

# IS GUILTY OF CRIME

## Jury Says Vanderbilt Road Gave Sugar Men Rebates.

### LAWYER BLAMES PUBLIC OPINION

Company and Its Traffic Manager May Each Be Fined in Sum of \$120,000 for Offense.

New York, Oct. 18.—A verdict of guilty of granting rebates on sugar shipments was returned by a jury in the United States court here today against the New York Central Railroad company and Frederick L. Pomeroy, the company's general traffic manager. Sentence was deferred until Friday to permit the attorneys for the defense to file motions with the court.

In dismissing the jury's verdict, Austin G. Fox, counsel for the defendants, placed the responsibility for the conviction of his clients upon public opinion. "You can't defend rebate cases in the present state of public opinion," said he.

According to the provisions of the Elkins act, under which the convictions were secured, the maximum penalty is a fine of \$20,000. As both the Central and the personal defendant, Frederick L. Pomeroy, are convicted by the decision of the jury on all of the counts charged in the indictment, the total fine for each can be \$120,000.

Letters from Lowell M. Palmer, manager of the traffic business of the sugar refining company, to Mr. Pomeroy, acknowledging the receipt of drafts amounting to thousands of dollars, were admitted. It is charged that these drafts represented the payment of a rebate of 5 cents per hundredweight on shipments of sugar to W. H. Edgar & Son.

### CHINA ARMING FOR FIGHT.

Increasing Army and Revenue Under Two Great Statesmen.

Washington, Oct. 18.—Conditions in China, which were generally supposed to have improved since the cessation of the boycott on American goods and its consequent agitation, are really much worse, and the anti-foreign feeling is greater than it ever was. Information of an absolutely trustworthy character has reached Washington to this effect.

The Chinese army, under the guiding hand of Yuan Shin Kai, considered by those who know China to be the greatest man in the country, is being increased at a tremendous rate, and the government is putting a great deal of money into its main fighting force. Yuan is viceroy of the province of Chili, in which Peking is situated. He has very great influence and his main policy seems to be to increase the army. This fact, coupled with the show of foreign hatred, which is becoming more and more apparent, makes the situation serious.

Tank Shao Yi is rapidly becoming one of the most powerful men in China. Not only has he an enormous salary as viceroy, but he is also vice president of the foreign office and director general of the railway between Hankow and Peking, and occupies the same position in regard to the railroad from Peking to Niu Chwang.

### PLOTTING AGAINST ALLY.

Charge Is Made by Russian Writer Against Japan.

St. Petersburg, Oct. 18.—The St. Petersburg Telegraph Agency has received a dispatch from Tokio saying that the anti-British movement in India is receiving much encouragement from Japan, where every effort is being made to foster a feeling of kinship between the two dark races and to preach the lessons of the Russo-Japanese war. The Hindoo students now in Tokio, the correspondent of the agency continues, have just published an address, in which they appeal to India to heed the call of "Asia for the Asiatics," and to rise and cast off the British yoke.

### For United Tariff Revision.

Logansport, Ind., Oct. 18.—Senator Beveridge spoke here tonight, before a large audience, making his first political speech in the Indiana campaign. The senator devoted the most of the address to a discussion of the tariff. He made a plea for a limited tariff revision. He said there should be changes in some tariff schedules because the conditions under which they were made have changed and it would be better not to imperil the whole protective system by putting off admittedly needed changes.

### Drowned Like Rats.

Bizerta, Oct. 18.—Preparations for an attempt to raise the submarine boat Lutin, sunk near this port yesterday, were begun at dawn. Although the bottom is sandy three miles off the coast, where the Lutin is supposed to have sunk, the chances of raising the Lutin to the surface in time to save the lives of the crew are regarded as slim. The officers engaged in the salvage work with the certainty that the crew of the Lutin had perished.

### Militia Ordered Out.

Columbia, S. C., Oct. 18.—Governor Heyward has ordered out the militia to prevent a threatened disturbance at the hanging Friday at Conway of Commander Johnson, a white man of means, accused of having murdered Rev. Harmon D. Grainger.

### MRS. DAVIS DEAD.

Widow of President of Confederacy Passes Away.

New York, Oct. 17.—Mrs. Jefferson Davis, widow of the president of the Confederacy, who has been ill for a week at the Hotel Majestic in this city, died at 10:25 last night.

Death was due to pneumonia induced by a severe cold which Mrs. Davis contracted upon her return from the Adirondacks, where she had spent the summer months. Although grave fears were felt from the first, Mrs. Davis' wonderful vitality, which brought her safely through a similar attack a year ago, gave hope of ultimate recovery until Monday night, when a decided change for the worse was evident and the attending physician announced that the end was near. It was then believed that Mrs. Davis could not survive the night, but she rallied slightly during the early hours of yesterday.

Shortly after 7 o'clock yesterday morning she had a similar spell and Rev. Nathan A. Seagle, rector of St. Stephen's Protestant Episcopal church, was hurriedly summoned to give religious comfort to the patient in her last moments of consciousness. The clergyman remained some time and an hour later it was announced that Mrs. Davis had lapsed into a state of coma. The period of unconsciousness lasted to the end.

Mrs. Davis has for some years made her home in this city, where she had a wide circle of friends. Throughout her illness solicitous inquiries regarding her condition were continually made at her apartments.

### STAYS UNDER SEA.

Another French Submarine Boat Is Lost Off Bizerta.

Bizerta, Tunis, Oct. 17.—The French submarine Lutin left this port this morning for plunging experiments. Signals received at 10 o'clock tonight reported her disappearance. Two torpedo boats and three tugs went out in search of the submarine.

It now appears almost certain, according to the news received at a late hour tonight, that the crew of the Lutin has suffered a fate similar to that which overtook the crew of the submarine Farfadet here last year. The crew of the Lutin numbered 14 men.

Admiral Belline, commander of the Tunis naval division, who went out on board a tug, returned at a late hour tonight and said that, owing to the heavy seas and the obscurity, it was impossible to continue salvage operations until day. The tugs and torpedo boats, however, will remain through the night near the place where the Lutin made her final plunge.

One of these boats reports that its drag encounters resistance as though a vessel were lying at the bottom. The government salvage steamers belonging to this port, will return in the morning and participate in the work.

The British consul general here proposed to the French resident general to telegraph to the British admiralty at Malta for salvage and assistance. This offer was accepted.

The Lutin was a single screw steel marine boat built at Rochefort in 1901. She was 135 feet long and had a displacement of 185 tons.

### SEAL RAID DELIBERATE.

Japanese Crew Compelled Captain to Consent to Slaughter.

Victoria, B. C., Oct. 17.—Clear evidence is forthcoming by advices received today by the steamer Empress of Japan that the raid on St. Paul island by Japanese sealers was premeditated, and the statement that the Japanese landed for water and were treacherously fired upon by the Americans, as reported by the Japanese government by directors of the raiding schooner, is shown to be untrue. Hunters of the raiding schooner, Toyo No. 2, which appeared off St. Paul island two days before the raid, went to the captain with the ultimatum that unless he permitted them to go ashore and club seals on the rookery, they would refuse to work and compel him to return. The master agreed. Further discussion took place as to the division of prospective spoils, and knives were drawn. At midnight a boat was lowered with the carlocks muffled and sent in, the vessel being but a mile from the rookery in the fog. Four other boats followed.

### Make the Oregon New Ship.

Washington, Oct. 17.—The Naval Construction board today approved estimates for repairs to the battleship Oregon, which call for an expenditure of nearly \$1,000,000. When the secretary of the navy approves this report work will begin at Puget sound navy yard and will probably require two years to complete. One hundred thousand dollars is to be expended for new guns, \$250,000 for repairs to machinery, about \$400,000 for general repairs to the hull and superstructure, and \$145,000 for new equipment.

### Robbers Get Little.

Leadville, Colo., Oct. 17.—Two armed men boarded the engine of Denver & Rio Grande passenger train No. 5 at Malta tonight and at the muzzle of revolvers compelled the engineer and fireman to uncouple the express and baggage cars. They then forced the engineer to pull the car several miles up the road. When the train stopped, the bandits went to the express car and attempted to blow open the safe. They only succeeded in securing about \$60.

### Secede From New Union.

Perth, Australia, Oct. 17.—The legislative assembly today, by a vote of 19 to 8, adopted a motion that the state of Western Australia secede from the rest of the commonwealth.

# ONE MORE CHANCE

## Annexation Sure to Follow Next Failure of Cuba.

### SELF GOVERNMENT IMPOSSIBLE

Sugar and Tobacco Men Will Object to Free Competition, But It Must Come.

Washington, Oct. 16.—Republican senators and congressmen who have been in Washington recently and officials closely identified with the administration agree with the president that Cuba shall have another opportunity to try self government, but the opinion is almost universal that annexation is only a matter of time. Little is being said publicly about the probability of annexing Cuba to the United States, but the subject is receiving a great deal of attention in Washington and public men are seriously discussing the best method of bringing the island under the protecting arm of the United States.

President Roosevelt is absolutely sincere in his declaration against the present annexation of Cuba and he has hopes that the Cuban people, on their second attempt, will be able to form and maintain a satisfactory government. He does not want the island made a part of the United States if, by any possibility, the Cubans can conduct their own affairs and protect the lives and property of all their citizens. He does not believe that the United States at this time would be justified in taking over the island, merely because vast amounts of American capital have been invested. But if the words of other administration officials can be held to be authoritative, it is to be inferred that the president will interpose no further objection to annexation in case the second Cuban government is a failure.

While annexation is generally expected, no one looks forward to it with enthusiasm. Rather, the Cuban problem is regarded in the light of one of the unpleasant outgrowths of the Spanish war, as perplexing in some respects as the Philippine question. Southern men would like to see Cuba made American territory, but they want the tariff wall kept up against Cuban sugar and tobacco, and some bar erected against the immigration of native Cubans into the United States. The South has more than its share of dusky citizens.

It is probable that the men in congress who are fighting a reduction of the duty on Philippine sugar and tobacco would join the South in demanding the retention of the tariff on sugar and tobacco from Cuba in case of annexation. If Philippine sugar is a menace to the beet sugar industry of the West, it will be argued that the sugar from Cuba, closer and much more abundant, would be a still greater menace.

### STORM SPOILS BANANAS.

Hurricane Sweeps Through Central America, Wasting \$1,000,000.

New Orleans, Oct. 16.—Damages of fully \$1,000,000, including the partial demolition of one town, was done by the hurricane on the coast of Central America which was reported by a brief wireless message received here last night. Wireless and cable advices today to the United States Fruit company say that probably no loss of life occurred.

The hurricane appeared to be central near Bluefields, on the east coast of Nicaragua. It swept in from the sea, its first fury striking Little and Great Corn islands, which were swept bare of vegetation and their topography even altered by the waves. On the mainland the storm's damage was confined mostly to a path about 30 miles wide, in which banana and rubber crops were destroyed and plantations blown down. Great damage is reported from Rama, a town on the coast about 40 miles from Bluefields.

### Mrs. Jefferson Davis Dying.

New York, Oct. 16.—Mrs. Jefferson Davis, widow of the president of the Confederate states, is dying of pneumonia at the Hotel Majestic here. It is believed she cannot survive more than a few hours. Mrs. Davis has been ill for several days, but it had been believed she would recover up to last night, when a sudden change for the worse was noticed. Mrs. Davis went to the Majestic a short time ago on her return from the Adirondacks, where she spent most of the summer for her health.

### Trial of New York Central.

New York, Oct. 16.—The trial of the New York Central Railroad company for the alleged giving of rebates of some \$26,000 to the American Sugar Refining company on sugar shipments to the West is the first trial for the infraction of the Elkins law ever undertaken in this city. With this action is inaugurated a sitting of the Federal Criminal court that may be expected to last with its successive terms for at least a year and probably much longer.

### Army in Cuba Given Name.

Washington, Oct. 16.—Erigadier General Barry, acting chief of staff, today issued a general order by direction of the president stating that the military forces now assembled in Cuba or to be assembled there are constituted an army to be known as the Army of Cuban Pacification.

### URGE ONE BUILDING.

Oregon Men Want United Northwest at Jamestown Exposition.

Portland, Oct. 16.—A movement for a joint Northwest building at the Jamestown Ter-Centennial exposition was launched at a recent meeting of the Oregon Jamestown Exposition committee at the Portland Commercial club. President Jefferson Myers and Secretary John H. Stevenson, of the commission, were directed to write an official letter to the governors of Washington, Idaho and Montana, notifying them of the attitude of the Oregon commission, and asking them to take action in their official capacities to bring about participation in the plan on the part of their respective states.

The plan is conceived by the Oregon commission is for joint action on the part of the four Northwestern states in the erection of one magnificent exhibit and headquarters structure, in which each state shall have a department of its own, the expense to be borne equally by the several states. It was pointed out at the commission's session that such co-operative action would have the effect of impressing the East with the unity of Northwest interests and of exerting both a political and commercial insignificance. It also seemed apparent that with the combined capital of the four states a building of such imposing size and beauty could be erected that it could not fail to attract wide attention, while a building by any one of the states, singly, could not have this effect, and, besides, joint action could reduce the expense of putting up individual buildings.

President Myers was authorized to go to the scene of the exposition and negotiate for a site for an Oregon building, in the event it is desired to erect one, and also keep in mind the possibility of a joint state building. He will defer his departure for the East until he has had time to hear from the governors of the Northwest states on the plan suggested. In the event the other states do not show a disposition to adopt the plan proposed, this will not be allowed to interfere in any degree with Oregon's plan to make an exhibit, should the legislature warrant it.

Upon his return from the East President Myers will make a report to the commission, and Governor Chamberlain on the result of his investigations, and this report, setting forth in detail the cost of making an exhibit and the facilities for erecting a building and installing an exhibit, when delivered, will be used as the basis for appearing before the legislature to ask such an appropriation as shall be necessary to make a creditable showing.

### FARMERS MUST DRAIN.

Department of Agriculture Issues Bulletin of Instruction.

Washington, Oct. 16.—For the guidance of the great number of people from humid regions who settle on the immense areas of Western lands opened to settlement, the Department of Agriculture has issued a report on "Practical Information for Beginners in Irrigation."

There are several million acres open for settlement in the United States, and irrigation works built by private enterprise and works being constructed by the national government will provide a water supply for more than 1,000,000 acres of arid lands. The report discusses arid soils and water supplies generally and describes how to locate and build farm ditches, prepare land to receive water, irrigate staple crops and how much water to apply.

"Experience throughout the arid region," the report says, "is demonstrating that the greatest danger to irrigated lands is lack of drainage. Water applied to crops raises the ground water, which brings with it the salts dissolved from the soil; capillarity brings this water to the surface, where it evaporates, and the salts accumulate until all vegetation is destroyed. The only insurance against this is proper drainage, but anything like economy in the use of water and thorough cultivation, which will check the rise of ground water or lessen evaporation, will decrease the danger."

### Battling With a River.

Imperial Junction, Cal., Oct. 16.—Seldom has a more desperate battle with nature been waged than that for the turning of the Colorado river. Rockwood gate went out last Thursday, and a great disappointment was occasioned, but the outlook is much brighter. Yesterday the trestle below the gate was prepared, 100 cars of rock being dumped as an experiment. This morning the rock was found in the same position, indicating that the soil was firm enough to support it. Another trestle is being built.

### Big Travel to California.

San Francisco, Oct. 16.—The past month has seen a steady flow of population into California from the Eastern states. The figures of the railroads and the California Promotion committee state that 14,000 settlers have come here in that time. Many of these have gone to the country, but a fair proportion have remained in San Francisco. It is believed that this is simply the vanguard of an army of immigrants who are coming to locate in California.

### Silver Advances to 70.13.

Washington, Oct. 16.—The director of the mint yesterday purchased 150,000 ounces of silver at 70.13 cents per fine ounce, delivered at the mint in Denver. For the convenience of bidders it has been decided to open bids for the sale of silver on Mondays, Wednesdays and Fridays of each week, instead of on Wednesdays only, as heretofore.

### DANCE BY THE WAKIKUYU IN BRITISH EAST AFRICA.

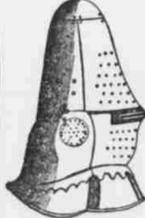


The Wakikuyu are known as the Kikuyu and Akikuyu, and they inhabit the Kikuyu hills, one of the most beautiful, fertile and economically important parts of the British East Africa Protectorate not far from Nairobi. Sir Charles Elliot says that they are intelligent and fairly industrious, and live a semi-settled agricultural life; that is to say, they burn a clearing in the forest, build a village and cultivate for a few years. As soon as the soil shows any sign of exhaustion they move on, burn another clearing, and repeat the same process. Sir Charles says that the Kikuyu are almost a comparative recent hybrid between the Masai and a Bantu stock, and there is no reason why such hybrids should not continue to be formed in the future, to the great advantage of the country. It is estimated that the natives of the Kikuyu country number some 300,000. Kikuyu is said to be derived from Kuyu, which means a fig, fig trees of various kinds being abundant in the country.

### Marvelous, Quaint and Curious.

#### Helmet of Crosby.

We here present our readers with a sketch of the helmet of Sir John Crosby, as it originally appeared when suspended over his tomb in St. Helen's Church, Bishopsgate. He was an eminent merchant of London; but is represented upon his tomb in a full suit of armor. He died in 1475. The extreme height of the crown of the helmet resembles that on the tomb



CROSBY'S HELMET. Of the Earl of Warwick, in the Beauchamp Chapel at Warwick; and was intended to support the crest of the wearer, the holes for affixing it being still visible.

#### Arch of Trajan.

Triumphal arches were among the most peculiar forms of art which the Romans borrowed from those around them, and used with that strange mixture of splendor and bad taste which characterizes all their works.

These were in the first instance no doubt borrowed from the Etruscans, as was also the ceremony of the triumph with which they were ultimately associated. At first they seem rather to have been used as festal entrances to the great public roads, whose construction was considered as one of the most



ARCH OF TRAJAN.

Important benefits a ruler could confer on his country. There was one erected at Rimini in honor of an important restoration of the Flaminian Way by Augustus; another at Susa in Piedmont, to commemorate a similar act of the same Emperor. Trajan built one on the pier at Ancona, when he restored that harbor, and another at Beneventum, when he repaired the Via Appia, represented in the woodcut here given. It is one of the best preserved as well as most graceful of its class in Italy. The arch of the Sergii at Pola in Istria seems also to have been erected for a like purpose. That of Hadrian at Athens, and another built by him at Antioch in Egypt, were monuments merely commemorative of the benefits which he had conferred on those cities by the architectural works he had erected within their walls. By far the most important application of these gateways, in Rome at least, was to

commemorate a triumph which may have passed along the road over which the arch was erected beforehand, for the triumphal procession to pass through, of which it would remain a memorial.

### PIETY HAS COST HIM \$500,000.

But Wilcox Still Refuses to Run His Railroad on Sunday.

Denver is the home of a man the courage of whose convictions has been tested to the extent of \$500,000. And he still holds steadfastly to his principles, in spite of the fact that his friends have warned him that the pursuance of his policy will injure him financially.

The man is Edward J. Wilcox, builder and sole owner of the Argentine Central Railway, in Colorado, and he has displayed his courage by not permitting a train to run over his road on Sunday. Neither will he permit the insertion of a line of advertising concerning his railroad or other business interests in the Sunday issue newspaper, although a great believer in advertising and spending a liberal allowance with the dailies of Denver every other day in the week.

The Argentine Central Railway cost Mr. Wilcox more than \$450,000, and he built it entirely with his own money. Yet he believes that no man should do business on Sunday, and he insists that his road will pay expenses and be a winner in due time if he strictly observes the Sabbath.

Strict adherence to religious and business principles has marked the career of Mr. Wilcox, who went to Colorado penniless and is now reckoned a multi-millionaire, his fortune being estimated at about \$5,000,000. He was born in Creedmore, Ont., Canada, and when 21 years of age went to Colorado, with no advantages to place him at the top rung of the ladder of financial success beyond the possession of good health and a strong pair of arms. He became a mining engineer and saving as much of his salary as possible, invested it wisely.

### Different.

"Young Dr. Walker always impressed me as having nerves of iron, judging by the cool way he performed the most serious operations," remarked his friend, "but yesterday when I met him in consultation he was the most excited man I have seen for a long while."

"It must have been a most unusual and extraordinary case."

"No, one of the doctor's own children had a mild attack of measles."—London Tit-Bits.

### Deliberate.

"My!" exclaimed Mr. Klumsay, at the summer hotel hop, "this floor's awfully slippery. It's hard to keep on your feet."

"Oh!" replied his fair partner, sarcastically, "then you were really trying to keep on my feet? I thought it was accidental."—Philadelphia Press.

Every father argues that because the baby is his is no reason why he should enjoy caring for it when it cries.

When a man doesn't feel like talking he calls on some woman and listens.