



VON MOLTKE VINDICATED

Honor of Count is Untarnished.

EDITOR IS SENTENCED

Harden Will Have to Serve Sentence of Four Months Imprisonment.

MUST PAY COSTS OF TRIAL

First Hearing of the Case Was Brought to Abrupt End by Judge Who Declared Evidence Was Startling and Would Injure Germany's Social Condition.

BERLIN, Jan. 3.—The notorious Harden-Von Moltke libel trial came to an end this evening when the accused editor was sentenced to four months' imprisonment and to pay the entire costs of both the present and former trial. The President spoke directly at the prisoner and said in spite of the prisoner's assertion, that the insinuations contained in the Die Zukunft referred merely to the scientific and artistic doings of Count Von Moltke and Prince Philip Zu Eulenburg, and that they had nothing to do with immoral and unnatural practices, it was evident if this was the meaning they intended to convey the articles were senseless and purposeless. There was no doubt the President declared that Harden had meant that Von Moltke was possessed of unnatural inclinations.

"Count Von Moltke," said the court, "Leaves this court with his name and honor untarnished and nothing has been proved against Prince Philip Zu Eulenburg."

In the first hearing in which Harden was called upon by the Kaiser to prove his charges the proceedings were brought to an abrupt end by the presiding judge, who declared that the evidence was of such a startling nature that more of it would injure Germany's social condition.

Harden received many congratulations upon the courage he displayed in daring to attack the officials who are so close to the kaiser. As the attack was directed almost exclusively toward Von Moltke, the latter immediately filed suit for libel, declaring that he wanted to be vindicated. The verdict returned today is the result of this trial.

HELD AS SUSPECT.

Woman Found in Pond Identified by Husband.

NEWARK, N. J., Jan. 3.—Following a searching examination, Theodore S. Whitmore was held by the New Jersey police tonight, as suspected of the death of his wife "Lena" Whitmore, who was murdered on Christmas Day and her body was thrown into a pond near Harrison. Whitmore identified his wife's body. The nature of his testimony was such that the police decided to hold him.

TOBACCO MEN CLASH.

Growers of Kentucky and Tennessee Against Combine.

LOUISVILLE, Jan. 3.—Although all is apparently quiet tonight in the war between the tobacco growers of Kentucky and Tennessee against the American Tobacco Company the developments of today have given great uneasiness. The town of Russellville, which was raided by night riders early today was quiet tonight. Troops will not be asked

for unless there are signs of further serious trouble. Following an unsuccessful attempt to sell 60,000 hogheads of tobacco to the American Tobacco Company, the Burley Tobacco Society issued a statement which concludes, "The attitude taken by the buyers today demonstrates conclusively that the American Tobacco Co. is the only buyer left for our tobacco and that it has declared it will fix its own price." The failure of today's negotiations may increase the friction in the tobacco districts.

BODY THROWN INTO SOUND.

SEATTLE, Jan. 3.—The body of a man supposed to be James Smith, the father of Sister M. Lutgarde, of St. Joseph's deaf mute home, at Oakland, Cal., was taken from the Sound today. It is evident he was murdered as his arms were tied and another thing around his neck indicates that a rock had been fastened to the body when thrown in the water.

MOVING PICTURE LECTURES.

NEW YORK, Jan. 3.—In a decision handed down yesterday Magistrate Wahl holds that public lectures illustrated by moving pictures and stereopticon views may be given on Sunday without violating the city ordinance and penal code regulating Sunday amusements.

NELSON-SCALER

LOS ANGELES, Jan. 3.—Batting Nelson and Kid Scaler have been matched by Manager McCarey of the Pacific Athletic Club to fight here January 14, in a 10-round go for a share of the gate receipts.

RICH CARGO.

SAN FRANCISCO, Jan. 3.—The Japanese liner Nippon Maru arrived here at an early hour this morning. She has only 16 cabin passengers on board, but carries a rich cargo of Oriental products.

CASE GOES TO JURY

Pettibone's Fate Rests With Talesmen.

DEFENSE DECLINES TO ARGUE

Hawley Dared Pettibone's Lawyers to Speak in His Behalf—Accused Man Had to be Carried Into Court—Jury Begins Deliberations.

BOISE, Jan. 3.—The jury in the case of Pettibone, charged with conspiracy in the murder of Steunenberg, began its deliberations at 8:50 tonight. The last day of the trial was occupied by the argument of James H. Hawley for the prosecution, and the instructions of the court. The defense carried out its announced intention not to argue the case, thus preventing Senator Borah from addressing the jury. Hawley in his argument fairly dared the lawyers for Pettibone to speak in his behalf. It was necessary to carry Pettibone into court tonight. He is a very sick man. Juror Stahl was ill this afternoon and no session was held but he felt so much better this evening that the trial proceeded tonight.

DENTISTS' CONVENTION.

NEW ORLEANS, Jan. 3.—The American Institute of Dental Pedagogy closed its 15th annual convention here yesterday by selecting St. Louis as the next place of meeting. The following officers were elected: President, Dr. W. L. Willmot, Toronto; vice-president, Dr. Ed. Eillyear, Brooklyn; secretary-treasurer, Dr. E. B. Lisher, St. Louis.

TROOPS LEAVE GOLDFIELD.

GOLDFIELD, Nev., Jan. 3.—Seven companies of United States troops left here today for their respective California posts. To companies will remain in camp.

TREASURER CENSURED

School Funds Were Misappropriated.

OFFICIALS RECHARGED

Receiver to Bring Action Against the State for the Securities.

WANT FULL RESTITUTION MADE

Documents Filed by Attorney Bristol Charging Officials of Defunct Title Guarantee & Trust Co. With Willful Misappropriation of School Funds.

PORTLAND, Jan. 3.—In a document comprising 25 typewritten pages, filed in the United States Circuit Court this morning by W. C. Bristol, special attorney for the state and solicitor for the American Surety Company of New York in the insolvency proceedings of the Title Guarantee & Trust Company, willful misappropriation of general and school funds of the state by the officials of the defunct bank is charged. State Treasurer George A. Steel by implication is severely censured.

It is alleged in this legal paper that even for six months prior to the time it applied to the state for the right to act as a depository, money from the general and school funds was received, loaned and otherwise diverted in flagrant violation of provisions of the constitution and the codes.

In the endeavor to trace these funds the court is petitioned to order Receiver Edward C. Mears to make an investigation permitting him to file a full statement of all institutions in which the Title Guarantee & Trust Company deposited funds received by it, including the Ladd & Tilton Bank and Seattle and New York banks, with dates and amounts, so that the full extent of the illegalities charged may be determined and the state enabled to conduct its contest for restitution more intelligently.

The paper is labeled "Representations and Showing of the State of Oregon," and was filed in response to the petition of Attorney Joseph Simon, representing the receiver, made December 23, that an order be issued allowing the immediate payment of trust funds aggregating \$34,000. Previous to placing the document with the clerk as a matter of record, Mr. Bristol combatted in open court the contention of Attorney Simon. Several other lawyers represented various clients and an hour was consumed in argument. Judge Wolverton postponed his decision until next Friday, on account of the number of sums involved and the conflicting interests of the claims made to him.

A notable feature of the hearing before Judge Wolverton this morning was the declaration of Attorney Simon that the receiver will bring an action against the state and the American Surety Co. for the return of the securities transferred to the state prior to the receivership. He declared that such a transfer was illegal. Attorney Bristol said he was ready to contest this matter with the receiver or any of the litigants; in fact, arguing that the state has a perfect right to hold these securities. This phase of the hearing was concluded with the statement of Attorney Simon that he will file suit in the premises within the next few days.

of records, is given, including the reorganization. Steel's official history and the records, so far as bonds, sureties and other factors are comprised, are mentioned in detail. Those officials of the bank accused of knowingly violating state laws as regards school money are: J. Thorburn Ross, T. T. Burkhart, John E. Aitchison, George H. Hill, William M. Ladd and F. E. Warren. The amount of the state's school money said to have been wrongfully received and converted is given as \$33,910.

In addition to other demands are a statement from the receiver as to how much the bank should have had on hand when it closed its doors, and the depositing of various amounts, the largest being approximately \$76,000, with Ladd & Tilton, after the holiday period was declared.

In conclusion it is petitioned that the court declare the state's money to have constituted a trust fund, irreducible and not to be loaned or invested, and that full restitution be made of such funds before \$34,000 or other amount is paid out to others.

FORAKER REFUSES.

Will Not be Bound by Conditions of Call.

CINCINNATI, Jan. 3.—A flat refusal to be bound by the conditions of the call of the Republican state convention which is to name the state ticket and select delegates-at-large to the national convention, is the conclusion reached by Foraker and announced in a statement given to the press here tonight. The primaries for the test of strength between Taft and Foraker as Presidential candidates were provided in the official call and the method provided is sharply criticized by Foraker.

DICK FOR FORAKER.

AKRON, Ohio, Jan. 3.—"I am for Foraker first, last, and all time," said Senator Dick today, denying the reports he had cast his influence in other directions.

STEAMERS OVERDUE

Canadian Pacific Liner and Greenock Boat Delayed.

ACCIDENT MAY HAVE OCCURRED

Steamer Mount Royal From Antwerp and Steamer Hungarian from Scotland Many Days Overdue—Belief Advanced Machinery Has Been Disabled.

ST. JOHN, N. F., Jan. 3.—No word has been received of the Canadian Pacific steamer Mount Royal, which left Antwerp, December 7, for the St. John, having on board 304 immigrants and crew of over one hundred. The company officials believe an accident has occurred to her machinery and that she will be heard from in due season.

LONDON, Jan. 3.—The non-arrival of the steamer Hungarian, which sailed from Greenock, Scotland, on December 14, at Portland, Maine, leads to the belief she has fallen in with the Mount Royal.

POWERS' FATE UNDECIDED.

GEORGETOWN, Jan. 3.—Another day has passed with the fate of Caleb Powers still undecided. The jurors reported today that they were unable to agree but were sent back for further deliberation. They retired for the night at 7:30 o'clock and nothing further will be heard from them until the court convenes tomorrow morning.

TAFT ENDORSED.

CLEVELAND, O., Jan. 3.—At a meeting here yesterday of the Republican congressional committee of the 19th district of Ohio, to make arrangements for the district convention, Secretary Taft's Presidential candidacy was endorsed.

WAS TAUNTED BY FAMILY

Countess of Yarmouth Asks Divorce.

HARRY THAW'S SISTER

English Title Loses Glamor for the Beautiful American Girl.

EARL'S FAMILY CRY DISGRACE

Lady Yarmouth Was Favorite Sister of Slayer of Stanford White and Was Present at First Trial—Yarmouth Secluded Himself in Egypt.

LONDON, Jan. 3.—The Countess of Yarmouth, who was Miss Alice Thaw, of Pittsburg, has begun proceedings for the nullification of her marriage with the Earl of Yarmouth.

The Countess of Yarmouth is a sister of Harry K. Thaw.

The Yarmouth case was entered in the defended list for trial at the coming sittings of the divorce court. It will be heard in camera.

It is said here that the estrangement results from two causes; the first, the action of the Earl during the first trial of Harry K. Thaw, the Countess' brother. It is said that when the trial was about to begin the Count went to Egypt and lived in seclusion in the select colony of English folk there. The second cause is said to be the action of the Thaw family in determining upon an insanity plea for Harry Thaw. It is said Yarmouth objected to insanity figuring in the New York trial, on the ground that it would have a direct influence on the succession of the Yarmouth estate in the event that there was an issue from the marriage. It is also said the Earl's parents used every influence to prevent the institution of proceedings to nullify the marriage.

The marriage of the Earl of Yarmouth in Pittsburg to Alice Cornelia Thaw followed a rather brief courtship and ended the Earl's stage career, which had begun in private theatricals at Newport and had later been more or less successful in a professional way. Lady Yarmouth has always been the favorite with her brother, H. K. Thaw, whose second trial for the killing of Stanford White will begin Monday. She returned from England, and was present during the entire first trial of her brother. It has been given out that Lady Yarmouth would not be present at the second trial, out of deference to the wishes of her husband and his family, the Earl having strongly objected to the notoriety of the first trial.

At the wedding of the Yarmouths it was planned that the bride's eldest brother, Harry, should give her away, but he was absent. The ceremony was delayed several hours to await his company, but he did not appear. Josiah Thaw, another brother, acted in his place. It was said that the delay in the ceremony was due to further negotiations with regard to the marriage settlement from the Thaw family. The Earl is declared to have insisted upon an increase, and the papers had to be drawn up before the marriage could proceed. It is said that he received \$100,000 in cash, in addition to a heavy settlement. Within the first year of her married life, Lady Yarmouth was compelled to deny rumors of a disagreement with her husband. She endeavored to live as quietly as possible and entertain only on a small scale.

While the Earl's family is said to have treated the American girl not over kindly, it was not until the killing of

Stanford White by Harry Thaw that a serious break in their family relations ensued.

ANTI-SUICIDE BUREAU.

Three Hundred Persons Have Sought Assistance.

CHICAGO, Jan. 3.—The Chicago anti-suicide bureau of the Salvation Army issued a report yesterday of the cases handled and suicides prevented since the establishing of the bureau six months ago. In that time 335 persons have sought the assistance offered by the bureau and of this number it is estimated 80 per cent have been saved from self-destruction. A significant fact is that of overwhelming number who applied to the bureau were men. Only 65 women availed themselves of the help of the women's department. The most prolific causes of men desiring to commit suicide are domestic unhappiness, lack of employment, drunkenness, and gambling. The reasons given most frequently by the women were desertion, sickness and lack of work.

DAVID PERSONS DEAD.

CHICAGO, Jan. 3.—David Van Ness Person died yesterday after a brief illness. He was born in 1846 in New York, where his father was a prominent lawyer. In 1883 he established the paint, oil and drug review, which he conducted up to the time of his death.

He was active in the organization of the National Paint, Oil & Varnish Association and served as its secretary for 12 years. In 1899, he became the first secretary of the Paint Manufacturers' Association of the United States, an office which he held continuously until 1905.

MINING MEN MEET.

SEATTLE, Jan. 3.—A meeting of mining men of Alaska, Washington, Oregon, Idaho, Montana, British Columbia and the Yukon territory will be held in this city on March 23 and 24 under the auspices of the mining congress.

MADE FALSE ENTRIES

Another Sensational Chapter Added to Bank Scandal.

BOOKKEEPER MAKES AVOWAL

Under Merciless Cross Examination H. L. Storrs Admits he Made False Entries in the Books Under Orders from Brown and Robertson.

SAN FRANCISCO, Jan. 3.—Another sensational chapter was added to the California Safe Deposit & Trust Company scandal yesterday when H. L. Storrs, one of the bookkeepers of the concern broke down under a merciless cross examination and confessed that the false entries in the books were in his handwriting, and had been made under orders from J. Dalzell Brown and J. D. Robertson, the fugitive assistant secretary.

The confession made by Storrs was complete in every respect and established the fact that nearly \$1,000,000 had been falsely added to the assets of the bank in order to deceive the state commissioners. More than \$500,000 had been fraudulently added to the account of Brown, Walter J. Barnett and the San Francisco & San Joaquin Coal Co. alone. In order to balance the books, Storrs said that a like sum had been charged against depositors in the bank.

The confession of Storrs was made in the bank building at California street after he had been subjected to a searching examination by Assistant District Attorney William Hoff Cook and Theodore Kytka, the handwriting expert.

NOTED OARSMAN DEAD.

TORONTO, Jan. 4.—Edward Hanlan, ex-champion oarsman of the world, died at 1 o'clock this (Saturday) morning of pneumonia.