



MOYER RELEASED ON BAIL

Unable to Raise \$25,000 Spends Last Night in Jail; Pettibone to be Tried on October 1.

INCRIMINATING EVIDENCE AGAINST PETTIBONE

State Claims That Haywood Case is Weakest of Three and That Pettibone and Moyer Will Have Close Run for Freedom.—Pettibone May Get Bail.

BUTTE LOCAL OF THE W. F. M. GIVES MOYER'S BOND

LARGE LABOR ORGANIZATIONS AND SOCIALISTS SEND IN THEIR CONGRATULATIONS TO HAYWOOD SHOWING FEELING OF THE LONG NERVE-RACKING TRIAL HAS CAUSED ALL OVER THIS COUNTRY—ALL CLASSES OF LABOR SEND CONGRATULATIONS.

BOISE, July 29.—Charles H. Moyer, co-defendant of Haywood, was ordered released on \$25,000 bail today by Judge Wood, who has presided at the Haywood trial. Attorneys for the Federation expected to have the bond ready for filing tonight but arrangements had not been wholly completed at a late hour and Moyer resigned himself to another night in jail. He probably will be released tomorrow and will then leave within 24 hours for his home in Denver. Effort was made by the attorneys for the prosecution and defense to arrive at an agreement regarding bail for Pettibone but it came to nothing and no application was made in his behalf, but motion was made for speedy trial and his case was set down for October 1.

Counsel intimated today that they might apply for bonds for Pettibone later, but did not believe that states' attorneys will consent. It has been generally stated that there is more incriminating evidence against Pettibone than any of the others while it has been generally conceded that the case against Moyer is the weakest of the three. The defense in Haywood case has admitted that there were a number of things for Pettibone to explain as to his association with Harry Orchard and the sending of money to him but they said it would be time enough to deal with these matters when Pettibone himself was placed on trial.

Haywood today continued to receive many congratulatory telegrams from all sections of the country. They came from individuals; from local unions of the Western Federations, and from all classes of labor unions and from the socialist organizations and their leaders. Bond for Moyer is to be given by the Butte local of the Western Federation of Miners which is the richest local in the organization and which is said to carry a deposit of \$100,000 to \$140,000 constantly in the bank.

It was thought the state would resist the application for bail for Moyer, but will resist on the ground that while the

jury acquitted Haywood this was the result of failure, in the eyes of the jury to bring sufficient evidence to link up the connection of the men charged with conspiracy, and to commit the crime, with the crime itself, and the man Orchard, who is the confessed slayer of ex-Governor Steunenberg. But at the next trial, when the purpose of the state is to show that Pettibone was a part of the conspiracy, the evidence available against Haywood will be used also against Pettibone with the necessary filling in to enable the jury to convict.

The decision of the state to continue the prosecution of the men now under arrest, and the statement that Jack Simpkins, fugitive from justice, who acted with them, is almost within the reach of the law and that he may be arrested at any time, came as a surprise to the counsel for the defense, who confidently expected that Moyer and Pettibone would be released.

Haywood spent the night quietly in Boise where his family has been living since the trial commenced. It was a happy gathering and the released man has communications from his friends in a steady stream. The telegrams continued to pour in from nearly every town in the Union. Haywood will remain here some days before returning to Denver to take up his work.

John Murphy, the general counsel for the Western Federation of Miners, who is dying of consumption here, is a great friend of Haywood, and now arrangements are being made to take him back to Denver before his death, if possible. Haywood will probably accompany him. Boise has taken the verdict quietly and in the same spirit that has been in evidence since the trial commenced.

Governor Gooding takes the position that the state having announced a determination to leave the decision with judge and jury in the Haywood case, will maintain the same position, with regard to Moyer and Pettibone.

not the guiding star of Israel's hope, but that the promised land of the Jews was in America.

There was instant applause when the sentiment was uttered which broke out afresh when Mr. Schiff reiterated the sentiment and said that in the free land of the United States was to be found the inspiration of the Jew for higher citizenship.

TRY TO BLOW UP ROYALTY.

ST. PEETERSBURG, July 29.—One of the "accidents" that occur frequently while the members of the imperial family are traveling happened today when Grand Duke Peter Nicholavitch, cousin of the emperor was en route to St. Petersburg from Peterhof. As the train was within 10 miles of St. Petersburg a petard which had been placed on the rail exploded. The force was not sufficient to derailed the train and no one was hurt.



Mr. Oppressive Trusts—Ah! Mr. of view exactly. The News Law recently enacted in Tennessee.—News Item. Texas, I'm getting to see your point was against the Trusts will be rightly

MORE SURVIVORS FOOL KILLS FIREMAN

Steamer Roanoke Arrives Here Last Night.

Thinks Almighty Commanded Him to Wreck Train.

BRINGS MORE SURVIVORS

SHEPHERD IS UNKNOWN

The Steamer Roanoke Was the First Vessel to Bring the News to San Francisco of the Awful Calamity—Nothing New Learned.

Engineer Sees Danger But Not in Time to Prevent Train Crashing Into Open Switch—Ho Was Sent to Have on Relief Train and Put in Jail.

The steamer Roanoke arrived here last night at 9:45 and left up at 11 o'clock. The steamer Roanoke being the first vessel to report the awful disaster, is naturally a thing of interest. The Astorian reporter met the steamer when she docked and going aboard found that there were some survivors on the passenger list.

Mr. and Mrs. C. H. Martindale of Guthrie, Okla., were found in the saloon with Miss Anna Akkeeson of Litchfield, Minn.; Dr. and Mrs. J. E. Paul of Columbus, Neb., were also on board as well as Mr. and Mrs. E. Rockwell of Oklahoma.

Mr. Martindale was severely injured in the wreck, having his ankle wrenched and his knee mashed. He has been in the hospital at Eureka until yesterday when he took the Roanoke for Portland from whence he returns to his home at Guthrie.

Mr. Martindale had a strenuous time, certainly, as reported by him in his modest way.

"I am satisfied that there was an explosion," said he. "My injured condition shows that. Like several others who were injured I do not know how I received my injuries but as I went down with the vessel and am in this condition I cannot account for it in any other way. I was in the water from the time of the sinking of the vessel until 4 o'clock. My wife and child went down with me and I found Mrs. Martindale on the San Pedro but we lost our child. The crew of the San Pedro did everything possible for the comfort of the women folks even to sacrificing themselves." Here Mrs. Martindale interrupted to say that one of the seamen of the San Pedro took his shirt off to give to her. Mr. Martindale continued: "Mrs. E. E. Butner and two children that were in our party were lost. They came from Portsmouth, Ohio."

Miss Akkeeson stated that she was treated with all the courtesy and care that it was possible to bestow on her and while of course, her experience was not pleasant, it certainly might have been worse. She is very grateful to the people of Eureka who had furnished her

(Continued on Page 8.)

COLUMBIA WRECK INQUIRY

Testimony Shows That Captains Were Compelled to Push Ships Regardless of Weather Conditions.

TESTIMONY BEFORE CAPTAIN BIRMINGHAM

But Second Officer Agerup States That Captain Doran Always Slowed Vessel Down When Steamer Was Heard Ahead. Schedules Had to be Made.

MISS ALICE OSTERBURG EXONERATES OFFICER HAWES

DECLARES THAT HE ACTED GENTLEMANLY AND AS A BRAVE MAN THROUGHOUT THE AWFUL SCENES CONNECTED WITH THE SINKING OF THE STEAMER COLUMBIA AND STATES THAT HE VOLUNTARILY GAVE HIS COAT TO A FREEZING WOMAN.

SAN FRANCISCO, July 29.—The responsibility of steamship companies by which iron-clad schedules compel their masters of steamships to go at a speed which their consciences tell them is unsafe was a feature of the Columbia wreck testimony taken before Captain Birmingham today. Second Officer Agerup's testimony established more clearly than has ever been done before the fact that captains are compelled to run their ships at full speed along dangerous coast in foggy weather in courses navigated by many vessels. Birmingham asked if it was a usual practice to go full speed ahead Agerup replied the captain always slowed down when he heard a steamer ahead.

When questioned whether it was necessary to go at full speed in order to make the schedule, it elicited a statement that there was certain time allowed for trips on coast steamships and it was necessary to arrive at a certain hour to get in on time and avoid delay.

"Does a ship never slow down unless there was a steamer ahead?" Agerup was asked.

"I can't recollect we ever did. It

might have been done once in a while in especially bad weather," said Agerup.

Attorney Knight for the company took the witness and elicited from him that Captain Doran had never ordered him to push the vessel ahead at any cost and that he had never heard Captain Doran say he must make a certain time. Knight made no effort to shake dangerous testimony and said that dangerous runs were made to keep the vessel on its schedule and that the moral suasion of the company was reason for doing it.

The first witness of the day, Miss Alice Osterburg, who was a passenger of the Columbia, testified that the conduct of Officer Hawes was gentlemanly throughout the disaster. Her testimony indicates the charge against Hawes is a case of mistaken identity. She denied the story that Hawes procured whisky for himself and testified that whisky was given a woman passenger on the boat. She also denied that Hawes was forced to give up his coat to a woman passenger and she declared that he did so voluntarily. She likewise denied that he struck a passenger.

ANOTHER VICTIM DIES.

VERSAILLES, July 29.—Major Huntington, whose son Henry shot his two brothers and two sisters, died here tonight without gaining consciousness and without knowledge of the tragedy that had occurred. Doctors today held out some hope for the recovery of Alonzo and Elizabeth. Edith's wound is not serious. The life of Mrs. Huntington, the mother, is despaired of.

WHEAT AND METAL MARKET.

NEW YORK, July 29.—Lead, \$5.15@ \$5.25; copper, \$20.50@21.50; silver, 69 3/8c.

LIVERPOOL, July 29.—July wheat, 74 3/4.

CHICAGO, July 29.—July wheat opened 91 1/8c; closed, 90 1/8c; September, 92 1/2c@3/8c; closed, 92 1/4c; barley, 51@63c; Northwestern, \$1.20 1/2.

SAN FRANCISCO, July 29.—Wheat, \$1.45@1.50.

OBSERVE THE 2 1/2-CENT RATE.

RALEIGH, N. C., July 29.—The result of the conference this afternoon between Governor Glenn and counsel for the state and Southern Railway the officials of the railroad company agreed to observe the 2 1/2-cent rate law beginning August 8.

GOVERNMENT CONDUCTS RACES.

MEXICO CITY, July 29.—Backed by the Federal government the Mexican derby will be run each year for ten years, beginning in 1910. The sum of \$100,000 will be given by the government for the purpose of raising the breed of horses bred in Mexico. A purse of \$20,000 will be hung at the running of the race. The first race will be run over the new track which is to be built in Condesa on the present grounds of the Polo Club.

MUNICIPAL COURTS.

Never Looked Upon as Field For Money Making by Individual Who Has No Capital.

WASHINGTON, D. C., July 29.—The municipal courts of New York have never been looked upon as a field for money making by the individual who has no capital. But an experience this week indicates that in them are to be won untold millions by some Tom Lawson versed in legal and judicial procedure. The plea of "guilty" as a profitable investment indeed has just become an alluring possibility, which by some strange happening has been long overlooked by legal sharps. Like all great discoveries, this one had a small beginning. The plaintiff, a stolid German, accused the defendant of "pulling the skin of his arm" throwing it at him and breaking his glasses valued at ten dollars. The court after recovering from its surprise discovered that the arm was unburned and that aforesaid skin did not break the glasses but caused the plaintiff to jump and drop them. The plaintiff stated his willingness to compromise for the value of the glasses for which the defendant was about to settle, when the court announced that if he were proven guilty the fine would be three dollars. A great light shone suddenly on the defendant. After much figuring he pleaded guilty, thereby saving seven dollars. On the principle that a penny saved is two pennies earned. This equalled a gain of fourteen dollars. Lawyer and judge alike were dumbfounded at this new possibility of making money, and are now eagerly awaiting the formation of a "guilty" trust.

FUNERAL OF EDITOR.

OTTUMWA, Ia., July 29.—The funeral of A. W. Lee, president of the Lee newspaper syndicate, took place today. As a tribute to his memory, all business in Ottumwa was suspended for one hour during the obsequies.

FORAKER NOT FOR TAFT NOW.

CINCINNATI, July 29.—That it is impossible for him under the present conditions to favor the presidential candidacy of Secretary Taft is the statement of Senator Foraker in a letter given out here today. The letter is addressed to C. K. McCoy, a member of the republican state central committee and it is intended as an expression of the senator's views to be presented when the committee meets at Columbus tomorrow.

ISRAEL'S HOPE IN AMERICA.

Vast Jewish Chautauqua Audience Applauds the Sentiment of Schiff's.

NEW YORK, July 29.—Jacob H. Schiff the New York banker, in an address at the closing meeting of the Jewish Chautauqua at Atlantic City, N. J., declared that the hope of the restoration of the Jewish nation in Palestine was