

GO TO WASHINGTON

Supreme Court Decision in Hyde-Diamond Case.

CAN'T EVADE TRIAL AGAIN

Appeal of Accused Land Thieves Against Removal of Case to Washington Falls and Habeas Corpus Refused.

WASHINGTON, May 29.—In the case of Frederick A. Hyde and Henry P. Diamond, charged with conspiracy in Western land frauds, the Supreme Court of the United States today affirmed the decision of the Circuit Court of the Northern District of California. That decision directed the removal of the two men to the District of Columbia for trial and denied the petition for a writ of habeas corpus. Justice Brown delivered the opinion.

Justice Brown decided all the assignments of error against the defendant, holding that the law justifies removal from a judicial district in a state to the District of Columbia; that the Supreme Court of the District of Columbia has jurisdiction over the alleged offense, and that the indictment charges an offense against the United States. The court said: The argument that this indictment cannot be sustained because the United States, having reserved the school lands in lieu of lands patented, was defrauded of nothing, if valid at all, applies equally to the school lands for which the State of California and Oregon must have received a statutory compensation fixed at \$1.25 per acre. Having received this compensation, it may be said with equal propriety that they were defrauded of nothing. The result of the argument is then, that, although a gross imposition was practiced on the states by the procuring of patents in favor of fictitious or of disqualified persons by the use of forged affidavits, assignments or other documents, no indictments therefor may be brought, because the states had received the same consideration they would have received had the patents been issued to persons qualified under the statutes to purchase the lands. The unreasonableness of this argument needs no demonstration. The states have a right to punish a violation of a statute enacted as part of its public policy, notwithstanding they may have suffered no pecuniary damage therefrom.

Justice Peckham dissented. Hyde and Diamond were indicted under section 544 of the Revised Statutes, with John A. Benson and T. Schneider, for conspiracy to defraud the United States out of large tracts of public lands. The indictments in their cases, as in that of Benson, were returned in the Supreme Court of the District of Columbia, and they have so far resisted all processes to bring them into this jurisdiction, even to the extent of carrying the case to the Supreme Court of the United States, where it was today decided against them.

The defendants are all residents of the Pacific Coast States, and some are related to be very wealthy. The operations with which they are charged were carried on in California and Oregon, where it is asserted that they had fraudulently secured hundreds of thousands of acres of valuable land. The plan of the alleged conspirators, as outlined by the Government, was to obtain by illegal means titles to state school lands located in forest reserves in California and Oregon, and to relinquish the titles thus secured to the United States under the exchange provisions of the act of 1897, and to thus obtain patents from the United States for other lands outside of the reserves. In these operations they used either real or fictitious names, as circumstances seemed to suggest.

Rehearing on Philippine Tariff.

WASHINGTON, May 29.—The Supreme Court of the United States today granted a partial rehearing in the case of Lincoln vs. the United States and Warner, Barnes & Co. vs. the United States, popularly known as the Philippine tariff case.

Supreme Court Adjourns to October. WASHINGTON, May 29.—The United States Supreme Court adjourned for the term, all pending cases being resumed on the next term, which will begin October 9 next.

FRANCHISE TAX IS SUSTAINED

Supreme Court Decision Will Cost Corporations \$24,000,000.

WASHINGTON, May 29.—The New York special franchise tax cases were decided today by the Supreme Court of the United States adversely to the corporations by which they were brought to the court. The decision was handed down by Justice Brewer, and it held the law under which the tax was levied to be valid. The cases constituted a direct attack on the special franchise tax law of the State of New York of 1899, when President Roosevelt was Governor. The law subjected to a system of general ad valorem taxation the special and local franchises of the public utilities, such as streetcars, gas and telephone plants occupying the public streets. This law was sharply assailed by Messrs. Root and Guthrie, counsel for the corporations, as unconstitutional, on the ground that it impairs the obligations of contracts under which the corporations acquired and own their franchises, and that it operates to deny them the due process and equal protection of the law as guaranteed by the fourteenth amendment.

NEW YORK, May 29.—Unpaid taxes amounting to more than \$24,000,000 in Greater New York are made payable by the decision of the Supreme Court of the United States today upholding the state tax on corporation franchises. Among the companies affected and the sums due from them under the law are the following: The Manhattan Elevated Railway Company, \$4,221,500; Consolidated Gas Company, \$1,495,886; Metropolitan Traction Company, \$2,222,462; Brooklyn Union Gas Company, \$831,558; and the New York & Harlem Railroad Company, \$884,024.

ALL DUE TO DESERTER'S LIE

False Report of Wholesale Desertion From Columbia.

WASHINGTON, May 29.—How a single deserter from the United States Navy caused an active correspondence between an American Embassy and the State Department, and led a Mexican newspaper to publish an erroneous statement that 79 sailors had deserted an American warship, is disclosed in the case of a member of the crew of the cruiser Columbia, who deserted that ship at Vera Cruz, Mexico. The official statement at the Navy Department is that but nine men out of the entire crew of several hundred were absent without leave when the Columbia left Vera Cruz for the United States. Three of those, it is said, rejoined the Navy at New Orleans. The deserter, who styled himself a

first-class fireman, had seen but 21 days' service in the United States Navy, which he entered as a coal-passer, his service at sea amounting only to the trip from the United States to Vera Cruz. The official correspondence discloses that this deserter, after a brief stay on Mexican soil, was arrested on a charge of larceny, when he appealed to Powell Clayton, American Ambassador to Mexico, for release.

BUYER OF CANAL SUPPLIES

Chicago Railroad Man Is Made Purchasing Director.

CHICAGO, May 29.—The Post today says: David W. Ross, general superintendent of transportation of the Illinois Central railroad, has been made purchasing director for the Panama Canal. The place is considered one of great power and responsibility, in view of the millions of dollars' worth of supplies that will have to be bought during the years of the canal construction and the possible tariff trouble involved. Mr. Ross will move once to Washington, and will have his headquarters there after June 1.

Mr. Ross's rise in railroading has been exceptionally rapid. Within a comparatively few years he became assistant to the second vice-president of the Illinois Central. Mr. Ross also acted as purchasing agent for the road, and was finally given charge of its transportation department.

Could Not Stand the Strain.

NEW YORK, May 29.—Eight former employees of the Panama Canal Commission, who arrived here today on the steamer Orizaba from Colon, said they resigned their positions on the isthmus because of the high cost of living and the health conditions there.

Eight-Hour Day on Canal.

PANAMA, May 29.—The executive committee of the Panama Canal Commission at a meeting today resolved to reduce the working day of mechanics and laborers to eight hours. Sanitary improvements in Panama City were ordered.

Put Trained Foresters in Charge.

WASHINGTON, May 29.—The forest service of the Department of Agriculture has determined to place trained foresters in charge of the forest reserves, to introduce practical forestry on all reserves.

WASHINGTON, May 29.—Today's statement of the treasury balances in the general fund shows: Available cash balance, \$29,435,455; gold, \$56,713,525.

NORWAY THREATENS WAR

ANGRY BECAUSE KING STAYS OUT OF CHRISTIANIA.

Sweden Masses Troops on Frontier. Crown Prince May Ask Intervention for Sweden.

LONDON, May 29.—The Copenhagen correspondent of the Daily Telegraph says that the Norwegians are very angry because the King refused to go to Christiania. Rumors of war, the correspondent says, are being spread, and it is stated that the Swedish troops will be gathered in Warmland. It is also rumored that the Crown Prince, while attending the royal wedding at Berlin, and during his visit to Windsor Castle, will try to secure the intervention of Germany and England in favor of Sweden.

KING STANDS ON RIGHTS

Calls on Norwegian Ministers to Take Back Their Words.

CHRISTIANIA, May 29.—Premier Berner received a telegram, dated at Stockholm today, from King Oscar, in which His Majesty says: "With reference to the utterances of the Norwegian government, both in writing on the occasion of the resignation of the Ministry and by word of mouth in the Council of State on May 21, after I had refused to sanction the coalition, I most decidedly repudiate the remarks made therein against me and my mode of action. I hold to all I said about my concern in the coalition, and I request the Premier to make this request as soon as possible."

LARGER NAVY FOR GERMANY

Navy League Reconciled With Kaiser on the Programme.

STUTTGART, Germany, May 29.—Prince Zussman-Horstmar, president of the Navy League, opening in the presence of Prince Henry of Prussia, representing Emperor William, the annual convention of the league, said the misunderstanding with the Emperor over the league's propaganda for a larger navy had been entirely settled, and there was no reason why Generals Mengers and Helm, directors of the league, who resigned, may should not continue their work. He, therefore, requested that they be re-elected, which was done. A resolution was immediately adopted declaring it necessary to appropriate to the increase of the navy and especially to replace, as rapidly as possible, second-rate ships of the line of the Sagen class, with first-class battleships. At the speakers repudiated anything of warlike purposes in the aims of the society, and declared that only self-defense was intended. Emperor William sent a telegram in reply to the greeting sent him by the society. He expressed a wish for the further success of the society.

Funeral of Baron Rothschild.

PARIS, May 29.—The funeral of Baron Alphonse de Rothschild, head of the French branch of the banking house bearing the name of Rothschild, and governor of the Bank of France, who died Friday, was held today at the house in the Rue de la Fite, where he was born. The government, represented at the services by Premier Rouvier, Foreign Minister Delcasse and other Ministers. Six thousand persons gathered about the building. There were no flowers and no decorations. The Grand Rabbi conducted the services and the interment was at the Pere la Chaise Cemetery. The family distributed \$16,000 among the poor in accordance with the wishes of the deceased.

Reception to Japanese Guests.

BERLIN, May 29.—Prince and Princess Arisugawa, who will represent the Emperor of Japan at the wedding of Crown Prince Frederick William and Duchess Cecilie of Mecklenburg-Schwerin, will be the first of the guests to arrive here, and will be received in an imposing manner at the railway station Monday evening. Emperor William invited Prince and Princess Arisugawa to come to Berlin a few days in advance of the other royal personages who are to attend the wedding, presumably because he wishes to pay them special attention.

The new Hotel Oregon, corner Seventh and Stark streets, has hot and cold running water and long-distance telephones in every room.

GREAT SHIPS LOST BY RUSSIA

Brief Description of the Vessels Sunk and Captured by Admiral Togo's Fleet.

ST. PETERSBURG, May 29.—The flower of the Russian navy was included in the ships lost in the battle with Admiral Togo. Many of the vessels were completed only last year and were of the latest type.

BORODINO—The Borodino was a first-class battleship, completed in 1904, of 12,519 tons displacement and 16,000 horsepower, giving her a speed of about 15 knots. She had an armored belt of four to nine inches of Krupp steel, and six to ten inches of armor over her gun positions and bulkheads. Her armament consisted of four 12-inch guns, 12 six-inch guns and over 40 smaller rapid-fire guns. Her crew numbered 740 officers and men.

ALEXANDER III—The Alexander III was a sister ship of the Borodino, and was also completed in 1904.

ADMIRAL NAKHIMOFF—The Admiral Nakhimoff was an armored cruiser of 8224 tons displacement and 9000 indicated horsepower, giving her a speed of 16 knots. She had eight inches of compound armor over her gun positions, carried eight eight-inch guns, ten six-inch guns and over 20 smaller rapid-fire guns. She had a complement of about 567 officers and men.

DMITRI DONSKOI—The Dmitri Donskoi was an armored cruiser of 6200 tons, sheathed, of 7000 indicated horsepower, and had a speed of about 16 knots. She had an armored belt six inches thick, and had ten inches of armor over her bulkheads and heavy gun positions. Her armament consisted of six six-inch guns, ten 4.7-inch guns and 16 quick-firing guns. Her crew numbered 519 officers and men.

VLADIMIR MONOMACH—The Vladimir Monomach was a sheathed cruiser of 5593 tons and 7000 indicated horsepower. She was completed in 1885, had a belt of compound armor six to ten inches thick, a protected deck of two inches, and carried five eight-inch guns, 12 six-inch guns and 18 quick-firing guns. Her crew numbered 559 officers and men.

ADMIRAL OUSHAKOFF—The Admiral Oushakoff, a coast-defense ironclad, was of 1645 tons displacement and 5000 indicated horsepower. She was completed in 1885, and had an armored belt ten inches thick, a protected deck of three inches of steel and from three to seven inches of armor over her heavy gun positions. Her armament consisted of four nine-inch guns, four six-inch guns, six 4.7-inch guns. In addition to a number of smaller rapid-fire guns. Her speed was estimated at 16 knots, and she carried 318 officers and men.

SVIETLANA—The Svetlana was a protected cruiser of 2862 tons displacement, had 3528 indicated horsepower, was completed in 1892, and had a speed of about 20 knots. She had a two-inch protected deck of steel and six 5.9-inch (racer) guns and ten one-eight-inch guns. She had a complement of 360 officers and men.

JEMTCHUG—The protected cruiser Jemtchug was of 2105 tons displacement and 17,000 indicated horsepower, giving her a speed of about 23 knots. She was completed in 1902, had a protected deck of two inches of steel and carried six 4.7-inch guns, six 1.8-inch guns and two 1.1-inch guns. Her crew numbered 340 officers and men.

KAMCHATKA—The repairship Kamchatka was a most important unit of Admiral Rozhanski's fleet. She understood to have been fitted up with every scientific appliance available for the repair of war ships, and was described as being a "floating workshop." She was launched at the new Admiralty yard, St. Petersburg, November 1, 1902, was of 2700 tons displacement, was capable of carrying 2500 tons of coal, and mounted six small quick-fire guns. She had transport accommodations for 42 officers and 1000 men.

IRTESIN—The Irtesin was probably an auxiliary cruiser, but her name is not given in any of the naval lists available.

OREL—The battleship Orel is a sister ship of the Borodino, and the same complement of officers and men.

NICOLAI I—The battleship Nicolai I is of 9672 tons displacement and 5000 indicated horsepower, giving her a speed of about 14 knots. She is sheathed, and, although completed as far back as 1892, was thoroughly overhauled in 1900. She has a compound armor belt six to four inches thick, has a protected deck 2½ inches thick of steel, and has six to ten inches of compound armor over her gun positions. Her armament consists of two 12-inch guns, four 9-inch guns, eight 4-inch guns, and 12 quick-firing guns, in addition to a number of small rapid-fire guns. Her complement is 501 officers and men.

ADMIRAL SENIYAVIN—The coast-defense ironclad Admiral Seniavin is a sister ship of the Admiral Oushakoff.

ON THE AGGRESSIVE

Chicago Employers Move on Lumber District.

NO BUILDING TRADE STRIKE

Unions Will Refuse Aid to Members Who Aid Teamsters—Grand Jury Investigates Graft Charges by Labor Leaders.

HAY RESTING IN PARIS

State of Health Prevents His Meeting—Loubet.

PARIS, May 29.—The following authoritative statement was given out here today: "Mr. Hay is spending a few days in Paris and is, by order of his physician, observing a strict after-cure quiet. He has not been presented to President Loubet, nor has he asked it. It is understood that he has explained through Ambassador McCormick that his state of health makes it impossible for him to leave that honor. He makes no visits and receives none, social or official."

ALL FOUND NOT GUILTY

Makers of Iron Life-Preservers Acquitted by Jersey Jury.

TRENTON, N. J., May 29.—H. J. Stone, H. C. Quintard, Charles W. Russ and James Russ, of the Nonpareil Cork Works of Camden, tried on a charge of conspiracy, were acquitted tonight. They were accused of placing iron in life preservers.

Agricultural Congress Opens.

ROME, May 29.—The first working session of the International Congress, called to the attention of the King, made at the instigation of David Lubin, of Sacramento, Cal., to establish an International Chamber of Agriculture, took place this afternoon at the Corsica Palace, in the presence of the diplomatic corps and all the delegates. Ex-Minister Tittoni delivered an address welcoming the delegates and outlining the object of the congress. The congress adjourned until Tuesday, when the discussion of the King's proposition will begin. Mr. Lubin was not present at today's session, as he is not a delegate.

Early Sale for Goodwin.

The advance sale of seats for Nat C. Goodwin will open next Thursday morning at 8 o'clock in order to accommodate those wanting to see the Exposition parade. Mr. Goodwin will be the attraction at the Marquand Grand Theater next Saturday matinee and night, June 2. "The Unrper" will be the matinee bill; "A Glided Pool" will be the offering in the evening. Remember, the early sale.

O'Keefe and Mayhew's Fight Draw.

INDIANAPOLIS, Ind., May 29.—Jack O'Keefe, of Chicago, and Bill Mayhew, of Hot Springs, sparred a round draw tonight. The O'Keefe-Buddy Ryan fight was canceled because of a disagreement.

UNDER TRUST RULE

Salt Lake Hears Mrs. Fiske Denounce Theater Trust.

ACTRESS HAS TO HIRE HALL

Shut Out of Local Playhouses, She Tells the People How Independent Shows Are Driven From Many Cities.

SALT LAKE CITY, May 29.—Mrs. Minnie Madden Fiske, who was barred from a professional appearance in Salt Lake City through her inability to secure any of the local theaters, hired a public hall and tonight delivered an address on what she termed the theatrical trust and its effect on Salt Lake. Mrs. Fiske and her company of players arrived here today. In opening her address to the large audience, Mrs. Fiske said: "I am happy to say that the theatrical trust, which excludes my company from your playhouses, is not sufficiently powerful to prevent us from stopping in your city on our way to the Pacific Coast. Nor can it rob me of this privilege of addressing you."

Mrs. Fiske said she was sure the local managers would be glad to open the doors of their theaters to her company if they dared, but they dared not do so in the East and on the Pacific Coast. She said there were theaters open to independent actors, but the theatrical syndicate had endeavored to block the way to California by holding the avenues of approach, so that it would be impossible for independent actors to fill a tour from Chicago to San Francisco. The trust, she said, made it impossible for an independent actor to play in Kansas City, Omaha, Denver or Salt Lake.

"You can readily understand," said Mrs. Fiske, "that the expense entailed by the journey of a large dramatic company from Chicago to San Francisco would be more than any degree of success in San Francisco would make profitable."

Among other cities which she said were "trust-ridden," Mrs. Fiske named Cincinnati, Toledo, Washington, Detroit, Cleveland, Toronto, Montreal, New Orleans, Buffalo, St. Paul and Sacramento. In conclusion, the speaker declared that the patrons of the theater have the right to demand that their theaters shall be open to every worthy actor whose performance they may desire to see. The patrons of the theater have it in their power, she said, to liberate their theaters from an unfair and unjust domination. Mrs. Fiske's appearance was under the auspices of the Press Club. A small admission fee was charged and the proceeds were donated to the orphanages of the city.

PERSONAL MENTION.

T. D. Bancroft, who has been in Portland in the interest of the free home for consumptives at Salda, Col., left for the East last night.

Arthur Dixon, president of the Dixon Transfer Company, the most important witness of the afternoon, declared that 85 per cent of his business is not affected by the strike, and that he could not afford to have his men walk out, because the greater part of his business is done outside of the strike zone. Students of the University of Illinois have offered to serve on the police force during their approaching vacation, and Chief of Police O'Neill said he would accept their services if needed.

Express Managers Will Not Yield.

NEW YORK, May 29.—That the officials of the various express companies concerned in the Chicago teamsters' strike will consider no compromise of the dispute with their men, following the statement made today, following an informal conference of the express officials in the office of United States Senator T. C. Platt.

General Organizer Moynihan, of the teamsters' organization, said today: "We have no intention of declaring a strike in New York City."

Railway Offices Will Close.

Any one who expects to buy tickets on May 30 or June 1 will have to get up early in the morning, for the offices are to be closed early on those days.

Yesterday afternoon it was unanimously decided by the different offices along Railroad Row that on May 31 all offices would close all noon, while on June 1, the day of the opening of the Exposition, they would be closed at 10:30 A. M. and would not be opened again during the day. All tickets that may be bought on those days will have to be secured at the Union Depot.

Harris Trunk Company

is headquarters for Trunks and Bags.

VITAL WEAKNESS

Above all other things, we strive to save the thousands of young and middle-aged men who are plunging toward the grave, tortured by the woes of nervous debility. We have evolved a special treatment for Nervous Debility and special weakness that is uniformly successful in cases where success was before and by other doctors deemed impossible. It does not stimulate temporarily, but restores permanently. It always irritates the delicate tissues surrounding the sex and unduly expanded glands, contracting them to their normal condition, which prevents lost vitality. It tones up and strengthens the blood vessels that carry nourishment. The patient realizes a great blight has been lifted from his life.

We want all MEN WHO ARE SUFFERING from any disease or special weakness to feel that they can come to our office freely for examination and explanation of their condition FREE OF CHARGE, without being bound by any obligation whatever to take treatment unless they so desire. We cure.

Stricture, Varicocele, Nervous Debility, Blood Poison, Rectal, Kidney and Urinary Diseases. And all diseases and weaknesses due to inheritance, evil habits, excesses or the result of specific diseases.

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The Apollinaris Co., Ltd., London, are Sole Exporters of Apenta Water, bottled at the Apenta Springs, Budapest, Hungary. Also, Sole Exporters of Apollinaris, "The Queen of Table Waters," bottled at the Apollinaris Spring, Neuenahr, Germany. READ THE APENTA AND APOLLINARIS LABELS.



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Exclusive Spring designs shown in my style book---write for it.

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