

ROOSEVELT IS DRAWN INTO LORIMER CASE

Ex-President Knew All About \$100,000 Jack Pot Since Last Fall Is Declaration of Herman H. Kohlstaar.

ROOT TOOK HIS STAND ON SECRET LETTERS

Chicago Man Says He Wrote Details of Funk Story to United States Senator; Scope of Hearing Is Broadened.

(By Evening Herald A. P. Leased Wire) Washington, June 24.—That Colonel Roosevelt has known since early last fall the entire story of how Edward Hines is alleged to have asked Clarence S. Funk general manager of the International Harvester company for a \$100,000 contribution to a \$100,000 fund, "used to put Lorimer across at Springfield" was testified to today before the senate Lorimer committee by Herman H. Kohlstaar, publisher of the Chicago Record-Herald.

Mr. Kohlstaar said he told the story to Colonel Roosevelt just before the Hamilton club dinner at Chicago, which Roosevelt refused to attend until Lorimer's invitation was withdrawn. It was upon this information, Mr. Kohlstaar said, that the former president based his action in declining to sit at the same table with the Illinois senator.

Mr. Kohlstaar further testified that he had written a account of the conversation between himself and Funk, but without mentioning Funk's name, to Senators La Follette and Root.

This was done at the request of Walter L. Fisher, now secretary of the interior, and others.

Senator Root wrote me in reply, said the witness, "and thanked me for the information. He said it had greatly influenced him in making his speech against Lorimer on the floor of the senate."

"What," exclaimed Senator Gamble, "do you mean to say that senators were influenced in arriving at their decision by matters not in evidence?"

"I did not discuss that question with Senator Root," replied Mr. Kohlstaar.

The witness said that Senator La Follette tried very hard to get him to come to Washington to tell about the conversation, even threatening to send a sergeant at arms after him.

Mr. Kohlstaar said that besides Colonel Roosevelt he had only divulged Mr. Funk's name in connection with the conversation to Victor S. Lawson and to Mrs. Kohlstaar.

The scope of the Lorimer investigation was materially widened today when the senate investigating committee decided to allow Lorimer's counsel to question the motives which might have prompted any official of the International Harvester company to oppose Lorimer's political advancement.

This gave Lorimer's counsel all the latitude they desired in attacking the statement of General Manager Clarence S. Funk of the International Harvester company, that Edward Hines of Chicago had asked that company to contribute \$100,000 on account of Lorimer's election prospects.

Attorney Hancey for Mr. Lorimer referred to the statement as a "creation."

The attorney further said he desired to show that there were reports that Senator Lorimer was not only opposed to the International but that he was the moving spirit behind the proceedings as a result of which the who were interested in the Harvester company, were subjected to an increase in taxes from \$8,000 to \$9,000 to \$10,000.

"I do not think Senator Lorimer had anything to do with it," said Mr. Hancey, "but his friends may have and it was reported Lorimer was behind it."

Herman H. Kohlstaar, editor and publisher of the Chicago Record-Herald and was the second witness of today under examination by Attorney John H. Marble. Mr. Kohlstaar gave his opinion of Senator Lorimer.

SUGAR TRUST WAS POWER BEHIND WESTERN IN COLORADO

Chester S. Morey Declares That in Organizing Alleged Independent Concern, Big Combine Got Most of Stock.

HAVEMEYER ESTATE AND AMERICAN CONTROL

Washington, June 24.—Chester S. Morey of Denver who succeeded H. Havemeyer as president of the Great Western Sugar company upon Mr. Havemeyer's death, resumed the witness stand today before the house sugar committee of inquiry.

Mr. Morey was interrogated as to the details of the organization in 1905 of Great Western Sugar company, which is an amalgamation of Colorado beet sugar factories. The American Sugar Refining company financed many of the smaller factories and in the organization of the consolidated company, now capitalized at \$20,000,000, acquired a majority of the stock.

The companies of the Great Western group were located at Greeley, Fort Collins, Loveland, Windsor, Fort Collins, Sterling, Brush, Fort Morgan, all in Colorado, with factories at Billings, Mont., and Scott's Bluff, Nebraska.

The list of these the government claims, were divided to forestall creation of sugar plants by interests independent of the Great Western sugar company, and of the Havemeyer.

"How much of the Great Western stock does the American company own?" asked Representative Mathey.

"Thirty-three per cent," "How much is owned by the Havemeyer estate?"

"Thirty-five per cent is controlled by the Havemeyer estate."

"Then the representative of Mr. Havemeyer's estate and the American Sugar Refining company control a majority of western sugar stock?"

"Yes, that is correct."

THREE MILLIONS IN DAMAGE SUIT

United Fruit Company Is Asked to Reimburse Bluefields Steamship Company Under Sherman Anti-Trust Law.

SUNDAY SCHOOL PEOPLE TAKE IN EXCURSIONS

AGUA PRIETA HOLDS ITS FIRST ELECTION

STRACY COAL CLAIMS ARE IN DISPUTE

INGERSOLL TO HEAD CATTLEMEN

HENWOOD'S LAWYER FAILED TO SHOW PRIOR THREATS

Denver's Society Killing Results Thus Far in Plea of Self Defense and Some Lively Tilts in Court.

(By Evening Herald A. P. Leased Wire) Denver, Colo., June 24.—After a brief examination of only two witnesses, the trial of Frank H. Henwood for the murder of George E. Copeland, was adjourned today until Monday.

The brief session was notable for a sharp exchange between Judge Whitford and John T. Bottom, the attorney for Henwood. The latter, in questioning a helphoy of the Brown Palace hotel, had again sought to bring out evidence of a threatening attitude on the part of St. Louis Von Phul in advance of the shooting of Von Phul and Copeland by Henwood. The helphoy had said that Von Phul was left facing Henwood when the court ruled that this testimony did not show an attitude sufficiently threatening to warrant the shooting.

In the colloquy Attorney Bottom finally exclaimed: "I object to the remarks of the court in the presence of the jury."

"And I object to the remarks of the counsel," replied Judge Whitford, who finally ordered the attorney to take his seat.

Attorney Bottom has thus far been frustrated in his efforts to introduce testimony that would show Von Phul had threatened Henwood in advance on which will hinge the appearance of Mrs. Springer as a witness.

WHY IS A SUICIDE ASK THE DOCTORS

American Academy of Medicine in Los Angeles to Discuss Newspapers and Their Effect on People.

(By Evening Herald A. P. Leased Wire) Los Angeles, Cal., June 24.—The business session of the thirty-sixth annual meeting of the American Academy of Medicine began here today, preliminary to the American Medical Association's convention which will open Monday.

Reports of various officers and committees occupied the morning session. This afternoon was devoted to a discussion of the prevalence of crime and suicide and the responsibility of newspapers and moral literature workers therefor.

Engineering and hygiene in public schools also were topics discussed during the first open meeting at noon.

LAGER BEER AND BOCK TO GET THE PROBE

Dr. Wiley, The Pure Food Expert, Announces That the Thirst Industry of Country Is Due for Shaking Up

(By Evening Herald A. P. Leased Wire) Washington, June 24.—The beer industry of the United States is to undergo a searching inquiry at the hands of the board of food and drug inspection, Dr. H. W. Wiley, chief chemist of the department of agriculture and chairman of the board, has given notice of a general hearing on beer in this city July 31.

Dr. Wiley has formulated a formidable list of questions. One of the points upon which the board desires light is the meaning of the terms "lager" and "bock" as applied to beer.

If any domestic brews of beer, or porter or stout are masquerading under the names of foreign products the board is likely to find it out.

The merger, according to the court record, did not cause a change in rates, no complaints of discrimination, and no conspiracy. Concurring in these terms, the opinion reads:

"The proof shows that after 1901, as well as before, the rates for transcontinental traffic were the same over both the Union Pacific and Southern Pacific lines.

PURCHASE OF UNION PACIFIC BY THE SOUTHERN IS HELD LEGAL

United States Circuit Court at St. Louis Upholds Contentions of Harriman System Against Government Suit.

LINE NOT COMPETING FOR SAME BUSINESS

Merger Did Not Cause Increase in Passenger or Shipping Rates and Both Roads Charged Same for Service.

(By Evening Herald A. P. Leased Wire) St. Louis, June 24.—The United States circuit court of the eighth district today handed down an opinion that the purchase of the Southern Pacific by the Union Pacific "did not amount to a direct and substantial restraint of either interstate or international commerce."

The recent decision of the United States supreme court in the Standard Oil case was cited among others by Judge Elmer B. Adams, who wrote the majority opinion. Supreme Court Justice Willis Vandevanter, while a circuit judge of the eighth district, participated in the hearing, deliberation and conclusion of the case and concurred in the opinion.

Judge William C. Hook filed a dissenting opinion, in which he expressed the belief that the government's position was well founded and should have been granted.

The majority decision was written by Judge Elmer B. Adams and was pulled to the clerk of the court here. "The only question," read the opinion "was the Union Pacific company extending only from Omaha and Kansas City on the west to Ogdon on the west, a competing line prior to 1901, or transcontinental business with the Southern Pacific company, whose line extended from New York on the east over the sea to New Orleans, and thence by rail to San Francisco and Portland on the west."

"While the Union Pacific was entirely dependent upon the Southern Pacific for its connection westward, the Southern Pacific was not at all dependent upon the Union Pacific for its connection eastward," read the majority opinion.

"Our country," continued the opinion, "is that all the facts of the case considered in their natural, reasonable and practical aspect and given their appropriate relative classification, do not make the Union Pacific a substantial competitor for transcontinental business with the Southern Pacific in or prior to the year 1901."

The court held that the investment of the Harriman lines in the Santa Fe was not for acquiring control and that if it was for obtaining inside information concerning the operation of a great competitor they chose a lawful way for doing it.

"The conclusions of fact dispose of this case," the opinion concluded, "without the necessity of determining the question much debated in brief and argument of whether holding control of the Southern Pacific company by purchasing stock of individual owners could be in violation of the law. Of the facts of this case, with all their reasonable and fair inferences, we conclude that the government has failed to substantiate the allegations of its bill."

"The bill must be dismissed and a decree will be entered to that effect."

The merger, according to the court record, did not cause a change in rates, no complaints of discrimination, and no conspiracy. Concurring in these terms, the opinion reads:

"The proof shows that after 1901, as well as before, the rates for transcontinental traffic were the same over both the Union Pacific and Southern Pacific lines.

"There has since then been with respect to either of these lines no impairment of service, no discrimination of efforts to satisfy the public, and no complaints of shippers of any inferior or inadequate service."

"On the contrary, hundreds of millions of dollars have since 1901 been expended on these roads. Their physical condition has been vastly improved and their efficiency for public service, as well as for private profit, has been greatly enhanced. The whole road taken together, we think, falls to disclose any conspiracy to restrain interstate or foreign commerce in violation of the first section of the act."

Judge Hook in his dissenting opinion refers to the government's complaint of unlawful restraint in restraint of trade between the Southern Pacific and the Union Pacific railroads, thus destroying or suppressing competition. He says the combination was effected by the purchase by the Union Pacific of part of the stock of the Southern Pacific road. Judge Hook says there is no substantial difference between the holding of the corporate stocks of two companies by a third, such as was condemned in the Northern Securities case, and the holding by one of these two in the stock of another.

It would be idle to hold that while two competing railroad companies

Taft Threatens Veto for Any Reciprocity Amendment

Talking Over Long Distance Telephone, President Informs Senators That He Wants His Bill Unchanged.

FRIENDS ASSERT ACT HAS TWO-THIRDS VOTE

Washington, June 24.—It became known at the capital today that President Taft, talking over the long distance telephone from Philadelphia last night, expressed to several senators his determination to veto the Canadian reciprocity bill in case any amendment is added to it.

Senators accepted the president's ultimatum on reciprocity as applicable to modifications which might be made at the instance of congressmen as well as democrats. Many senators have received telegrams and letters announcing a purpose on the part of the farmers to test the constitutionality of the proposed reciprocity law if it receives less than a two-thirds majority in the senate. This position is taken on the ground that as the bill carried into effect the provisions of a treaty, it would receive the vote in the senate necessary to render a treaty effective. The friends of the measure do not regard the point but they are claiming the two-thirds.

DENVER'S FOUNDERS ARE HONORED

Miss Leona Wood, Grand Daughter of Kit Carson Unveils Monument to Pioneers in Gold Rush of Colorado.

(By Evening Herald A. P. Leased Wire) Denver, Colo., June 24.—A great granite monument, surmounted and surrounded by bronze figures and groups was unveiled here today in memory of the pioneers who led the way in their search for gold, camped on the present site of Denver. Green Russell and his party found gold and started a human flood from the east and south into Pike's Peak country.

Miss Leona Wood, granddaughter of Kit Carson, pulled the cord that released the shrapnel from the bronze figures. Governor Stewart delivered the principal address.

cannot lawfully submit to a common control through a separate stockhold, the organization they may do so by disposing with that medium. That would be regarding stocks and letting the substance go. The language of the Sherman act in this particular is broad."

Judge Hook holds that the question is to whether the Union Pacific and the Southern Pacific roads were competitors, which the majority opinion held to be against the government, was a question of fact to be decided by the testimony of many expert witnesses and these witnesses, Judge Hook holds, gave conclusive testimony that "there was active, vigorous and substantial competition."

"The dissenting opinion says the decision of the court was on two main grounds:

First, that the combination of competing traffic of the two systems was not a substantial percentage of total traffic, and second, that the trade was not restrained by the combination because the Union Pacific was an intermediate through route, and depended for competitive traffic on connecting carriers, which would not be made a through joint rate.

"This decision is greatly unnecessary in cases of this kind, and is a very little more of it when applied to the roads, as opinion states. Under one of both of these tests the Union Pacific could not have lawfully purchased control of all of the great railroad systems in the United States."

STOCK MARKET SHOWS QUICK RECOVERY TODAY

New York, June 24.—The stock market today made quick response to the announcement of the United States circuit court decision in the Harriman merger suit. Naturally the Harriman issues were the most affected and they showed gains of almost four points. Other stocks were up from 1 to 3 points. Trading was on a heavy scale.

Officials of the Harriman railroad offices were greatly interested in the decision.

"We don't know anything about it yet," said Alexander Miller, secretary of the Harriman companies. "Then he was told that there was no question that the court had decided in favor of the railroads and against the government, and he was greatly pleased. Robert S. Lovett, president of the Harriman companies, is in Europe. None of the lawyers of the company would discuss the decision until they heard more about it."

NAVAL REVIEW IS ATTENDED BY HIS MAJESTY AND THE QUEEN

Great Array of Vessels at Spithead Spread Out Over Waters for Eighteen Miles Representing Seventeen Nations

UNCLE SAM HAS THE BIGGEST DREADNAUGHT

(By Evening Herald A. P. Leased Wire) Portsmouth, Eng., June 23.—This was the day of ships and sailors. The king and the queen and the foreign representatives at the coronation left the capital and came here for the great naval review of Spithead. Fine weather put the finishing touches on one of the most magnificent displays of the world.

Seventeen nations were represented in the vessels moored in Spithead road, in the English channel between the mainland and the Isle of Wight.

Of the number ten were battleships of the dreadnaught class from the British navy and one visiting dreadnaught, the German ship Von der Tann. First, however, in size and armament was the American battle ship Delaware.

In addition to the official representatives of the seventeen visiting nations, there were secondary vessels from Japan, Italy and Chile. Various prizes for warships added to the British units of dreadnaughts and ironclads made the total British fleet about 170 ships.

All the vessels in the roadstead including the foreign warships and auxiliary steamers with spectators, were moored in lines supplemented by electric lines of submarines and torpedo boats. The fleet occupied an area of about eighteen square miles.

MOSBY LOST MANY OF HIS TROOPS

Federals at Tia Juana Dig Trenches and Bury Soldiers of Rebel Command; Caught as They Disembarked.

(By Evening Herald A. P. Leased Wire) San Diego, Calif., June 24.—The losses of Mosby's men in the Tia Juana fight were much heavier than first reports indicated. Pedro Vega, in command of the federal troops, reported that his men buried thirty-one bodies yesterday and that a total of fifty-eight had been found. Corpses were placed in trenches south of the town. Even if any of them will ever be identified.

Gregorio Vega declares that the principal slaughter took place when the insurgents left their train. They were in close formation and before they could scatter the machine guns and rifles mowed down a large number.

GOVERNOR HADLEY GETS CALL FOR RAIN DAY

Executive of Missouri Is Asked by Many People to See Day for Farmers for More Moisture.

Jefferson City, Mo., June 24.—Many letters are being received today by Governor Hadley asking that a day be set aside for a proclamation for prayers for rain, to break the drought which is making the crops fail.

Governor Hadley said today that he may issue a proclamation within the next two days. A similar proclamation was issued in 1901. Since June 1 in many parts of the state the rainfall was only 4 1/2 inch. The normal rainfall for the month is 3.77 inches.

Table with columns for American League, Chicago-Detroit and St. Louis-Cleveland games postponed, and National League, Cincinnati-St. Louis game postponed.

Table with columns for Boston, Philadelphia, Chicago, Pittsburgh, Second games, New York, and Brooklyn.

ALBUQUERQUE-DAWSON

At the end of the fifth inning this afternoon the score stood Albuquerque, 3; Dawson, 2; no errors and both teams playing good ball.

RESOLUTION BY FLOOD TO THE SENATE AMENDED

Committee on Territories Reports it Favorably But Recommends Elimination of Little Blue Ballot.

CHANGE IS URGED BY FALL AND SPIESS

Act Admitting Territories is Now Before Upper Branch and if Passed, Must Then Go to Conference With House.

(Staff Correspondent) The Evening Herald) Room 41, Post Bldg.) Washington, D. C., June 24.—By a vote of six to three the senate committee reported the Flood statehood resolution this afternoon at the close of a two-hour executive session. A favorable report is made with the recommendation that the committee amendment prepared by Fall and Spiess be adopted providing for one ballot for state officers and constitutional amendments. In case of New Mexico, the senate committee in other words, repudiated the attempt of the New Mexico democrats led by Jones to provide for separate blue ballots on constitutional amendments.

One interesting feature of the executive meeting which leaked out was the effort of Senator Knute Nelson to amend the Flood resolution so that the Arizona constitution be entirely struck out and only New Mexico be provided for. This proposition was killed, even Nelson voting against his own motion.

The bill is now before the senate as passed by the house with the one exception of the ballot amendment recommended by the senate committee. If the senate passes the resolution it then goes to a conference.

ARIZONA MUST TAKE VOTE ON RECALL

(By Evening Herald A. P. Leased Wire) Washington, June 24.—The senate committee on territories today voted six to three to report favorably the house resolution admitting New Mexico and Arizona to statehood, with the provision that the Arizona constitution containing the judicial recall shall be resubmitted to the people. Slight amendments to the house resolution were made.

A motion to eliminate Arizona from the bill made by Senator Nelson on grounds that the constitution adopted by the people of that territory was severely discriminatory against the Mexican element of the population, was defeated.

The amendment to the house bill provides for the return of ballots used in voting on amendments to the New Mexico constitution, whether they are used or not. The object of the provision is to prevent repeating Delegate Cameron's suggestion for an amendment of the Arizona constitution so as to eliminate the provision for the recall of judges failed to receive any consideration. The suggestion was regarded as beyond the power of the committee.

If the senate becomes a law, the people of the two territories will be asked to vote on the recall. The resubmission of the portions of the two constitutions is intended only to give the voters another opportunity to say whether in the case of Arizona they favor the right to recall their judges and that of New Mexico, whether they are satisfied with the civil practice contained in amendments. It is provided that when the vote, the referendum shall become effective.

Chairman William Alden Smith of the committee believes the senate will act before adjournment.

BAPTISTS WOULD BUILD SCHOOL AT PETERSBURG

Philadelphia, June 24.—The Rev. Dr. Russell B. Russell of this city and the Rev. Dr. F. H. Moyer of England have been selected by the executive committee of the Baptist World Alliance as envoys to St. Petersburg to seek permission from the czar for the erection of a Baptist university in that city. They will start within six weeks.

Boston was selected as the place for the next meeting of the Baptist World Alliance in 1912.

WHOLESALE OPIUM SMUGGLER CONVICTED

Binghamton, N. Y., June 24.—The climax of what secret service men designate as the most important smuggling case of the kind ever brought to trial was reached last night when the jury in the federal court found Walter L. Funk guilty of bringing opium across the Canadian border.

Justice Bay sentenced Funk in four years in prison and imposed a fine of \$20,000.

Funk was charged with having brought more than \$100,000 worth of smoking opium into this country.