaska Grill—for witnesses, \$195. "Expense entertaining witnesses and jurymen, \$200. "Expense Valdez during grand jury session, \$120."

There were many other items of cash given to individuals, such as "Jimmy Kelly, J. E. O'Reilly," and others, "all amounting to \$1,133.40. These documents and other evidence, Delegate Wickersham says, are in possession of the attorney general.

The resolution asking the attorney general for documents in the Jarvis-Bullock matter will be reported to the house early next week.

CONTROLLER BAY INQUIRY INAGURATED BY COMMITTEE

Washington, July 14.—Testimony preliminary to a thorough inquiry into the restoration of Controller Bay lands to entry and the claims represented by Richard S. Ryan of New York, said to represent the Guggenheim mining syndicate in an effort to monopolize Alaskan coal fields, was taken by the house committee on the expenditures in the interior department today.

RELIEF RUSHED TO FIRE VICTIMS IN NORTHERN CANADA

Official Reports From Scene of Disaster Indicate That Earlier Estimates of Dead Were Exaggerated.

NOW BELIEVED ONE HUNDRED PERISHED

Refugees Who Fled to Interior to Escape Flames Believed Alive But Cut Off From Communication.

(By Morning Journal Special Leased Wire)

Toronto, Ont., July 14.—Although the relief expeditions covered the greater portion of the burned Porcupine district today they failed to report any further loss of life than contained in yesterday's despatches which placed the number of lives lost at about 100.

With the arrival of additional relief workers the burned area is being covered thoroughly.

Many of the missing are believed to have fled into the interior and found refuge at isolated farm houses and although safe may not be heard from for weeks. Richard A. Cartwright and his son, R. A. Cartwright, Jr., who were reported among the missing are safe at Hailybury.

Reports of survivors indicate that the fires started in immense blotches, instead of in one place and failed to cover the whole district. The latest of the survivors say the devastated area was confined to Whitney and Tisdale townships.

Latest advices say most of the fires are out. Three carloads of provisions reached Porcupine today and more are on the way. Shelter, tents and materials for houses are also being sent. The work of rebuilding the burnt structures has begun.

The largest area burned was that comprising the townships of Tisdale and Whitney where were located the towns of Porcupine, South Porcupine and Pittsview and the largest mines. No word has been received of damages at the power plant at Trunns Landing and this strengthens the belief that the fire did not spread over as great an area as at first reported. The fire that destroyed Cochrane, 100 miles distant from Porcupine, it is believed now, was independent of those in the Porcupine district.

FORTY CORPSES TAKEN FROM PORCUPINE LAKE

Toronto, Ont., July 14.—Nothing like an accurate estimate of the victims of northern fires is yet possible, but already the list of dead exceeds a hundred. Two names are added this morning when Mrs. Week, mother of the Dome mine manager, and John Mielow, an employe, died at New Liskard.

A despatch from Hailybury says the greatest loss of life may have occurred, after all, in the towns, and not in the great expanse of brush. Forty bodies, it is said, have been recovered from Porcupine lake.

The Porcupine relief committee is sending searching parties through the burned area, many men being reported as missing. Telegraph wires from the far north are clogged with material filed for transmission which is expected to throw light on the number of victims.

SHIPS CRASH IN STORM; THIRTY-TWO PEOPLE DIE

New York, July 14.—A dispatch from Port Limon, Costa Rica to the Times, reports that thirty-two passengers and several members of the crew of the seamer Irma, were drowned or crushed to death when the vessel was sunk in a collision during a storm in the estuary of San Juan river. The colliding steamer is given as the Diamante and the news is said to have reached Port Limon from Bluefields.

Most of the passengers of the Irma were below when the collision occurred, because of the heavy weather and the fact, the dispatch says, is due the heavy loss of life.

The Diamante was damaged, but kept afloat.

TERRILL RESIGNS FROM UNITED STATES SENATE

Atlanta, Ga., July 14.—Governor Hoke Smith this afternoon received the resignation of Senator J. M. Terrill, the resignation announced that he would not return to the United States senate as one of Georgia's representatives.

The governor declined to accept the resignation and requested the senator to continue to represent the state at least during the present session of the legislature.

Governor Smith a few days ago was elected United States senator by the legislature and one of his opponents was Mr. Terrill.

HENWOOD ACCUSES TRIAL JUDGE OF PREJUDICE

CONVICTED MURDERER DEMANDS NEW TRIAL

Petition Sets Forth Ninety-One Reasons Why It Should Be Granted; Declares Jury Was Coerced.

(By Morning Journal Special Leased Wire)

Denver, July 14.—Ninety-one reasons, including charges of bias against Judge Greeley W. Whitford and the claim that new witnesses have been found in Kansas City and California, were filed in court today upon which attorneys ask a new trial for Harold F. Henwood, convicted of second degree murder for the killing of George E. Copeland in a hotel bar the night of May 24 while shooting at N. L. Von Phul, the St. Louis balloonist.

Charges are made against practically every member of the court official staff, the district attorney's office and the attorney for John W. Springer, whose former wife took the stand in the trial. Henwood says it is his belief that the purpose of the action on the part of those so charged was to prevent Henwood being given a fair trial.

The motion sets forth "that the defendant believed that the presiding judge, by means of his bias and prejudice, had secured this defendant personally, but against all persons, generally speaking, who may be charged with and tried for crime in his said court could not and did not give the defendant a fair trial."

It is claimed that Judge Whitford had already decided upon a verdict with a rebuke for bringing in a verdict displeasing to him, and that this fact, known to the Henwood jury caused them to agree to a verdict not in keeping with the evidence.

Among the new witnesses is William E. Webster, who knew Von Phul in St. Louis and was at the hotel the night of the shooting. It is claimed Webster will testify that late in the afternoon Von Phul showed him a revolver and later remarked that "he would make good use of it."

A letter from the manager of a Kansas City detective agency says that he will testify that Von Phul while in Kansas City at the aviation meet remarked that he (Von Phul) was "going to Denver and kill a..."

CASE OF SGANZINI MYSTERIOUS AS EVER AFTER HEARING

Alleged Assailants With Flock of Witnesses Absolutely Refute Story of Assault to Kill.

FOUR ITALIANS ARE ALL DISMISSED BY JUSTICE

Plaintiff Sticks in Main to Former Story, While Defendants Riddle Entire Tale of Alleged Attack.

The hearing yesterday of the four Italians charged with assault with intent to kill Sganzini, the well known Swiss promoter of an irrigation project in Tijeras canyon, resulted in a complete exoneration, by evidence, of the defendants, their immediate dismissal and the deepening of the mystery surrounding the experiences of the plaintiff on Saturday morning, July 8. All the evidence save that of Sganzini went to show that his story of an assault was a fairy tale; on the other hand it is inconceivable that Sganzini should have framed up out of whole cloth such remarkable and sensational narrative.

That something was seriously the matter with Sganzini Saturday morning is plain not only from evidence adduced yesterday but from the fact that such a case was in court at all; yet the defendants, telling what appeared to be an absolutely straight story, corroborated at every turn by many witnesses, knocked Sganzini's allegation higher than a kite.

It was nearly six o'clock last night when, after an all day hearing, Justice of the Peace George H. Crook of precinct 26, dismissed Louis and Paul Giacomelli, Louis Rafanelli and Peter Rodda, charged by Sganzini with assault upon him with intent to kill, Saturday morning, July 8, in the rear of Louis Giacomelli's store on North First street. The hearing was held in the vacant store room of the Gaskell building at the corner of Gold avenue and Fourth street in order to accommodate the large number of witnesses and the audience. The hearing began at 10 a. m. and lasted all day with the exception of a short intermission at noon. Sganzini held in the main to his story as related after the alleged assault, testifying that he came in from the Commercial Club in Tijeras canyon on July 8 in answer to repeated requests from Louis Giacomelli over the telephone, Giacomelli telling Sganzini that he wished his store for two purposes, to secure the purchase of stock by Giacomelli of the Sandia Land and Improvement company of which Sganzini is secretary; and also that he, Giacomelli, wished his advice on an important document. Sganzini refused the offer, but Giacomelli insisted that he should sign the document and pointed the gun at Sganzini until he could not get out until he signed the paper.

Sganzini said Paul Giacomelli then came in and told him "You better sign that paper—got a fancy to take care of," and that Louis Rafanelli and Peter Rodda were standing near him. On the stand he said he refused to sign the paper and then remembered no more until he found himself in a South First street hotel the following Sunday afternoon.

Sganzini said he could not remember being hit, that statement being in conflict with his previous one that he felt two blows on the head. Cross examined by Attorney Francis E. Wood for the defense, Sganzini said he did not know what the paper was, had not time to read it, but knew it was not a legal document. He declared he never drank to excess and drank nothing Sunday afternoon.

The defense, by a large number of witnesses, showed that Rafael Rodda, who was sitting at the bar during the shooting, will testify that he saw Von Phul reach for his revolver.

Another witness is a member of a theatrical company, who, it is claimed, will testify that he took several articles from Von Phul's pocket and that among them was a revolver.

Attorneys for Henwood tonight secured the affidavit of John T. Carver, an employe of a moving and storage concern here, to the effect that on the night of the Henwood shooting affray, while he was standing outside the Broadway entrance to the Brown Palace hotel bar, where the shooting took place he heard one man say to another with whom he was in conversation, "I would have killed the night of the shooting, but I did not have a gun and I don't dare, but I'll get him yet." The other man, Carver declares, warned the speaker to be careful, receiving the reply, "I've got influence enough to put it over."

Carver says he followed the men into the bar and asked who the men were. He says he was told that the man who had made the threat was "Tony" Von Phul. The other man, he says, was unknown to his informant.

SENATE PROGRAM CALLS FOR VOTE ON STATEHOOD

Predicted Before That Date Arrives Warring Factions Will Have Adjusted Differences and Resolution Will Carry.

INSURGENT OPPOSITION TO ELIMINATION OF RECALL

Smith and Nelson May Get Together On Amendment Admitting New Mexico With Constitution Unchanged.

(Special Dispatch to the Morning Journal)

Washington, July 14.—The statehood resolution was reached on the senate calendar today, Chairman Smith of the committee on the territories at first was determined to have immediate consideration of the resolution, but changed his mind after learning that a resolution agreement for a vote on a number of important measures, including reciprocity, shortly afterward Senator Penrose announced the text of the agreement which provided for a vote on the statehood resolution August 7.

Thus a vote in the senate at this session is assured, which is exactly what the friends of the territories have been contending for. It is believed that between now and the date set for the vote, the warring factions will be able to harmonize their differences and draft a resolution which will meet the approval of the president and be acceptable to the house of representatives.

Senator Nelson has presented a minority report from the committee on territories under the terms of which New Mexico is admitted to the union, under the constitution as framed and ratified by her people, while Arizona is required to eliminate the recall of the judiciary from her constitution as a condition of admission. Senator Smith yesterday signified his intention of introducing an amendment to this, the effect of which would be to require Arizona to support the Nelson amendment. Questioned as to his intentions in this regard Sen. Smith said that while he had not fully made up his mind, whatever action he decided upon finally would be that which he believed best calculated to insure immediate statehood for both territories.

It is believed that the proposition to eliminate the recall of the judiciary in Arizona will be bitterly fought by Senator Owen of Oklahoma, and a few of the Republican insurgent senators, but that this opposition will be enough to defeat the resolution, or even to seriously delay it in the senate, no one here seriously believes. The elimination of the recall will insure the approval of President Taft and it is believed that it will be concurred in by the house, though the opposition is to be looked for there.

The statehood situation is now attracting general attention among the newspaper correspondents in Washington and the Albuquerque Commercial club telegram to President Taft was printed today in nearly all the papers of the country. Thanks to the vigorous campaign of publicity inaugurated in New Mexico the statehood question promises to assume, if it has not already assumed, national importance and it is freely declared that the question is a national one for the important matters before the senate would have been impossible had not statehood been included.

Chairman Flood of the house committee on the territories, in out of office and heard at the table, and the program of amendments to the resolution as reported to the house by his committee is unknown.

Barring difficulties now unforeseen, statehood at this session seems assured.

AGREEMENT TO VOTE ON ALL IMPORTANT MEASURES

Washington, July 14.—The senate will vote on the Canadian reciprocity bill July 22, on the wool tariff revision bill July 27, on the free list bill August 1, congressional reapportionment bill August, 3, statehood bill for Arizona and New Mexico on the legislative day of August 7, and will adjourn, according to general understanding quickly thereafter.

The program, decided upon, after prolonged conference today, and the revision toward the general tariff revision bill, which has been covered many days, was agreed to by the senate.

The agreement contained no specific provision regarding adjournment. All the measures mentioned have passed the house. President Taft was quickly acquainted with the senate's action and expressed great interest in the reciprocity bill.

Senator Cummins of Iowa, insurgent, after adjournment today expressed conviction that despite the program there would be general tariff revision before the close of the year. He based his belief on the fact that Democrats and insurgents would stand together and force amendments to the free list bill adding wool, sugar, steel, cotton, etc., to that measure.

WARRING FRACTIONS WILL HAVE ADJUSTED DIFFERENCES

Resolution Will Carry, Predicted Before That Date Arrives

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MADERO'S VISIT TO PUEBLA ENDS FIGHTING

ORIGIN OF DISTURBANCE SHROUDED IN MYSTERY

Disbanded Revolutionists Reported Still Armed and Ready to Rally at Call of Leader for Further Bloody Work.

(By Morning Journal Special Leased Wire)

Puebla, Mex., July 14.—While this city presented today a holiday appearance with its flags and bunting and its band concerts in honor of Francisco Madero and his party, there were present many indications of the riotous events of yesterday and the night preceding.

There were no further hostilities between the Maderistas and the federalists but reports of deprivations of the riotous revolutionists, have kept the city in a state of apprehension. Alarming rumors of a projected uprising by the followers of Zapata, the recent disturbing factor in the state of Mexico, has had a further disquieting effect.

In the forenoon Madero was closeted with Governor Canete. At the conclusion of the conference he said, while regretting the unfavorable condition, it would have no serious bearing upon the political situation. What steps would be taken to punish the leaders of the revolting Maderistas or others he would not indicate, saying the best way to deal with them was to surround them in uncertainty and would need careful study to fix the blame.

According to what official information is obtainable, the dead numbered sixty-eight, of which fifty-two were Maderistas. There are fifty-four wounded in the hospital and others are being privately cared for. Maderistas throughout Mexico are said still to be in possession of arms and an abundance of ammunition and although disbanded, have a concerted rallying signal. They are reported to have received instructions from their chief, Zapata to gather at Tlaxiumpam Sunday, July 16. Fear is felt that it is their intention to march upon Puebla. Others profess to believe they intended to make another advance upon Coahuila.

INCH OF RAIN FALLS IN 50 MINUTES

Accompanied By Violent Electric Display at Taos; Much Damage Done to Alfalfa Crop in Valley.

(Special Correspondence to Morning Journal)

WAR SECRETARY IN PANAMA

Panama, July 14.—War Secretary Johnson called upon President Arce today this afternoon. The interview was a reception in honor of Secretary and Mrs. Stimson.

TYPHOON SWEEPS IZON

Manila, July 14.—The northern Luzon has been swept by a typhoon. All the wires at Manila are down and the observers believe the storm was the worst in years. Details because of the lack of communication have not been received.

GIRL CAUSES ARREST OF COLORADO ATTORNEY

Fort Collins, Colo., July 14.—T. J. Lettwith, at attorney and local representative of the Colorado Humane society, was bound over to the district court today on charges preferred by Edie Cole, a young girl, whom he met in the course of his humane society work and whom he later employed as his office girl. Lettwith was released under \$1,000 bond.

BANK DIRECTORS MUST BE DIRECTORS IN FACT

Washington, July 14.—Directors of national banks who fail to hold meetings frequently and who give other evidences of a lack of personal interest in the affairs of their banks, will hereafter find a national bank examiner overhauling their institutions at least four times a year.

TO RUN AGAINST UNCLE JOE

Mattoon, Ill., July 14.—W. D. O'Day, township supervisor, announced himself today as a candidate on the Republican ticket for congress against "Uncle Joe" Cannon.

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