



WILL OUST OIL OCTOPUS

Proceedings in Missouri Supreme Court.

EVIDENCE SUFFICIENT

Commissioner Anthong's Report Says Standard Oil Can Be Turned Out of Missouri.

PREVENTED COMPETITION

I Supreme Court Affirms Findings of the Waters-Pierce Company Will Lose Its Franchise—Standard and Republic Companies Ordered Out of the State.

JEFFERSON CITY, Mo., May 24.—Commissioner Anthony, appointed by the Missouri supreme court to take testimony in the ouster suit of the state against the Standard Oil Company, today made his report to the court. He holds that the evidence introduced is sufficient to oust the Standard Oil Company and tributary companies from Missouri.

Attorney-General Hadley filed the suit in the supreme court two years ago, charging that the Standard Oil Company, the Waters-Pierce Oil Company and the Republic Oil Company were in a trust, and were parties to a conspiracy to control the price of oil and petroleum products in Missouri and to limit competition in the oil business.

Judge Anthony, of Fredericktown, Mo., was appointed by the supreme court to take testimony and report his findings to the court. More than a year has been occupied in the taking of the testimony, witnesses having been examined in New York, St. Louis and other cities.

In his report to the court, Judge Anthony reviews in detail the testimony, showing the organization and conduct of the companies. He reports to the court that the evidence shows that in 1901 the Standard Oil Company, Waters-Pierce and Republic Oil Companies entered into an agreement which continued to exist up to the time of the filing of the suit for the purpose of fixing and controlling the prices to be paid by retail dealers and others in Missouri for the products of petroleum, and to limit and prevent competition in the business of the buying and selling of oil.

The commissioner further finds that the three companies from 1901 up to the time of bringing the suit by the attorney-general did:

First—Fix and maintain the prices of the refined products of petroleum sold in Missouri, consisting of coal oil, gasoline and naphtha.

Second—Control and limit the trade in such refined products of petroleum in the state.

Third—Prevent and destroy competition in the purchase and sale of such refined products of petroleum.

The report says that in pursuance of the agreement the oil companies prevented competition among themselves and others in Missouri, securing control of 90 per cent of the oil business, depriving the people of free, full and wholesome competition; that the oil companies misled the public into the belief that they were separate and distinct corporations, when, in fact, the agreement made them one corporation. The findings of the commissioner sustained in toto the contentions of Attorney-General Hadley.

The report of Commissioner Anthony will now be reviewed by the supreme court. The court may affirm the findings of the commissioner or it may re-

mand the case to him with directions for further proceedings.

If the report should be affirmed and the findings of the commissioner adopted by the court, the court would then have power to take from the Waters-Pierce Company, which is a Missouri corporation, its franchise rights as a corporation. With regard to the Standard and Republic Companies, both of which are foreign corporations, the court would have power to cancel their right to do business in Missouri. The court may impose fines upon the defendants.

INTERNAL REVENUE.

Statistics For April Show An Increase Over Last Year.

WASHINGTON, May 24.—The monthly statement of the collector of internal revenue shows that for the month of April, 1907, the total receipts were \$21,029,803, which is an increase for the year of \$2,104,835.

The total receipts for the ten months of the present fiscal year amount to \$224,000,911, which is an increase as compared with the corresponding period of 1906 of \$17,706,357.

STRIKE DISTURBANCES AT TERNI.

Wives of Striking Ironworkers Attempt To Drive Out Strikebreakers.

ROME, May 24.—There were serious disturbances at Terni, in the department of Umbria, Province of Perugia, yesterday. The wives of the strikers invaded the iron works after their husbands had left and attempted to drive out the workmen who had taken the strikers' places. Troops were called out and charged the mob of infuriated women who had broken the windows in the shops. Reinforcements of troops and police have been sent to Terni.

HENEY AND BURNS

Have Gathered Evidence of Large Land Frauds.

TO BE GIVEN GRAND JURIES

Frauds in Oregon, California, Colorado, Washington, Montana, Minnesota and the Dakotas—Many Prominent Men Are Said To Be Implicated.

CHICAGO, May 24.—A dispatch to the Tribune from Washington, D. C., says: Amazing revelations of a conspiracy to defraud the United States of millions of dollars worth of mineral and timber lands will be laid before the grand juries of half a dozen states within a few days.

The frauds, it is alleged, will involve in criminal charges the names of men high in business and political circles. They include one United States senator, one former United States senator, a man reputed to be one of the wealthiest men in the world; a railroad man known from the Atlantic to the Pacific; two of the wealthiest lumber barons in the United States; numerous smaller fry, including railroad officials, coal operators and men at the head of fuel companies.

These men whose names, for obvious reasons, cannot be made public before the grand jury acts, it is declared here, will surely be indicted by the evidence which is now in the hands of the United States district attorneys in half a dozen western states.

These frauds, it was declared yesterday, in an official quarter, extend into a number of states, including California, Colorado, Washington, Oregon, Idaho, Montana, Minnesota and the Dakotas. Much of the evidence in these frauds was obtained by Detective Burns who is engaged in the municipal graft prosecution in San Francisco, and by Francis J. Heney, who is prosecuting the same San Francisco grafters. Upon the conclusion of their work in San Francisco, Attorney Heney and Detec-

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GRAND JURY INDICTMENTS

More Counts Returned Against Schmitz.

ONLY PARTIAL REPORT

84 Counts Jointly Against Schmitz, Ruef, Calhoun, Mullally, Ford and Abbot.

FRICION AMONG JURORS

Two Fail To Accompany Grand Jury To Court—Rumor Not Confirmed—Judge Coffey Will Accept \$5000 Cash Bail On Each Count.

SAN FRANCISCO, May 24.—The speculation which has been rife for weeks as to what the grand jury would do in the matter of indictments against the high corporation officials and municipal officers for the alleged bribery in connection with the granting of the overhead trolley franchises to the United Railways, ended tonight when that inquisitorial body, returned nine indictments on nine counts, charging the crimes of giving and accepting bribes and naming as guilty, the following persons: Mayor Eugene E. Schmitz, Abraham Ruef, President Patrick Calhoun and assistant to the president, Thorwall Mullally of the United Railways and Attorneys Tiry L. Ford and William M. Abbott of that corporation and also President Louis Glass and former agent Theodore B. Halsey of the Pacific Telephone & Telegraph Company the last named indictments being in connection with a deal by which the established telephone corporation sought to prevent the granting of a competitive franchise to the Home Telephone Company.

Indictments containing 84 counts were returned jointly against Schmitz, Ruef, Calhoun, Mullally, Ford, Abbott, whom the grand jury accused of bribing 14 supervisors, in amounts ranging from \$4000 to \$15,000 each, to vote a change in the franchise of the United Railways by which that corporation immediately after the fire last year gained authority to electrify the 256 miles of street railway system in San Francisco.

Two additional indictments were returned against Schmitz one charging that he sought and accepted from Ford and Ruef a bribe of \$50,000 for the cooperation in the trolley deal; the other charging that he sought and received from Frank G. Drum and Ruef a bribe of \$3250 to approve the vote of the supervisory board, fixing the public gas rate for 1906 at 85 cents instead of 75 cents at the behest of the San Francisco Gas & Electric Company. The grand jury proceeded to Judge Coffey's court to enter 19 true bills. Bail was fixed \$10,000 on each of the 89 counts. The accused was given until 11 o'clock tomorrow morning to furnish bonds. The judge announced that he will accept \$5000 cash bail on each count. Two of the jurors, Young and Sonntag failed to accompany the grand jury to Coffey's rooms and as it was event they were laboring under great excitement just before the jurors started for the court, there were rumors of a friction in the inquisitorial body, it was not confirmed however. Foreman Oliver of the grand jury said tonight's report was only a partial one which was taken to indicate that more indictments will follow.

Six of the twelve jurors who will try Schmitz on the charge of extorting money from the French restaurants were finally selected and sworn. There is a prospect of the jury being completed by the middle of next week.

SLEEPING CAR RATES.

Proceedings Filed With Interstate Commission Against Pullman Co.

WASHINGTON, May 24.—A definite effort was begun today before the interstate commerce commission to secure to the public a reduction of the fare charged by the Pullman Company for sleeping accommodations. This is the first time in history that a commission proceeding has been brought against the Pullman Company. Three complaints were filed by George S. Loftus, a business man of St. Paul who alleges that the upper berths are not worth as much as the lower berths and asks for a reduction of one-half, also a reduction of one-half in the charges for lower berths.

DAMAGE TO CROPS.

About One-Half of Winter Wheat Crop in Oklahoma Destroyed.

NEW YORK, May 24.—B. F. Yoakum, chairman of the Rock Island & Frisco executive committee, returned to town yesterday from a trip through the southwest. Mr. Yoakum said that business was progressing favorably. Regarding the damage to the crops Mr. Yoakum said that in Oklahoma about half of the winter wheat crop had been destroyed, although this was probably offset by the increase in the corn crop. In other states the damage to the winter wheat was much less than in Oklahoma.

TWO DROWNED AT RAINIER.

RAINIER, Or., May 24.—Harry Webb and a man named Knutesen, both mill hands, were drowned today in the mill pond at Howard's Mill. Knutesen fell into the water and Webb went to the rescue. Both bodies were recovered.

SURGEON HAS HOPE

Mrs. McKinley's Condition Somewhat Improved Last Night.

STILL IN CRITICAL STATE

Surgeon-General Rixey Says Her Condition Is Favorable and He Has Hopes That She Will Improve—Recovered Consciousness For Short Time.

CANTON, O., May 24.—Dr. Porteman after a call on Mrs. McKinley this morning issued this bulletin:

"I have found Mrs. McKinley much better in every way this morning. Her heart action and circulation are better. She recovered enough to ask for a drink of water this morning, but immediately lapsed into unconsciousness." Dr. Porteman added that the result is in doubt as a relapse may come on at any time and her constitution is in such a condition that she can hardly withstand a severe shock.

Surgeon-General Rixey arrived today accompanied by Secretary Cortelyou, who hurried from New York. They entered the McKinley carriage and were driven to the home of the patient. At 11:30 o'clock, after a consultation of Doctors Porteman, Eymann and Rixey, Dr. Rixey gave out the following statement:

"Mrs. McKinley's condition is more favorable. We hope and believe that she will improve. Her condition, however, is serious. The principal difficulty is to give sufficient nourishment. There is a decided improvement as to the paralysis, which was limited to one arm."

Mrs. Sarah Duncan, sister of the late president, reached Canton today and went at once to Mrs. McKinley's bedside. Miss Helen McKinley, sister of the late president, was unable to come because of illness.

At 9:30 p. m. the following bulletin was issued from the McKinley home: "Mrs. McKinley's condition is somewhat improved but is still serious." It is stated that she was conscious for a short time this evening and was able to take some nourishment.

JURY HARD TO SECURE

Half of Special Venire Exhausted.

VENIRE PROVES BARREN

Unless the Conditions Speedily Change Another Venire Will be Summoned.

ONE ACTUALLY DID QUALIFY

Council For Defense Enmeshes Talesman in Technicalities and Challenges Him For Implied Bias—Judge Was Satisfied, But Allowed the Challenge.

BOISE, May 24.—The second special venire of talesmen in the Steunenberg murder case proving barren of men qualified to act as jurors unless conditions speedily change, there must be another special venire summoned. The first half of the present venire has yielded only one man who actually qualified and only one other who may qualify. Only twenty-six of the present venire remain to be examined and on the assumption that all peremptory challenges will be used seven more jurors must be found. Talesman Henry Curtis qualified for the vacant seat of Juror Orrie Cole and the defense examined and finally passed Juror John Whitlock. That opened the way for the peremptories again. The state challenged Juror Isaac Bedell of seat No. 2 and there the proceedings halted for the day. Nineteen talesmen occupied the chair during the day and the only one who may occupy it finally is Finley McBean, the last man to reach it late this afternoon. Finley satisfied the state and passed into the hands of the defense just before the adjournment.

Attorney Darrow and the technicalities of law combined this morning to throw out of the jury box a man who appealed to the court and to practically every member of the audience at the Haywood trial as a perfectly fair and unprejudiced talesman. Because John Beery, a farmer, held a slight opinion, which he said was not fixed and would in no wise interfere with a fair trial, he was challenged for implied bias. The court denied the challenge, but Darrow, for some reason or other, did not want Beery to serve, nor did he desire to throw away a peremptory challenge on him. Here was the system employed: Beery was taken in hand by the lawyer and led into the fields of jurisprudence and beside the still waters of technicality for half an hour. Then he was challenged for actual bias.

"I believe this juror is fair and impartial," said Judge Wood, "but from all the record that has been built up here, the court will allow the challenge."

Detective McPartland made the following statement relative to the story given out by counsel for the defense. "It is not true Warden Whitney ever sent me to talk to Orchard in order to prevent his committing suicide. So far as my knowledge goes, Orchard never had a watch. Adams and his wife may have told these things to counsel for the defense, but I think that to be untrue."

YESTERDAY'S BASEBALL SCORES.

Coast League.
At San Francisco—Oakland 0, San Francisco 1 (12 innings).
At Portland—Portland 0, Los Angeles 3.
Northwest League.
At Vancouver—Seattle 14, Vancouver 6.
At Tacoma—Tacoma 0, Aberdeen 2.
At Spokane—Butte 8, Spokane 4.

LAKE MAHONK CONFERENCE.

Recommendations to Hague Say Nothing About Disarmament.

LAKE MAHONK, N. Y., May 24.—The recommendations which the Lake Mahonk conference on international arbitration will send to the International Peace Conference soon to convene at the Hague will contain no word on the subject of disarmament or limitation of armaments. This was determined upon today when the conference after a long debate declined to accept the amendment to the platform proposed by Edwin D. Mead, of Boston, which declared that the conference earnestly hopes that the subject of limitation of armaments will be freely and fully discussed at the Hague Conference.

FRISCO CARS RUNNING.

Strikers Throw Stones and Block Track—Two Women Injured.

SAN FRANCISCO, May 24.—Street-cars are operating in every section of the city after a fashion today. Several lawless acts were committed this afternoon. Cars were stoned and two women injured. The tracks were blocked in several places, stones and bricks being piled up to impede progress.

GENERAL ASSEMBLY ELECTIONS.

DENVER, May 24.—The Rev. A. R. Hutchinson, Altoona, Pa., was elected corresponding secretary to the board of home missions by the General Assembly of the United Presbyterian church today. There were twenty nominations for the office. Hutchinson was elected on the second ballot. The Rev. J. C. Scouler, of Philadelphia, was elected secretary to the board of ministerial relief by an unanimous vote.

WOMAN EMBEZZLER

Misused Funds of Church Society for Clothes.

PLEADES GUILTY TO CHARGE

Bondsmen Became Alarmed and Surrender Girl to Sheriff—Appropriated \$1300 Raised to Purchase An Organ For Church—Organ Received.

CHICAGO, May 24.—A dispatch to the Tribune from Bloomington, Ill., says:

Dismissing her lawyer, Helen Dixon, yesterday walked back of the bar of the Circuit Court and pleaded guilty to the charge of embezzlement of \$1,300 from the organ fund of the Gleaser Society of the Second Presbyterian Church and also to the forgery of a note of \$300.

The prisoner's demeanor was cool and self possessed and there was no change when Judge C. D. Myers sentenced her to the penitentiary for an indeterminate term. She will be taken to prison today.

Miss Dixon was able to obtain bonds for the first week after the charge of embezzlement was brought against her, but when a charge of forgery was filed and there became rumors of other pecuniations, her bondsmen became alarmed and surrendered her to the sheriff. She has been in jail since.

Miss Dixon was arrested last February. She was treasurer of the Gleaser Society and the money she appropriated was to have been used to pay for a new organ. When the organ was received there was no money to pay for it.

When called on for an explanation, Miss Dixon told conflicting stories as to what she had done with the money. It is understood she spent the money on clothes for herself.

BRAKEMAN KILLED.

PORTLAND, May 24.—Clarence Payne of Tacoma, a brakeman, was killed in a small freight wreck just outside Portland city limits tonight on the Northern Pacific.