



## MAY'S MEMORY WAS MISSING

### Heney Tangles Up the Defendant.

## BRISTOL'S DATES MIXED

### Defence Introduced 2 Members of a Former Grand Jury to Discredit Testimony.

## TO GO TO JURY THURSDAY

### Captain J. A. Sladen, a Clerk in the Federal Court, Testified That he Took Hayes and Introduced Him to Mays.

PORTLAND, Feb. 4.—Both sides rested today in the Hall conspiracy case from the government's standpoint. He promises to consume not more than three hours. Following him, Judge Webster will speak in the behalf of Hall. Thursday morning Heney will make the closing argument and Judge Webster will speak in behalf of Hall. Thursday morning Heney will make the closing argument and Judge Hunt will charge the jury that afternoon.

Today was largely devoted to proving that District Attorney Bristol was mistaken in the assertion that he never talked to H. H. Hendricks until after the latter had been convicted. Heney feared Bristol's assertion would tend to create a doubt in the minds of the jury as to the truth of any of Hendricks' testimony and he believed the prosecutor succeeded in leaving an impression that Bristol is in error and not Hendricks. Edwin Mays' declaration that he did not know of the Thayer frauds in time to prosecute them, was further discredited today by the testimony of Captain J. A. Sladen, a clerk in the federal court, who testified that Chas. G. Hayes appeared before him and desired to complain about the Thayer frauds and he (Sladen) took Hayes to Mays and introduced them. The date of the introduction was a year before the date Mays testified he became aware that the Thayer conspiracy existed.

The defense introduced two members of a former grand jury. One of whom was to discredit the testimony of a previous witness that special Agent Loomis had neglected the government's interests in the "11-7" cases and the other to refute testimony to the effect that Hall had volunteered advice regarding the uselessness of attempting to prosecute the Thayer frauds. The defense recalled Bristol and he reiterated his previous testimony, again stating unqualifiedly that he never had an interview with Hendricks before the latter's conviction and that he never signed a telegram to Heney regarding immunity for Hendricks.

On cross-examination Heney got Bristol considerably mixed on dates of various events that took place about that same time, and ended by suggesting that as Bristol was mistaken on these subjects it was barely possible he was in error regarding the Hendricks' interview and the Heney telegram.

## STOCKON TOO.

STOCKTON, Cal., Feb. 4.—The city council by a vote of five to two has passed an ordinance closing the saloons on Sunday and compelling the restaurants, drug stores and eating houses to refrain from selling liquor on that day.

## THE TRANSGRESSOR'S WAY

### An ex-Convict is up Against Fish Charge of Murder.

MINOT, N. D., Feb. 4.—Jerome McIntosh, a rancher of the Highwood district, about 30 miles east of Great Falls, was arrested yesterday on the charge of having murdered Peter Lasdale near Belt, Mont., early last month. Lasdale's body was found in an upper room of his home, a bullet wound in the back of the head showing what caused his death. McIntosh was released from the Montana penitentiary six months ago after having served a five year sentence for forgery. His parents are respectable people. He will be brought back to Choteau county and his trial, it is said, will take place at Fort Benton.

## McCALLA STANDS PAT.

WASHINGTON, Feb. 4.—Rear Admiral McCalla, retired, in a letter to Secretary Metcalf, says that with some modifications the opinions expressed in a recently published interview with him, which created considerable comment at the time, have been held by him for 21 years. Among the statements which the admiral was quoted as making in referring to the navy was that with a navy department under a civilian secretary, a department with eight different bureaus and civilian secretaries ruins mistakes are only what might be expected. No action will be taken by the navy department in the matter as it is understood Secretary Metcalf is not adverse to having officers express honest criticism in naval matters over their own signature.

## TRAGEDY OF THE SEA

### Details of Burning of Steamer St. Cuthbert.

## TERRIFIC WIND WAS BLOWING

### The Cymric and the Cambrian Lay by for Several Hours Awaiting Chance to Lower a Boat to Rescue the Imperilled Crew.

NEW YORK, Feb. 4.—A wireless despatch to the Times from the steamer Cymric gives details of the burning of the steamer St. Cuthbert. Soon after the Cymric sighted the burning vessel the steamer Cambrian also came up and the two ships lay by for several hours awaiting a chance to safely lower a boat to the terrific wind which was blowing at the time making it impossible for a boat to live. Finally at 2 o'clock the Cymric got a boat away in command of First Officer Stive and with a crew of six men. After a hard fight with the waves the boat was brilliantly handled, succeeded, aided by the "oil" which has been spread on the water in reaching the side of the ship. For 10 minutes they lay by before a heavy figure was lowered into the boat followed by a second. Then ten men made their way down the ladder and into the boat. All were frightfully burned. The boat returned safely to the Cymric and the rescued men were hoisted aboard. The same crew then made a second and a third trip back to the burning steamer, rescuing 37 men in all. On the last trip the boat was stove in by a wave and barely reached the Cymric in safety.

The officers and crew of the St. Cuthbert had a terrible story to tell. At midday Saturday the fire was first discovered, smoke being seen emerging from a ventilator. The first officer rushed to the bridge, where the captain was, to tell him of the fire, when almost immediately a terrible explosion occurred, blowing off all the hatches in the forward part of the ship and destroying half the bridge. The captain was thrown to the deck badly injured and blinded by the flames. The wheelsman was driven

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## IGNORED AT THE CAPITAL

### President Refuses to Receive Milukoff.

## NOT DUE TO BARON ROSEN

### Audience in Such Cases Could Only be Arranged Through Accredited Ambassador.

## DINNER INVITATIONS DECLINED

### President Roosevelt Himself Had Determined That Recognition of Russian Might be Construed Into an Expression of Sympathy for Others

ST. PETERSBURG, Feb. 4.—The visit to America of Prof. Paul Milukoff, the leader of the Constitutional Democrats, and his speech in New York, which aroused much irritation in conservative circles, owing to the demonstrative character of his reception, recently were the subject of an article in the semi-official Russia, in which it was asserted that President Roosevelt's refusal to receive him was not due to the intervention of Baron Rosen, Russian ambassador at Washington, but the initiative came actively from President Roosevelt himself, who already had determined that the recognition of Prof. Milukoff would be too easily construed into an expression of sympathy for the Constitutional Democrats.

The Russia states that President Roosevelt informed Baron Rosen, as well as others who broached the subject of an audience in this case, as well as the case of the petition in behalf of Nicholas Tschaikevsky, that in conformity with the custom in Europe these things could be arranged only through the accredited ambassador. The Russia further asserted that Secretary Taft and Secretary Root and Assistant Secretary Bacon declined invitations to the dinner to M. Milukoff at Washington for the same reason.

In reply to the statement Prof. Milukoff in an article in the Reeh expresses astonishment at such a statement in a government organ. He asserts that most of the facts are directly opposite to the allegations in the Russia and he points out that he visited America as an advocate, not of terrorism or revolution, but of constitutionalism.

M. Milukoff probably will be called to task by conservatives in the Duma for his trip. There is some talk also about governmental prosecution but this is denied in official circles.

## MAGNATE DYING.

CHICAGO, Feb. 4.—A despatch to the Record Herald from South Bend, Ind., says: "The condition of James Oliver, the millionaire plow manufacturer who is seriously ill with heart trouble is such that it is feared he cannot recover. There has been no change for the better during the last 10 days."

## PITIFUL PILFERING.

CHICAGO, Feb. 4.—The Inter-Ocean says today that Robt. H. Martin, formerly secretary and treasurer of Columbia University, now the George Washington University at Washington, D. C., was arrested here yesterday. He is charged with the embezzlement of \$2100 from a Chicago firm of wholesale carpet dealers by whom he was employed.

## MORE URGELY FEATURES.

### Additional Indictments Found in the Treadwell Cases.

SAN FRANCISCO, Feb. 4.—The grand jury returned another indictment yesterday against J. Dalzell Brown, and a joint indictment against Brown, Walter J. Barnett and James Treadwell. The indictment against Brown charges that he embezzled \$65,000 worth of bonds of the Sacramento Electric, Gas & Railway Co. which the California Safe Deposit & Trust Co. was holding as trustee. The joint indictment charges Brown, Barnett and Treadwell with embezzling 1001 shares of the capital stock of the Sacramento Valley Bank of Briggs, Colusa county of the value of \$35,035 and 1203 shares of the Farmers' & Merchants' Bank of Colusa valued at \$66,165. These shares were the property of the California Safe Deposit & Trust Co. The date of the alleged offense in September 19, 1906. Both indictments were returned before Judge George Sturtevant, who fixed the bail in each case at \$50,000.

## TRIAL NEARING END.

BOULDER, Mont., Feb. 4.—The State today closed its case in the trial of Harry J. Gruber, charged with the murder of Engineer Clow, in the North Coast Limited hold up at Welch's Spur.

The accused is another example of the man who wrote and talked too much for his own good. Towers, Gruber's pal, who was convicted last week, will be a witness for Gruber.

## THE RATE TOO HIGH

### Smelters to Be Established Independent of the Trust.

## THE PLANS WELL PREPARED

### Montana Mining Men Subscribe \$100,000 to Build an Independent Smelter on Co-operative Plan—Liberal Freight Rates With the Railroads.

DENVER, Feb. 4.—The News today says:

"Mine operators are planning to establish smelters independent of the trust. The movement has been endorsed by the American Mining Congress as the only solution of high rates exacted by the smelting trust. "James F. Callbreath, Jr., secretary of the American Mining Congress, returned to Denver yesterday, after attending meetings of miners interested in the independent smelter movement, and held during the past three weeks in Helena, Seattle, Los Angeles and Salt Lake City. He says that mine operators in all these districts have their plans well prepared and are at the point of erecting plants of a later and more economical type than those operated by the trust.

"Secretary Callbreath says that during the conference in Helena, the Montana mining men subscribed \$100,000 to build an independent smelter on the co-operation plan. He further explained that the operators of Southern California has, already gone so far as to purchase an old-smelting plant which will be remodeled and enlarged sufficiently to handle all the smelting of that district. He also says that the Utah Mineowners and leasers who will soon control their own smelters, have practically reached an agreement on liberal freight rates with railroads running into the mining districts of that state. The co-operative smelter will probably be stationed at Ogden.

"Plans are under way to assemble the principal mining interests in Colorado in the next few weeks when the first steps will be taken toward the accumulation of enough capital to begin the smelting business."

## THE MESSAGE DISCUSSED

### J. Sharp Williams Lauds the President.

## A TERSE STATEMENT

### Bonyng Quoted From Democratic Campaign Book Passages Antagonistic to Roosevelt.

## "THE PROPER THING TO DO"

### The Indian Appropriation Bill Was Scheduled for a General Debate, But it Was Sidetracked to Discuss the Special Message.

WASHINGTON, Feb. 4.—President Roosevelt's message on capital and labor and on the corporations and the public was again the theme of a discussion in the House today. So great was the demand for time that a general debate on the Indian appropriation bill, which is pending that business was extended until tomorrow for four hours more.

The interest in today's proceedings centered in a speech made by John Sharp Williams, who while lauding the President for some of his sentiments expressed the belief that others were dangerous. His remarks on the financial question prompted a lengthy discussion of that subject by Hill of Connecticut in which he opposed the Aldrich bill. After briefly discussing the financial question, Bonyng called attention to what he said was the absolute insincerity and hypocrisy of the Democratic party as an organization in its attitude toward the President.

He quoted from the last Democratic campaign book passages antagonistic to Roosevelt and asked if they accorded with the present Democratic commendation of the President.

Heretofore Bonyng said Democrats had hitherto withheld their praise of the Republican statesmen until they had crossed to the "Great beyond."

Ollie James, of Kentucky, asked if the speaker meant that Democrats have to wait until Roosevelt died before applauding his message.

"If you desire to pursue the course you always have," responded Bonyng, "that would be the proper thing to do."

Cockran remarked that the endorsing of one message was distinct from the endorsement of the administration.

After agreeing to extend the debate for four hours tomorrow, the House adjourned.

## DEFICIENCY BILL PASSED.

WASHINGTON, Feb. 4.—The Senate today passed the urgent deficiency bill carrying an appropriation of over \$24,000,000. The large deficiency appropriation for the navy brought out considerable discussion on the subject of the executive departments making expenditures not provided for by the appropriation. The deficiency appropriations for the Panama Canal gave rise to the Democratic publication of a paper by the Canal Commission at Panama and incidentally Teller declared he believed a lock canal at Panama some day would be declared a failure and that a sea-level canal would take its place. The Senate devoted two hours to a consideration of a criminal code bill and adjourned.

## TELEPHONE WARNINGS.

### How a New York Sharper Tries to Effect Stocks.

NEW YORK, Feb. 4.—For the last week reports have reached one or two large banks to the effect that some one was calling up depositors on the telephone and telling them the bank in which they had deposits was about to close. The attacks seemed to be directed mainly toward one of the large banks, although several others were also mentioned. The American Bankers' Association has now taken the matter up and private detectives as well as a portion of the city detective force have been put to work on the case. The banks in question are entirely solvent and the telephone messages have been sent with the evident intention of starting runs. It is the general opinion in banking circles that the rumors are being spread for the purpose of affecting the stock market. It is of course next to impossible to trace the sender of the messages but if he or they can be found, criminal prosecutions will follow. Spreading false reports regarding a financial institution is a felony under the New York law and is punishable by a fine not to exceed \$5000 and imprisonment for a period not to exceed three years.

## A ROUGH DEATH.

SAN FRANCISCO, Feb. 4.—Fred Johnson, a porter, was run down and instantly killed early last evening by an in-bound Haight and Market street car, near the corner of Eleventh. Johnson came to this city a short time ago from Ballard, Wash. He was 23 years of age.

## PUBLIC PRINTERY

### Report to be Submitted to President Roosevelt.

## RAPIDLY INCREASING COST

### The Chief of the Division of Printing Says the Cost of Composition Has Increased Nearly 40 Per Cent—Former Cost Purely Theoretical.

WASHINGTON, Feb. 4.—That the cost of printing at the government printing office for the various executive departments of the government has increased during the administration of Charles S. Stillings, the present public printer, is shown in the report made to President Roosevelt by George C. Havenner, chief of the division of printing in the department of Commerce and Labor. The increased cost varies from 2 or 3 per cent to more than 100 per cent on various classes of matter, and the increases apply to every department of the government. Mr. Havenner's investigation showed that the cost of composition, for instance, had increased nearly 40 per cent, notwithstanding that the best modern facilities are employed in the government printing office. The cost of nearly every other line of work incident to the production of printed documents showed a like increase, and in some instances a very much greater increase.

While admitting that the cost of printing and binding for the departments show an increase, Public Printer Stillings says that the cost of manufacture applied in the past was purely theoretical and that the system he now has in force enables him to determine the absolute value of the output.

President Roosevelt has directed the public printer to submit a report to him respecting Mr. Havenner's findings.

## BATTLING NELSON BESTED.

LO SANGELES, Feb. 15.—Rudolph Unholz had the better of Battling Nelson in a 10-round bout in this city tonight. A city ordinance prevents a decision being given in boxing contests.