

BIGGS AND GESNER DENY CONSPIRACY

No Plot, They Say, to Suborn Perjury.

NOR WAS WILLIAMSON A PARTY

Timber-Land Deals, They Hold, Were Legitimate.

NO INTENT TO BREAK LAW

Testimony of Witnesses That Implicated Contracts Had Been Made to Buy Claims Is Also Vigorously Denied.

Dr. Van Gesner, partner of Representative Williamson and Marion R. Biggs, United States Land Commissioner, two of the defendants in the case now on trial before Judge De Haven, testified yesterday in their own behalf. Dr. Gesner passed through the right cross-examination conducted by District Attorney Heney and, although his original story was not shaken much, he was forced into several admissions that will be used when the Government comes to make its argument. This morning Marion Biggs will be subjected to cross-examination and unless court should adjourn at noon, it is possible that Representative Williamson will take the stand.

Dr. Gesner in answer to the questions asked by Attorney Wilson, gave his version of the way in which he had started out to obtain the timber lands which since have involved him in the case at bar. He admitted having made the loans to a number of the entrymen, but said that he did so in order to protect the property he had already in that section of the country. Dr. Gesner denied that he had any contracts with the various entrymen and stated there had been no conspiracy with Marion Biggs and Representative Williamson. The witness gave a history of the war between the sheep and cattlemen, in which the now famous "30-30 men" played such an important part in the Horse Heaven country. The entrymen, he testified, had first approached him and asked him to lend them money with which to file on the claims. He stated that he agreed to furnish them the money, providing they would give him the use of the land for a range for his sheep. For the use of the range he had agreed not to charge them interest on the loans. He said that the sheepmen established a dead line and in order to secure money, he was forced to secure more range and thought that he had gone the right way about it, when he made the loans to the entrymen who came to him and asked for financial help.

DEFENSE OPENS ITS CASE

Dr. Gesner Denies He Ever Contracted to Buy Timber Claims.

When Judge De Haven opened the hearing of the Williamson case yesterday morning, Dr. Gesner opened his case by the defense went on with its case to recall Miss Lang for a short time, as he had forgotten to ask her a question or two that he desired. The permission being given, Mr. Heney asked if all of the claims were by the claimant or noted in the indictment had been held up by the Land Office, or if any of them had been reserved. Dr. Gesner stated that some of them had been patented. Cross-examined by Judge Bennett, the witness testified that some of the claims that had been filed upon at that time had been held up for investigation and consideration by a special agent of the department.

Never Talked With Williamson.

When questioned regarding the knowledge that Representative Williamson had of the taking up of the timber claims, Dr. Gesner testified that he had never discussed the matter with his partner, Representative Williamson. He could not recall whether Mr. Williamson had read the report of Secretary Hitchcock's investigations. He stated that he had made the loans himself, and had not first talked with his partner before doing so. In fact, he stated that he did not believe that Mr. Williamson knew of his reason for having the entrymen take up the claims. He said that the part Biggs played in the transactions, aside from his regular duties as Commissioner, was that of an attorney, and denied that he had asked Biggs to get people to file on the lands. Mr. Heney questioned him regarding a letter which had been sent him by Special Agent Neuhansen, when he was in Prineville investigating the alleged frauds. Over this let-

UNITE TO FIGHT THEATER TRUST

Shubert and Independent Companies Form New Combinations.

HAVE FIFTEEN COMPANIES

Klaw & Erlanger Accused of Trying to Squeeze Shubert, Who Will Fight Them With Fourteen Rival Theaters.

NEW YORK, July 14.—Announcement of a new combination of actors in America against what is known as the Theatrical Trust, made today by Lee Shubert, the leading companies in the new combination are those headed by David Belasco and Mrs. Minnie Maddern Fliske. Lee Shubert will manage the line of theaters which will be placed at the disposal of Mr. Belasco, Mrs. Fliske and others.

The new combine will back 15 companies on the road and such actors as Sarah Bernhardt, Ada Rohan, Jefferson David Wardell, Blanche Bates, Bertha Galland, Robert Hilliard, Mrs. Fliske and Mrs. Leslie Carter. The actors under the new management expect within another week to have a separate number of theaters on their own circuit in America to play the year round.

He Has Fourteen Theaters.

Mr. Shubert announced that this company now has 14 playhouses under its control, including theaters in New York, Philadelphia, Chicago, St. Louis and London, England, and that within a week he would be able to open a dozen more to his attractions. Besides these places, the new combination is counting on the support of independent houses all over the country.

The amendment by the theatrical syndicate managers of a contract which Mr. Shubert says he made with them, agreeing to pay them 25 per cent of the profits on all of the syndicate's attractions booked at his theaters, was the cause of his break from the trust ranks. His friendliness toward David Belasco during the last two months he said, was a further cause of the new combine.

Squeezed by the Trusts.

"We signed a contract with the theatrical syndicate which is headed by Klaw & Erlanger, agreeing that the syndicate should book 75 per cent of the profits on all of the syndicate's attractions booked at his theaters, was the cause of his break from the trust ranks. His friendliness toward David Belasco during the last two months he said, was a further cause of the new combine.

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WITTE'S STORMY TALK WITH CZAR

Plain, Blunt Man Arouses Anger of Monarch and He Declines Mission.

QUESTION IS STILL OPEN

Czar Prefers Rosen to Head Mission and Witte Threatens to Resign.

Lamsdorf Tries to Dissuade Him.

ST. PETERSBURG, July 15.—(12:20 A. M.)—M. Witte, after his audience with the Emperor at Peterhof, returned last evening to St. Petersburg and drove directly to the Foreign Office, where he was closeted for three hours with Foreign Minister Lamsdorf.

APPOINTMENT ASSURES PEACE

Russia Hails Choice of Witte as a Good Sign.

ST. PETERSBURG, July 14.—M. Witte's appointment as chief Russian plenipotentiary was announced in the Official Messenger in the following words: "Owing to the serious illness which overtook M. Muraviev on his arrival in St. Petersburg, which made it impossible for him to perform his duties, his Majesty, the Emperor, has been pleased to appoint M. Witte as leading plenipotentiary of Russia. He said that arrangements for the conference were moving along smoothly, and expressed the belief that a satisfactory agreement would be reached."

BACKS PROTEST WITH FACT.

The transportation committee of the Chamber of Commerce, in making its annual report upon the transportation conditions of the state and upon the attitude of the great corporations which control traffic conditions, takes a decided stand against the spirit of inactivity that seems to hold these companies in leash. The committee sets out that: "When railroad systems combine and agreements are made, by which territory is parcelled out and competition is eliminated and an almost perfect monopoly is created, then a corresponding duty and obligation is created to permit the best transportation facilities possible in this territory."

WITTE'S THANKLESS TASK.

Appointed With Reluctance and Sure Work Will Be Condemned.

ST. PETERSBURG, July 15.—(1:20 A. M.)—M. Witte is shouldering the task of conducting peace negotiations on behalf of his country in a patriotic spirit, but with a full realization of the difficulties before him and the knowledge in advance that, even if he succeeds, he cannot secure terms which the Russian revolutionaries can call otherwise than humiliating. He is aware of the intrigues against him at court, but he is big enough to believe that the events of history will justify the wisdom of making peace on the best terms possible, as he considers that all the energies of the government should be directed to the solution of the internal problems of the empire.

FOUR DEATHS FROM HEAT

Reduced Humidity Gives Slight Relief to New York.

NEW YORK, July 14.—With the temperature three degrees below the 90 mark at 11 o'clock tonight, immediate promise of relief for sweltering New York is dissolved. Four fatalities due to the heat and humidity were reported today with 21 prosecutions. The mercury reached a maximum of 86 today. Although the temperature was the same yesterday, the humidity decreased from 85 to 55 in less than six hours. The improved conditions were noticeable in the greatly reduced number of deaths and prosecutions from heat.

CHINA OPPOSES BOYCOTT

Rockhill Cables Government Is Friendly to United States.

WASHINGTON, July 14.—Mr. Rockhill, the American Minister at Peking, has cabled the State Department that the Chinese government is vigorously opposing the threatened boycott of American goods.

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Chamber of Commerce Committee Acts.

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Dog-in-the-Manger Policy of Corporations.

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Roads Combine to Divide Territory and Will Neither Build Extensions Nor Allow Others to Open Up Country.

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