



HEAVY SUIT AGAINST R.R.

Involving \$36,000,000 Worth of Bonds

BY CHARLES DURKEE

Estate of the Former Governor of Utah Asks to Have Receiver Appointed

WILL BE A BITTER FIGHT

Charge is That Efforts Were Made to Defraud Him When the Union Pacific Railway Company Changed Its Name.

SAN FRANCISCO, July 14.—A suit involving \$36,000,000 worth of bonds with interest was filed in the United States Circuit Court here today by the estate of the late Charles Durkee, the former Governor of Utah, against the Southern Pacific Railroad, the Union Pacific, the Central Pacific and subsidiary companies, the Central Trust Company of New York, the Farmers' Trust Company of New York and E. H. Harriman. The plaintiff asks the court to require the Southern Pacific and others named in the suit accounting, also that a receiver be appointed for the holdings of the defendants.

Governor Durkee was the chief executive in the territory of Utah in 1865. It is alleged in the complaint that during the period of the construction of the Union Pacific, he acquired \$9,000,000 worth of construction bonds and that later he took \$27,000,000 of the first mortgage bonds. The plaintiffs claim no accountings were made of these bonds. It is alleged that the claim of Governor Durkee to the bonds was acknowledged by C. J. Folger, the former secretary and treasurer. Another charge is that an effort to defraud Governor Durkee out of his just claim was made, when the Union Pacific Railroad Company was merged into the Union Pacific Railroad Company.

STILL AFTER GAMBLERS

Governor Hughes Keeps Up His Race Track Crusade.

NEW YORK, July 14.—It is authoritatively stated in Brooklyn that a special corps of detectives working under orders from Gov. Hughes has been in Brooklyn for several days investigating the conditions at the race tracks as to betting. These detectives are reporting directly to the governor and it is said their reports are to the effect that the law is being violated. There is belief in Brooklyn that when they have completed their work the governor will give the authorities here who are responsible for the enforcement of the law a severe shaking up.

THROWN FROM HORSE

NEW YORK, July 14.—While trying out a spirited horse which he hoped to ride during the review of the National Guard on Thursday at Seagirt, N. J., Gov. Franklin Fort of that state was thrown heavily on the Seagirt parade ground, receiving painful bruises. The animal was frightened by the playing of the band and plunged until the governor was thrown off. When Governor Fort found that he was not seriously hurt, he re-mounted and rode around the parade ground.

ELKS AT DALLAS.

Rush L. Holland Elected Grand Exalted Ruler—Other Elections.

DALLAS, Texas, July 14.—A monster barbecue was one of the features of the Elks' celebration in this city today. The day was warm, and the marching clubs were not so active as on yesterday. Detroit and Los Angeles are working hard to secure the next conclave. At today's session of the grand lodge Rush L. Holland, of Colorado Springs, was elected grand exalted ruler without opposition. John D. Shea, Hartford, Conn., was chosen grand esteemed leading knight. Fred E. Robinson, Dubuque, Ia., was re-elected grand secretary, and Edward Leach, New York, was re-elected grand treasurer.

CONGRATULATE JOHN D.

NEW YORK, July 14.—John D. Rockefeller was the recipient of many congratulatory messages on the occasion of his recent sixty ninth birthday anniversary. Among them were some lines from the pen of Rev. George Thomas Dowling, who was for twelve years pastor of the Euclid Avenue Baptist Church in Cleveland, which Mr. Rockefeller attends. Mr. Dowling's message was as follows: "Cling to the habit of still being young; "Cultivate leisure without being lazy; "Garner all joys that the poets have sung; "And prove every year Dr. Osler is crazy."

HOT AFTER ADAMS

James McParlan Will Nab Him If Acquitted

COLORADO MURDER CHARGE

McParlan and Six Assistants Arrive at Grand Junction in Company With Warden Whitney of Idaho State Penitentiary.

GRAND JUNCTION, July 14.—Late tonight James McParlan and six assistants arrived here in company with Warden Whitney of the Idaho State Penitentiary. It is reported that they are here to arrest Adams in case of acquittal on the charge of murdering Arthur Collins. He is also reported he is charged with complicity in blowing up the Independence Bank near Cripple Creek, Colo., when 14 men were killed.

The arguments of the counsel of Steve Adams would have been given the jury but the members of the jury to whom the court left the matter while holding a night session voted against it. Adjournment was taken until tomorrow morning after the instructions to the jury had been read and all the arguments made except the closing for the defense.

SOLD ROTTEN HOSE

NEW YORK, July 14.—A suit will be begun today by the corporation counsel against Michael Francis Loughman, deputy commissioner of water supply, gas and electricity, to recover \$23,410, which the city paid to the Windsor Fire Appliance Company for rotten fire hose under three contracts in 1904. This action is the result of the recommendation contained in the report of the Commissioner of Accounts to the mayor, in which it is declared that the city was defrauded by Loughman or by the United and Globe Rubber Manufacturing Company of Trenton, N. J., or both. The United and Globe concern and the American Surety Company will be made co-defendants with Windsor Loughman. The first manufactured hose which Loughman sold to the city while the second signed a bond guaranteeing his contracts.

SUSPICION UNWARRANTED

Japan Bears Only Good Will to United States

SAYS THOS. J. O'BRIEN

Declares That the Thought of War Between Two Powers Is Absurd

HAS BEEN IN JAPAN A YEAR

Thomas J. O'Brien, the American Ambassador of Japan Arrives at San Francisco From Tokio on a Leave of Absence.

SAN FRANCISCO, July 14.—Thomas J. O'Brien, the American Ambassador of Japan, arrived today from Tokio. He is on a leave of absence to attend to business matters in Europe. In an interview with the Associated Press he said that any suspicion that might be harbored in this country in regard to Japan's sincerity in maintaining peace with the United States, and its expressions of amity and good will was without any cause or ground to justify it. He declared that in the year he had been in Japan he had never had seen the slightest sign of ill-feeling toward America, or Americans, and said it is absurd to think Japan wants war with this country. Referring to the alleged discrimination against the American shippers on the Manchurian Railway. He said it is probably true that the Japanese shippers are favored but, that the discrimination is not because the shippers happened to be Americans but that the Japanese are the biggest shippers.

PARKER WILL HELP

Will Aid Bryan The Way Bryan Helped Him.

HELENA, Mont., July 14.—In an interview with the Associated Press last night Judge Alton B. Parker stated that he intended to offer his services to the Democratic National Committee as a campaign speaker and would devote all the time he could to making all the speeches he could. He said he would speak outside of New York, but at this time could not say what places he would speak in. Judge Parker said he believed the democrats had good chance to carry New York this year and that he would give his hearty support to Bryan and Kern.

From Helena Judge Parker will go to Livingston and meet Delancy Nicol, of New York, and the two men will spend about three weeks touring the Yellowstone National Park.

KILLS AGED PEDDLER

CHICAGO, July 14.—A despatch to the Tribune from Benton Harbor, Mich., says: After having shot and fatally wounded James Kirk, August Gross yesterday barricaded his home and is now standing off an armed posse which seeks to capture him. Gross is known to have fire arms. Kirk who is 80 years old, is a country meat peddler. He drove into the Gross yard to make a delivery and Gross attacked him without warning. Kirk was shot through the head. Gross then took refuge in his home and has defied the officers. Kirk is unconscious and the cause of the shooting cannot be learned.

BASEBALL GAMES.

American League. Boston 3, Detroit 5. Philadelphia 0, Chicago 1; called in 4th inning on account of rain. Washington 7, St. Louis 4. Cleveland-New York game postponed; rain. National League. Cincinnati 9, Brooklyn 2. Chicago 2, Philadelphia 11. Pittsburg-New York game postponed; rain. Pacific Coast League. Portland 5, Los Angeles 6. Oakland 2, San Francisco 12. Northwest League. Tacoma 4, Spokane 7. Seattle 3, Vancouver 2. Aberdeen 7, Butte 2.

SHIPS VISIT GUAM

GUAM, July 14.—The battleships Maine and Alabama, composing the special service squadron, sailed today for Manila. During the stay of the battleships here a hoard of officers has inquired into the condition of the island and needs of the people with a view to offer recommendations as to the future government of Guam. Intense enthusiasm aroused at public were preceded by processions with banners. The people petitioned for citizenship, modified laws, and schools, and were unanimous for a continuance of naval government. Bands of well behaved sailors came ashore during the stay of the battleships and we were cordially received by the people of the island.

ON COLUMBIA RIVER

Textile Manufacturing Town to be Established

30 MILES FROM PORTLAND

According to the Oregonian Eastern and Pacific Coast Capitalists Will Make First Attempt of This Kind in the West.

PORTLAND, July 14.—The Oregonian tomorrow will say that the first textile manufacturing town on the Columbia River about 30 miles from Portland by a company of Eastern and Pacific Coast capitalists who will erect woolen mills and scouring plants to convert the Pacific Coast wools into blankets, fine clothes and other woollen products. The company, according to the Oregonian, controls one of the finest streams and water-power sites in the west. This is believed to be the first attempt ever made to establish a textile town west of the Mississippi.

URGES PEACEFUL METHODS.

Charles H. Moyer Addresses Western Federation of Miners at Denver.

DENVER, July 14.—In his address to the Western Federation of Miners delivered at their annual convention today, President Charles H. Moyer favored the working arrangement between this organization and the United Mine Workers of America and declared that he would not oppose the affiliation with the American Federation of Labor, though he did not consider it advisable. He urged peaceful methods for reaching working agreements with employers, deplored the calling of strikes unnecessarily, and recommended changes in the unions to consult with the executive counsel before ordering a strike. Reports made to the convention show considerable decrease in the Federation's membership is attributed to the fact that nearly 20,000 miners have been out of work in consequence to the strikes and the financial troubles, last fall.

T. D. JORDAN DROPS DEAD

Former Head Equitable Life Assurance Society

OF HEART DISEASE

Name Was Prominent in Insurance Investigation by Armstrong Committee

FAMOUS "YELLOW DOG FUND"

Jury Returned Eighteen Indictments and One Perjury Against Jordan at Which he Pleaded Not Guilty Recently.

NEW YORK, July 14.—Thomas D. Jordan, the former comptroller of the Equitable Life Assurance Society dropped dead of heart disease late this afternoon on the Wall street entrance to the sub-way. During the course of the Armstrong committee of insurance investigation Jordan's name came secondly before the public. It brought out that Jordan had secured loans aggregating \$685,000 for himself and James W. Alexander, the former president of the Equitable from the Mercantile Trust Company and that these loans had been covered up on the books of this company. This \$685,000 came to be known as "the Yellow Dog Fund." The grand jury found 18 indictments of forgery, and one of perjury against Jordan. Only recently he pleaded not guilty to the indictments.

THE RHODES "EXAMS."

Tests Will be Held in Autumn Instead of January.

UNIVERSITY OF OREGON, Eugene, Or., July 14.—The examinations for the Rhodes Scholarships will be hereafter be held in the autumn instead of in January, as heretofore. The change has been made for the reason that the new date will allow the successful candidate much more time to select and arrange for the college he wishes to enter at Oxford. Unless selections are made quite early, candidates are often compelled to accept second choice of colleges. The next Rhodes examination will be held in the fall of 1909, probably at the University of Oregon. Oregon will have two scholars at Oxford next year, Mr. Edward Winans of Willamette University, who was appointed in 1907, and Mr. Wistar Johnson, of the University of Oregon, appointed this year.

ARRIVES TOO LATE.

ALBANY, Or., July 14.—M. A. Miller, national democratic committeeman from Oregon, arrived at his home at Lebanon from the Denver convention last night, just in time to reach the deathbed of his wife, who died this morning. Mrs. Miller was unable to speak to her husband after he arrived.

PARKER TO STUMP FOR BILL.

HELENA, July 14.—In an interview last night Judge Alton B. Parker stated that he intended to offer his services to the Democratic National Committee as a campaign speaker and would devote all the time he could to making all the speeches he could. He said he would speak outside of New York.

AMERICA BREAKS RECORD.

Flanagan Wins Hammer Throw and First Gold Medal in London.

LONDON, July 14.—America and Great Britain captured the most laurels of the Olympic shots today. Of the four events finished the United States won two and Great Britain two gold medals. Great Britain however took three silver medals, United States one, Canada, Australia, Great Britain, and Belgium each got a bronze medal.

Real work for the Olympic games which were opened by King Edward at the Stadium at Shepherds Bush yesterday was carried out under rather unsettled weather conditions and there was a small attendance. John J. Flanagan, Irish-American Athletic Club, New York, broke the Olympic record in the hammer-throw and won the first gold medal for any event. M. J. McGrath, New York Athletic Club, was second in the hammer-throw and won the first silver medal. The first bronze medal to be awarded went to S. C. Wish, of Canada, who was third in the hammer-throw.

Another American success was scored in the 20-kilometers cycling race, in which L. G. Wientz, New York Athletic Club, quitted by winning the third heat. The American victories brought forth much American and Canadian cheering. The final of the 1500 meters flat race was won by Melvin W. Sheppard, of America.

SUSPECT POISONING

Physicians Not Satisfied With Hiccough Theory

CASTLE ROCK MAN'S DEATH

Quite Investigation Begun and Mrs. Kunart and Richard Greenwald Are Arrested, as a Result of Information Received.

CASTLE ROCK, Wash., July 14.—Suspecting that Godfrey Kunart, of Castle Rock, did not die from hiccoughs after all, Mrs. Kunart and Reinhold Greenwald, a friend have been arrested, on information sworn out by a countryman of Kunart. Kunart died last Friday, supposedly from a malignant attack of hiccoughs, but the physicians who attended him were not satisfied and a quiet investigation was begun.

The result was an inquest yesterday. Coroner Bird and Prosecuting Attorney Hubbell, of Kalama, having been notified. Much testimony was taken throughout the day but nothing was elicited sufficient to take a murder case into court. The body had been sent to Portland last night for analysis for poison.

The jury was then dismissed till returns are received from this analysis when the investigation may be resumed.

The most damaging circumstantial fact adduced was the purchase by Mrs. Kunart of poison at a local drug store a short time ago and the supposed unusual friendliness of the woman and Greenwald. Mrs. Kunart has three little children.

MINING CONGRESS MEET.

DENVER, July 14.—A special meeting of the members of the American Mining Congress in the Chamber of Commerce tomorrow evening, will discuss plans for enlargement work of the organization. Some amendments, constitution, and by-laws will be considered. One amendment provides for the expulsion of members who bring discredit on the congress. The plans will be prepared about greater uniformity in the mining laws of the various states.