

AMPLE PROOF OF REBATES GIVEN

Government Can Convict the Southern Pacific in 50 Cases.

LARGE SHIPPERS FAVORED

Stubbs Admits to Commissioner Lane Special and Secret Rates Are Given—Shippers Testify to Rebates.

SAN FRANCISCO, Oct. 3.—John H. Marble, one of the attorneys representing the Federal Government in the investigation being conducted in this city by Interstate Commerce Commissioner Franklin K. Lane into the subject of secret railroad rebates and other abuses, said today that the officials have sufficient evidence to convict officials of the Southern Pacific Railroad Company of such violations in at least 50 cases. It is understood the matter will be referred to the Washington authorities very shortly, and that United States District Attorney Devlin will be asked to present the facts to the Federal grand jury. Mr. Marble called attention to today's testimony of J. C. Stubbs, assistant freight agent of the Southern Pacific, who showed the discrimination and rebates in favor of the large shippers.

"When it comes to favoring the large shipper and discriminating against the smaller shipper conditions are worse in California than anywhere else in the United States," said Mr. Marble. "I do not see how it is possible for the smaller concerns to exist at all under the circumstances."

May Claim Reductions.

W. A. Sloan, assistant secretary of Southern Pacific, but did not know whether or not they were at reductions from regular rates. J. Leroy Nichols, vice-president of the Miller & Lux corporation, was only familiar in a general way with the "agreed rates." John Dillon, of his company, could explain them. Wakefield Baker, president of Baker & Hamilton, admitted that his firm had received \$12,000 in concessions from the Southern Pacific since the time they employed a special rate between San Francisco and Benicia, due to the fact that they had withdrawn a schooner line from that route. This, he said, had nothing to do with transcontinental business.

Cuts to Meet River Competition.

J. C. Stubbs, assistant general freight agent of the Southern Pacific, was shown a list of "extra special rates." He did not make these rates, but had made special rates on slingship shipments. He admitted that there was a special shipment rate on sand from Monterey to meet the competition of sand coming from Antwerp. Mr. Stubbs said that preferential rates were given certain firms because of competitive conditions within the state. Referring to a question of Mr. Lane, Mr. Stubbs said there was a serious objection to publishing the rates. They were made to meet river competition, and if published, they would not be of any use to them. Mr. Stubbs further admitted that shippers who could afford to operate boats got lower rates in order to prevent competition.

Special Rates to Single Shippers.

The attention of Mr. Stubbs was called to a number of special rates, including \$2 per thousand on the Los Angeles and the A. C. Bassett lumber companies, against \$2.50 per thousand to the Tibbets Lumber Company and Healey Tibbets, but the rates were not given to them. Among other things it was shown that the California Pine Box Company got 3-10 per cent off tariff rate on shipments when consigned to the Citrus Citrus Union. The Pacific Hardware Company got 1/2 per cent off tariff rate for shipments from San Francisco to Los Angeles and Basins.

The Standard Lumber Company got a concession on shipments between Montague and Hercules from \$5 to \$2.50 and the Standard Oil and Associated Oil companies were favored in shipments from Bakerfield at 4 cents per barrel, against a rate of 5 cents to the Pacific Oil Company. The witness said that preferential rates were given to certain firms because of competitive conditions within the state.

Excuse for Secrecy.

Mr. Lane—Suppose that it is true, that these rates are defensive upon the ground of competition, why should you give them to certain individuals and not to the community? Witness—I am in a large number of cases they were enjoyed by the shippers who were handling that particular commodity. Mr. Lane—Then if that be so, there could be no possible objection to publishing them? Witness—There would be a serious objection. The rates are made to meet river competition and, if they were published, the boats would not under them.

HEROIC FIGURES CONFLICT

(Continued from First Page.) These are some of the ways in which the intensity of the battle manifests itself. Where it will lead and how it will end, time only will tell. Throughout the long fight a confidence has rested with Mr. Speckels and his associates of the prosecution. They know that they have gone into battle armed with the most powerful weapon known to man—the right.

FORD CASE WITH JURY TODAY

Defense Offers No Evidence, Shutting Out Ruff's Testimony.

SAN FRANCISCO, Oct. 3.—Notwithstanding the theory that Ford's defense today subpoenaed Abraham Ruff as a witness, when the time came for the introduction of evidence in behalf of the general counsel of the United Railroads. The attorneys for the defense refused to offer any testimony, thus blocking any intent the prosecution may have had to make of Ruff a rebuttal witness; and both sides went to argument, the people without having adduced a particle of direct evidence connecting the accused with the commission of the crime charged and the defense without having offered a sworn word in its own behalf.

Assistant District Attorney O'Garra made the opening speech for the prosecution. Following him A. A. Moore opened for the defense. Mr. Moore

will conclude in the morning and will be followed by Earl Rogers, who will close for Ford. Assistant District Attorney Heney in the afternoon will close for the prosecution. Judge Lawlor will charge the jury and the case should be in the hands of the jury by 6:30 o'clock. A general belief prevails that the jury will fail to reach a verdict.

At the resumption of the trial this morning, Stanley Moore, of the defense, moved to strike out much important testimony on the ground that it was not connected with the defendant. This was a sequence of the failure of the prosecution to call Abe Ruff as a witness, considerable evidence having been admitted by Judge Lawlor, with the understanding that if the prosecution should subsequently fail to connect Ford therewith, it should be stricken out. This connection, it was understood, would be made by the testimony of Ruff.

The motions made by Mr. Moore were submitted by the defense without argument. Assistant District Attorney Heney said the request of the defense amounted simply to a motion to instruct the jury to acquit Ford on the ground of insufficient evidence, and announced his readiness to argue the question.

Mr. Heney disputed the genuineness of the defense's contention, and insisted that by showing a conspiracy between all of the actors he had fully connected Ford with the commission of the crime in all pertinent testimony referring to times prior to June 11, 1906, the day on which, he declared, the conspiracy had been consummated by the passage of the trolley ordinance. Then followed several warm exchanges between counsel, which were cut short by Judge Lawlor, who held his decision on Mr. Moore's motions in abeyance at the noon adjournment. At the opening of the afternoon session Judge Lawlor denied the motions to strike out interposed by the defense. Should a conviction be found against Ford, the defense will make these denials the chief basis of an appeal.

COFFEY HIDING FROM HENRY

Grafter Who Broke Immunity Contract Is in Predicament.

SAN FRANCISCO, Oct. 3.—Ex-Supervisor Michael W. Coffey, whose immunity contract was broken when he failed to give satisfactory evidence in the Ford trial, has gone into hiding to avoid arrest on the indictment charging him with accepting bribes. Coffey knows it is "all off with him," and having lost the support and friendship of the prosecution, faces sure conviction, as his testimony before the grand jury and in the Schmitz, Glass and Ford trials is against him. When he chose to "throw down" the prosecution in the Ford case and give testimony favorable to the defendant's contention that the money was paid as a fee, the prosecuting officials decided that they were relieved of their guarantee of immunity, and his indictment promptly followed.

Coffey's bail amounts to \$15,000, and his total share of booty was only \$10,000, he is in a bad way. Before he became supervisor he was a hackdriver, and although he once achieved fame by stopping a funeral procession on the way to a cemetery while a controversy between the hackdrivers and the undertakers was settled, he is not known to have money. He is hiding until arrangements can be made for raising the amount needed for bail.

Ex-Supervisor Wilson, now Railroad Commissioner, who was similarly indicted, has been released on a bond furnished by a surety company. He has a bigger bank account than Coffey.

DIE TO AVOID SEPARATION

Soldier Kills Wife and Himself, Fearing Transfer.

NEW YORK, Oct. 3.—Claude E. Perry, a soldier of the coast artillery stationed at Fort Hamilton, and his wife Elizabeth, were found dead today in their apartment in Brooklyn. It is believed Perry shot his wife and then killed himself. The man left a note indicating that his action was due to an apprehension that the wife would be transferred to another post, which would cause him to be separated from his wife. Perry enlisted in Omaha in 1905.

FERGUSON IS ARRESTED

Methodist Preacher, Recently Tried, in More Trouble.

LINCOLN, Neb., Oct. 3.—Rev. Wilbur E. Ferguson was arrested today on a charge taken out by Arthur E. Cross, charging criminal relations with the wife of Mr. Cross. The accused asked immediate trial in Justice Court, closely the church trial of Rev. Mr. Ferguson at the recent Methodist Episcopal Conference, which brought about his withdrawal from the ministry and his \$25,000 damages suit against a number of ministers of the church.

TRIES TO SHIELD HERSELF

Woman Who Burns Child Throws Blame on Negro.

MONMOUTH, Ill., Oct. 3.—An inquest today on the body of the 4-year-old son of Mrs. Jane Hathaway, of Oquawka, Ill., reported to have been burned to death by a tramp, disclosed the fact that the child met death by an accident. The testimony tended to show that the mother had told the story about an assault and the burning of her child to shield her own carelessness. A negro arrested has been released.

EDITOR GUILTY OF LIBEL

District Attorney Jerome Is Given His Revenge.

WHITE PLAINS, N. Y., Oct. 3.—Frank E. Xavier, editor of the Yonkers Herald, was found guilty by a jury today of criminal libel against District Attorney W. T. Jerome. Mr. Xavier was accused of publishing in his paper that Mr. Jerome had an agreement with insurance interests by which they were to support him for Governor if certain insurance men were not indicted.

St. John Bank Approved.

OREGONIAN NEWS BUREAU, Washington, Oct. 3.—The application of F. P. Drinker, of Portland, A. E. Drinker, C. H. Russell, Alexander Sweek and F. A. Voertman to organize the First National Bank of St. John, Oregon, with \$25,000 capital has been approved by the Comptroller of the Currency.

Full styles Hatan Shoes at Rosenthal's, Seventh and Washington. PHOTO POST CARDS—SCENERY, Kaiser Co.—Lobby Imperial Hotel.

NAME OF BRYAN BRINGS HARMONY

Illinois Democrats Unite in Choosing Him as Standard-Bearer.

HEARST DOES NOT APPEAR

Conference at State Fair in Springfield Is Veritable Love Feast. Mr. Bryan's Quarrel With Sullivan Is Lost Sight Of.

SPRINGFIELD, Ill., Oct. 3.—(Special.)—Harmony among the Democrats of Illinois, with William Jennings Bryan as the choice for Presidential candidate, has been practically assured by a series of conferences held by leaders who are here under guise of attending the State fair. These have been the first big conferences held of late where the police did not have to pry the conferees apart, but the desire to get together and endeavor to secure something beside husks is so strong that factional differences and feuds were temporarily laid aside.

Sullivan Quarrel Settled.

An agreement has been reached that no attempt will be made to oppose Bryan, and the latter's friends in return will abandon any attempt to disrupt the state organization. The significant part of it is that National Committeeman Roger C. Sullivan and Charles Bochenstein, chairman of the state committee, made similar announcements to this effect. The bitter feud between Sullivan and Bryan seems to have been smoothed over, for the time being at least.

Carter H. Harrison, ex-Mayor of Chicago, and leader of a large wing of the Democracy, declares himself unqualifiedly for Bryan, and for Colonel James Hamilton Lewis, as Democratic candidate for Governor.

Bryan the Only Candidate.

"The only Democratic candidate for the Presidency we should consider, is William Jennings Bryan," said Mr. Harrison. "The others mentioned, including Governor Johnson and Governor Fox, are estimable and able men, but it is the sense of the rank and file of Democracy that Mr. Bryan is entitled to be the standard bearer." The only fly in the Democratic ointment appears to be the lack of any Hearst delegates in the conference. There are plenty of Hearst agents here but they are not talking harmony. However, the Democrats realize that they will have the Hearst element to fight in any event, so scant attention is given the attitude of the Independence Leaguers.

FAILS TO SETTLE STRIKE

New Orleans Mayor's Efforts in Vain—Strikebreakers Sent For.

NEW ORLEANS, Oct. 3.—Mayor Behrman failed today to compromise the levee strike at a conference between steamship agents and representatives of the 5000 cotton handlers who are out in sympathy with striking screwmen. The Screwmen's Union asked the Mayor to make another effort tomorrow. Steamship agents consider today's conference final, and have wired to Chicago and St. Louis for 2000 strikebreakers.

CONDITIONS MUCH IMPROVED

Men Rapidly Taking Places of the Striking Boilermakers.

ST. PAUL, Minn., Oct. 3.—(Special.)—The managers' committee which has charge of the handling of strike conditions on the five railroads involved in the boilermakers' strike issued the following statement tonight: "Eighty additional men were received in St. Paul this morning and men have been coming steadily for some time past to fill places, vacated by the men who are on strike. The condition of the five railroads involved in the present troubles shows a substantial improvement this week and the situation is believed throughout satisfactory as it relates to progress made towards restoring normal conditions. Strike conditions have been broken at a large majority of the principal points and the number of men at work is steadily increasing. The amount of work done and efficiency of the new force recently put at work is also gaining steadily. On the five railroads affected there have been no delays to traffic. Repairs are being well handled and the inconvenience caused by the existence of the strike is steadily growing less. Reports from Chicago and the East indicate that the present satisfactory supply of men will continue."

FORECASTS END OF STRIKE

Small Intimates That Telegraphers Have Lost.

CHICAGO, Oct. 3.—(Special.)—President Small, in his speech to the striking telegraph operators today, appeared to forecast the speedy end of the strike. He said that if he believed the strike would be at an end inside of 10 days, but warned them to be prepared to accept whatever they could get, and strike perhaps they would have to return to work without obtaining any concessions whatever. He urged them, however, if they returned to work under the stigma of defeat to prepare themselves for another strike within a year.

Santa Fe Machinists Get More.

TOPEKA, Kan., Oct. 3.—The Atchison, Topeka & Santa Fe Railway Company, on the general offices here, today announced an increase to its 500 boiler-makers and machinists over the entire system, that is, an increase to 1000, with an increase of 1/4 cents an hour, effective October 1.

Priest Gets 30 Years.

PITTSBURG, Pa., Oct. 3.—Ludwig Szarynski, the Polish priest convicted of the murder of Andrew and Stephen Szarynski, was sentenced today to 30 years imprisonment.

Say "No" when a Dealer Offers you a Substitute for Hood's Sarsaparilla.

Insist upon Hood's. Be sure fitted to glasses, H. at Metzger's.

BOYS WE ARE GOING TO GIVE AWAY FOOTBALL PANTS With every BOYS' SUIT and Overcoat as long as we have any. Only 300 pairs to GIVE AWAY, so better come quick. Also giving away INGERSOLL GUARANTEED WATCHES BEN SELLING LEADING CLOTHIER

SUICIDES ON THE DECREASE

According to a statement made at the Wabash headquarters here, no one was seriously hurt. It was said the wreck resulted from negligence on the part of the freight crew in obeying orders.

SAN FRANCISCO AND OAKLAND LEAD IN PROPORTION.

St. Louis Shows Large Increase Due to Insurance Law—Most Occur Among the Insured.

CYCLONE WRECKS VILLAGE

Poarch, Oklahoma, in Ruins, but No Persons Injured.

NEW ORLEANS OFFICIAL A SUICIDE.

NEW ORLEANS, La., Oct. 3.—The body of Clark Steen, secretary of the New Orleans Port Commission, who disappeared several days ago, was found floating in Lake Pontchartrain today. A message found in the skull indicates that Steen committed suicide.

INJUNCTION PROCEEDINGS ARE STARTED IN WASHINGTON.

Negro Buys House and Aristocratic Neighbors Ask Court's Aid in Keeping Him Out.

WASHINGTON, Oct. 3.—(Special.)—The injunction has been invoked in a local race war. By injunction proceedings the white citizens of a Washington suburb propose to restrain a negro from occupying a house he has purchased. The suburb known as Bloomingdale, lying between the northern boundary of the old city and the Soldiers' Home, was several years ago subdivided and long rows of houses erected for sale.

KEEP NEGRO FROM HOUSE

The purchasers were given a deed which stipulated in one of its clauses that at no time should the property be sold to a negro. One of the original purchasers sold his residence to a man who placed a second mortgage on it. The holder of this second mortgage, to protect himself, placed the house on sale with a real estate firm, who disposed of it to a negro. When the sale became known to the householders for blocks around they at once started a subscription in which at once started a subscription in which President Gompers, of the American Federation of Labor is reported to have joined.

Three Ages of Men in Stein-Bloch Clothes

The man of 17—the man of 30—the man of 50. All have different views. All are reflected in their clothes tastes—and in Stein-Bloch Clothes. Tens of thousands of men working at professions and in offices—with limited incomes—have the same taste, the same necessity, the same genuine idea of clothes as the smartly groomed society man or college man of wealth. To them these things are just as much business and social requisites. Stein-Bloch Clothes have won a place in the estimation of such men that nothing can disturb. They always look for the label—and find it at the leading clothier's. Send for the Autumn style book, "Smartness," mailed free.

ROUND WORLD ON STEAMER

Ocean Liner Chartered for Pleasure Trip by Colonel Thompson.

NEW YORK, Oct. 3.—Intercepted at sea while on the way to Galveston from England, the Hogan line steamer Mineola, of 6000 tons, has been ordered to this port to fit out for the most unusual "yachting trip," on record. Colonel Robert M. Thompson, financier, retired naval officer and lawyer, has chartered the Mineola to take 15 friends, including Lord Brassey and Admiral Lord Charles Beresford, if the latter can be relieved of his command of the British Mediterranean squadron, on a nine months' trip around the world at an expense of \$50,000. The Mineola will arrive here Saturday and will immediately be turned into a yacht. Among the changes will be the making of a ballroom 100 feet long and as wide as the ship. The programme is to go to Gibraltar, the rendezvous of the British Mediterranean squadron, thence to Japan, via the Suez Canal, and thence to New Caledonia.

Eight Hurt in Wabash Collision.

ST. LOUIS, Oct. 3.—A head-on collision between a passenger and freight train on the Wabash road occurred today near Neeley, Ill. Eight persons were slightly injured. Both engines were demolished.

Advertisement for Stein-Bloch Clothes, featuring a large illustration of a man in a suit and the Stein-Bloch logo. Text includes 'Three Ages of Men in Stein-Bloch Clothes', 'The man of 17—the man of 30—the man of 50.', and 'Send for the Autumn style book, "Smartness," mailed free.'