

SANTA FE LIABLE TO SERIOUS FINE

May Pay \$1,250,000 for Rebating.

GUILTY ON SIXTY-SIX COUNTS

Judge Wellborn Lays Down Law on Subject.

SWEEPS AWAY DEFENSE

Concessions for Loss in Transportation Not Allowed—Three More Indictments Against Harriman Lines for Rebating.

MUST CUT DOWN EXPENSES.

SAN FRANCISCO, Oct. 11.—Local officials, it is said, received telegraphic instructions from President E. H. Harriman, of the Southern Pacific, that they must without delay cut down expenses in every department under their control, on account of the stringency of the money market.

Thirteen Western states and territories will be affected. It is said no new work will be started and that there will be a big reduction in the working force.

LOS ANGELES, Cal., Oct. 11.—After being out 20 minutes the jury in the case of the Government against the Santa Fe Railroad Company, on trial for rebating in the Federal Court here this afternoon, brought in a verdict of guilty against the railroad on all of the 66 counts of the indictment. Judge Wellborn will announce his decision next Monday.

An estimate of the maximum penalty which may be imposed is \$1,250,000. The charge against the Santa Fe was that it had granted rebates from its regular tariff on shipments of lime by the Grand Canon Lime & Cement Company, of Arizona. The defense of the railroad company was that the rebates were "concessions" made for alleged losses in the shipment during transit. The trial began on September 20.

In his decision on the law points which arose during the trial, Judge Wellborn today laid down a point of law which is held to be one of the most important which had been announced since the Interstate Commerce Commission was instituted. He said:

"I hold that the acceptance by the defendant of a less sum of money than that named in its tariff for the transportation of the property described in the indictment, if there has been such acceptance, was a departure from the legal rates and that it is no justification for such departure, nor is it any defense to a prosecution thereof that the acts of the carrier were done in compromise of claims for loss of property in transit."

HARRIMAN LINES INDICTED

Three More Charges of Rebating on Matting From Japan.

SAN FRANCISCO, Oct. 11.—The Federal grand jury today reported to United States District Judge De Haven three indictments against the Southern Pacific Company and two against the Pacific Mail Steamship Company for carrying freight for less than the legal rate between Kobe, Japan, and various cities in the United States. The cargo consisted of matting, which was brought from Kobe to San Francisco in the Pacific Mail steamship Monocilia and thence to the East by the Southern Pacific and its connections. The indictments are supplementary to those of a similar nature filed last week.

SAME REDUCED RATES IN 1908

Harriman and Connecting Lines Give Notice of Colonist Excursions.

OMAHA, Neb., Oct. 11.—The Union Pacific and Southern Pacific lines in connection with the Chicago & Northwestern, Chicago, Milwaukee & St. Paul and other transcontinental lines have given notice to the Transcontinental Association that they will continue colonist rates during the months of March and April, 1908, and on the same basis as the rates which were in effect during March, April, September and October, 1907.

late this afternoon. Next year's session will be held in this city.

When the convention convened today for its final session the special committee on safety appliances recommended Congressional legislation to compel railroads, both steam and electric, to protect their tracks by an automatic signal system in the event of a failure of the signal system to enact laws along this line.

Charles F. Staples, Commissioner of Minnesota, presented the report on "rate and rate-making." The report said:

"The cases are rare where a reduction of any importance is not an interstate road. There have been many rate reductions in different states, but they have been made on interstate traffic, and so far as we know, these have all been brought about by the affirmative action of the state legislatures. So far as we are advised, we know of no general reduction due to any action by the Federal authorities. We believe the best interests of the people would not be served by placing the entire responsibility for rate control on the Federal Government. We believe there should be a much closer relationship between the Federal and State authorities than seems to exist at present; that in many matters a State commission should act as agent for the Interstate Commerce Commission, to the advantage of both."

TOO GREAT BURDEN FOR ROADS

Commission Asked to Modify Rule for Posting of Tariffs.

WASHINGTON, Oct. 11.—In the matter of requirement of the Interstate Commerce Commission that the freight tariffs of the various railroads be posted continuously in the stations in the United States, an important hearing was held at the office of the Interstate Commerce Commission. It was the intent of the Commission in framing the order to provide a practicable and efficient method of familiarizing shippers with railroad tariffs.

At the hearing today practically all of the principal carriers of the country and many shippers' organizations were represented. The carriers' representatives expressed their desire to do everything reasonable in the matter of furnishing the shippers their rates, but they pointed out that, if it were made necessary to furnish at every station posted information concerning the rates to every possible point in the United States, it would be such a burden upon them as to be unreasonable and unfair.

CLEAR UP CROWDED TRACKS

Montana Coal Mines Close to Relieve Railroad Blockade.

HELENA, Mont., Oct. 11.—(Special.)—The common carriers and especially the Northern Pacific and the State Railroad Commission are making every effort to clarify the coal situation. In order to give the railroads an opportunity to clear up the Montana divisions, where there are hundreds of cars awaiting shipment to Montana, Washington and Oregon points, no more coal cars are being furnished the mining camps in the West and every mine in Carbon County has been closed. West of James-town, N. D., no freight is being moved except by pack and pack trail. The hope is entertained that in this manner the tracks may be cleared, when cars will again be furnished to the producers.

There seems less danger of a coal famine this winter because every person who can secure the fuel is putting in a winter supply. This causes the unprecedented early demand.

Enjoins Forfeiture of Charter.

KANSAS CITY, Oct. 11.—Judge Smith McPherson, of Red Oak, Ia., in the Federal court here today granted a temporary injunction restraining Secretary of State John B. Swager from attempting to forfeit the charter of the Chicago, Milwaukee & St. Paul Railway. The case was brought by the Interstate Commerce Commission.

MAGILL TRIAL IS OPENED

Prosecution Alleges Strangling of Pet Magill, Defense Is Suicide.

DECATUR, Ill., Oct. 11.—Assistant State's Attorney Miller, of De Witt County, opened the trial of Fred and May Magill today. The prosecution will endeavor to prove that Fred Magill murdered his first wife, Mrs. Pet Gandy Magill, by strangling her after he had given her chloroform, and that his present wife, Mrs. Fay Graham Magill, was an accessory before the fact.

Judge G. Kinham, of Clinton, stated the Magill case for the defense. He admitted there had been close relations between Mrs. Fay Graham and the Magills. This was at the earnest request of Mr. Magill, the defense contending it was owing to the friendly feeling between Magill's relatives that Pet Magill was driven to suicide. Also it was these unfriendly relations that forced Pet Magill to make an intimate of Fay Graham, for Pet had to go outside the Magill family to gather friends.

After a brief statement by the lawyers for each side the introduction of testimony was begun. Wesley Davis, a tenant on Magill's farm, testified that he heard Magill say that "he felt a rope around his neck and he wanted to die." He also testified to Magill read the letters alleged to have been written by Mrs. Pet Magill.

Mrs. Davis testified that she had asked Magill as to when his wife retired on the day of her death, and on being told at 11 o'clock, remarked that she must have kept busy writing letters from then until she had killed herself. Magill's response was that some of the letters were written a long time before his wife had killed herself.

Maud Taylor, of Chicago, described a visit paid her last July by Fay Graham, now Mrs. Fred Magill. The young woman talked freely of the Clinton affair and said whether Pet Magill had lived or died, made no difference because Fred had determined to get a divorce in order to marry her, Miss Nettie Carey, who went to the Magill home after the death of Mrs. Pet Magill to remain after the funeral, testified that she and Fay Graham slept together and that Fred Magill occupied a bed on the floor of the same room.

She heard him say that he had been watching Pet Magill for some time to prevent her from committing suicide. Dr. Movers, the principal witness for the state, admitted on cross-examination that he treated Mrs. Pet Magill for heart disease and that a person with a weak heart would succumb to chloroform with less struggle than a healthy person. He was familiar with Pet Magill's handwriting and believed that the note pinned to her gown was genuine and also the letter that Fred Magill had shown. The principal difference between her handwriting and that of Fred Magill was uniformly in the formation of letters.

REPUBLICANS IN QUEER COMPANY

Parsons Forms Alliance With Hearst.

LOSES STRENGTH BY BARGAIN

National Leaders Deplore Roosevelt's Absence.

WASHINGTON, Oct. 11.—(Special.)—Republican opinion at the National capital regarding the alliance effected between the New York County Republican organization and the Hearst League last night epitomized. Is that Theodore Roosevelt chose a mighty unfortunate time to go bear-hunting this year. Herbert Parsons, that wanted young political Hercules who put the bosses in New York County to rout a year ago and brought leadership "of the Roosevelt type" into the party organization in the metropolis of the country, is tonight a fallen idol, a grievous disappointment to those who pinned faith to high ideals in political management and, more serious than all else from a practical standpoint, an object blunderer.

TAMMANY TICKET WEAK

New York County Chairman Gives Independence League Six of Eleven Places on Ticket and Risks His Political Life.

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WORKS FOR OTHER SIDE

Ex-Attorney-General of Montana Had Queer Legal Ethics.

HELENA, Mont., Oct. 11.—(Special.)—By a decision of the Secretary of the Interior, the State of Montana is the victor in prolonged litigation involving the townsite of Cut Bank, a thriving village in Teton county. On this site the Great Northern has established its division headquarters between Havre and Billings, building roundhouses, machine shops and other necessary structures.

BRIGGS IS GOING INSANE

Commander Who Ran Baltimore Ashore Makes Scene in Paris.

PARIS, Oct. 11.—The strange actions of Commander John D. Briggs, U. S. N., retired, are causing alarm to his friends here. He seems to be suffering from the delirium of a delusion, having created a scene at a prominent hotel, imagining that 600 people were pursuing him. The Navy Department at Washington has been notified and in the meantime Commander Briggs probably will be sent to an asylum.

IDAHO LAND RESTORED TO ENTRY.

OREGONIAN NEWS BUREAU, Washington, Oct. 11.—The reclamation service finds it can not irrigate more land than was originally embraced in the Mindoka project, Idaho, so the Secretary of the Interior has withdrawn from entry all Government land in section 1, T. 12, R. 22, and sections 3 to 10 inclusive in T. 2 S., R. 23 E.

PUT MUCH MONEY IN SALTED MINE

Greenoughs of Spokane the Victims.

DROP \$200,000 IN WYOMING

They Acknowledge Facts, but Deny Selling Stock.


HELENA, Mont., Oct. 11.—The Record today publishes a story to the effect that numerous Montana and Washington investors have been misled to the extent of more than a third of a million dollars through the discovery that the Red Canyon placer mines, near Lander, Wyo., had been salted and that the property is worthless. Thomas L. Greenough, of Missoula, and J. F. Greenough, of Spokane, who were the prime movers in the organization, have notified all investors that they will redeem all stock at the price paid, thus assuming the entire loss.

REJECTED LARGE OFFER

Old Hands at Game Deceived by Favorable Reports of Mining Engineers—Assays Suddenly Dwindle to Nothing.

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LIFE IS HANGING IN THE BALANCE

Condition of Francis Joseph Serious.

FEVER EXHAUSTS THE RULER

Physicians Are Becoming More Anxious.

VIENNA, Oct. 11, Midnight.—This night is a critical one for Francis Joseph, aged Emperor-King of Austria-Hungary. His Majesty's physicians are visibly becoming more anxious. The fever, which has lasted ten days, seems to have exhausted the wonderfully trained system of the monarch.

The doctors are doing everything in their power to prevent more serious complications. They say that everything depends on how he passes the night.

GIVES ANOTHER \$600,000

ROCKEFELLER ADDS TO CHICAGO UNIVERSITY RICHES.

Harper Memorial Library Gets \$350,000 Outright and Triple Other Gifts to Fund.


CHICAGO, Oct. 11.—(Special.)—The University of Chicago authorities today announced a new gift of \$350,000 from John D. Rockefeller and the promise of the founder to triple future donations to the William Rainey Harper Memorial Library fund to the amount of \$600,000, making the aggregate of his latest benefaction \$600,000.

BUYERS WILL LOSE \$200,000

One of Greenough Syndicate Says Four Experts Reported Favorably.

EL PASO, Texas, Oct. 11.—A. E. Hovey, of Phoenix, Ariz., one of the principal owners of the Wyoming placer mines referred to in the Helena, Mont., dispatch, in a statement made here tonight said that the loss to be sustained following the discovery that the holdings had been salted would approximate \$200,000. This amount, he said, would be shared by Thomas L. Greenough of Missoula and W. D. and J. F. Greenough of Spokane, Wash., himself and J. H. Howard of Phoenix, Ariz.

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DUTCH TROOPS MASSACRED

Natives of Celebes Pounce on Detachment in Camp.

VICTORIA, B. C., Oct. 11.—Mail advices from Batavia report the ambush and massacre of two companies of Dutch troops by natives in Celebes. Eleven men were secured to a native chief were attacked while in camp, some being at breakfast and others swimming, and they were butchered to a man. Lieutenant Mathes, commanding the force, had gone with six men to the chief's stronghold and returning joined forces with Lieutenant Kles and 35 men. The company had heard nothing of the slaughter of the other forces, and when they were shifting camp they were set upon by a large force of blacks. Not one escaped.

FRENCH MOB BEATS AUTOIST

American Who Kills Boy Has Narrow Escape From Death.

PARIS, Oct. 11.—Charles F. Baird, of Philadelphia, son of Mrs. Baird, eleven years old, was killed by the autoist, the American who last night ran down and killed a boy named Dairne at Neuilly. After the accident Mr. Baird narrowly escaped death at the hands of an angry crowd led by two Englishmen. He was beaten and twice kicked down before he was rescued by the police. Through the intervention of Consul-General Mason, Mr. Baird was released pending the result of the magistrate's investigation.

REBELLION IS NEAR COLLAPSE

Moorish Pretender's Forces Desert and Peace Being Restored.

WASHINGTON, Oct. 11.—Private but authentic reports received in this city from Morocco indicate an early collapse of the rebellion against the Sultan, headed by his brother, the pretender. Tranquillity is being rapidly restored.

Promote Colonies in Siberia.

ST. PETERSBURG, Oct. 11.—The Council of Ministers today appropriated \$2,000,000 for colonization purposes in Siberia.