

PRISON FOR BURTON

United States Supreme Court Refuses Third Trial to Former Kansas Senator.

CHARGE IS ACCEPTING ILLEGAL FEES Sentence is Six Months in Jail and Fine of \$2,500.

CASE ONCE REVERSED ON A TECHNICALITY Verdict on Second Trial is Identical with the First.

SENTENCE WAS AFFIRMED LAST MAY Attorney for Defendant Says He is Ready to Begin His Term—Mr. Burton Declines to Plead.

WASHINGTON, Oct. 15.—The supreme court of the United States today denied the petition of former United States Senator Burton of Kansas for a retrial in the case in which he is under sentence of imprisonment and fine on a charge of accepting an attorney's fee in which the government was successful while he was serving as senator.

The effect of the decision is the immediate imprisonment of Burton. His attorneys advise some other means of postponing the execution of the sentence.

There was no formal announcement of the decision in the Burton case in court, the chief justice merely handing brief memoranda to the clerk of the court just before closing.

The case of Senator Burton has been before the court since 1905, when he was accepted in St. Louis on the charge of accepting a fee for representing the Rialto Grain Company of that city in an effort to delay it from going to the United States mails. He was found guilty and sentenced to serve six months in jail and pay a fine of \$2,500.

On appeal to the supreme court the verdict was reversed on a technicality and a second trial was ordered. The second verdict was identical with the first and it was affirmed by the supreme court. The affirmation was announced just before the close of the term of court in May last. The motion for rehearing was then filed. It was claimed in Burton's behalf that the court had not had the real facts before it in considering the case.

Burton Refuses to Talk. ABELENE, Kan., Oct. 15.—Joseph Ralph Burton, former United States senator from Kansas, when seen at his home here today by an Associated Press representative regarding the action of the United States supreme court in refusing him a hearing, said:

"This is not my time to talk."

Mr. Burton absolutely declined to talk of the case. However, it is stated from an authoritative source that he has already communicated with his attorneys asking that his term of imprisonment be arranged to begin at the earliest possible moment.

When the case of Burton came to an official statement to be made by his attorneys that if the supreme court denied him a rehearing he would neither apply for a pardon nor accept one if it were tendered.

Mr. Burton today was found in his home here. He received news of the court's action in the same manner that he had displayed in each step in his case. Mr. Burton has remained at home here practically all summer with the exception of one or two small trips. The last trip he made was to Chicago two weeks ago.

ROPERKA, Kan., Oct. 15.—Senator Joseph R. Burton today notified his attorneys to arrange for the beginning of his term of imprisonment as soon as possible. He has as yet received no information regarding the carrying out of the sentence imposed by Federal Judge Van Devanter.

Ready to Serve Time. ATCHISON, Kan., Oct. 15.—Bailey Waggoner of this city, one of the attorneys for Burton, said at noon today that he had not up to that time received any communication from the former senator regarding his wishes in the matter, but said that Mr. Burton had previously expressed to him the wish to begin serving his sentence immediately if the supreme court should finally decide against him, as it did today.

Mr. Waggoner expressed it as his opinion that the mandate of the court will be sent by the supreme court immediately to the district court at St. Louis, in which case it would be possible for Mr. Burton to begin serving his sentence some time this week.

DR. BROUWER ON THE STAND

New Jersey Physician Charged with Wife Murder Denies All Allegations of the Prosecution.

TOMB RIVER, N. J., Oct. 15.—Dr. Frank L. Brouwer, on trial for the murder of his wife, took the witness stand today and broke down and sobbed while testifying. Later in the afternoon he was closely examined. He denied that he had told his sister-in-law, Elizabeth Hyer, that he intended to divorce his wife. He also denied that he had struck his wife or that he had said to Miss Hyer that he had no respect for Mrs. Brouwer.

The doctor went into detail as to his wife's fatal illness and his medical treatment of her at times. Asked whether his wife had ever shown jealousy, Dr. Brouwer said that as far as he knew she was not jealous, although she often showed curiosity about women who came to his office.

Dr. Brouwer said that his wife was somewhat irritable as the result of nervousness and that they had quarreled, but their differences were not of a serious character.

PAY FOR POSTAL EMPLOYEES

Department Will Recommend to Congress a General Increase in Salaries.

NEW YORK, Oct. 15.—An important announcement was made in this city tonight by First Assistant Postmaster General Frank H. Hitchcock, which will bring joy to the United States thousands of postal employees. It was to the effect that in the postal estimates for the next fiscal year, to be submitted by the Postoffice department to the Treasury department, a radical change will be made in the recommendations affecting salaries.

It was announced that the entire postal system of the United States will be advised, Mr. Hitchcock said. The statement followed a prolonged conference today between Mr. Hitchcock and Postmaster William R. Wilcox of New York.

MARRIAGE OF AN HEIRESS

Bertha Krupp United to German Lieutenant in Presence of the Emperor.

ERSEN, Prussia, Oct. 15.—In the presence of Emperor William and 150 guests Fraulein Bertha Krupp and Lieutenant Gustav von Bohlen and Halbach were married today in a highly magnificent chapel adjoining the bride's birthplace, the Villa Ruessita. The ceremony was performed by the pastor of the neighboring church, where the Krupp family has long worshipped.

The bride and Lieutenant von Bohlen, before their wedding, announced that their joint gift of \$50,000 to the workmen's invalid fund, and Mrs. Krupp gave notice that she had donated another \$50,000 to the same fund and 15 acres of land on which to build economical model dwellings for the workmen. The bridegroom accompanied the bride to the altar by the assurance that he would perpetuate the personal relations with the working people maintained by Alfred and Friedrich Krupp.

The emperor sat with the family while the simple Lutheran marriage service was performed, and then stepped forward and congratulated the bride and bridegroom. The bride wore a princess robe and heavy, ivory-tinted crepe de chine, with panels of point de Venice, and had a four-yard train. The veil was of Brussels lace and tulle. The bride wore myrtle blossoms on her head and a few sprays of these flowers at her waist. Arthur Krupp, father of her cousin, gave away the bride, who was attended by her sister, Barbara. Lieutenant von Bohlen's brother acted as his best man.

At the wedding breakfast, which was served at the conclusion of the ceremony, the emperor drank the health of the bride. A couple afterward left by special train for Krupp castle at Rheineck, on the Rhine, where the honeymoon will be passed. The bride's traveling dress was a severely simple gray cloth costume.

The wedding guests included six foreign and fourteen members of the Krupp works, but the workmen generally were not given a holiday in honor of the wedding.

The emperor after the wedding started for Bonn.

EXPLOSION IN ENGLISH MINE

Twenty-Five Men Killed and Two Hundred Temporarily Entombed in Colliers.

DURHAM, England, Oct. 15.—As a result of an explosion in the Wingate colliery near here at about midnight last night, twenty-five miners were killed and 200 are temporarily entombed. It is fortunate that only a small portion of the thousand men employed in the mine were down when the explosion took place. The cause is supposed to have been fire damp, whether it was fire damp or a gas explosion is not known. The explosion occurred in the Wingate town many windows were broken. Soon after the news of the disaster became known crowds of half-clad people were rushing toward the mine and there were heartrending scenes. The first report represented the disaster to be worse than subsequent reports, which were brought by daylight signals had been exchanged with the bottom seam, where a majority of the men were entombed, to the effect that they were safe, and with this message came a sense of great relief. As the morning advanced the bodies of dead men were slowly brought up. The first dead to appear were mostly old men who had been employed as shifters and stone men. Eighty men were brought out alive. Many of these, however, were in a critical condition, being unconscious. Later supplies of coffee and sandwiches were passed in to those still entombed. At a late hour tonight, to the joy of the men, the first men were brought up from the lower seam, where the deaths had occurred. These men had been reckoned among the dead. Although they were much exhausted, they probably will recover.

The shaft is still blocked with wreckage, but the ventilation is good and it is hoped that all the entombed men will be rescued during the night.

FOURTEEN BALLOONS LAND

Ernest, the Smallest Airship in German Race, Wins the First Prize.

BERLIN, Oct. 15.—Fourteen of the seven balloons which started from Tegelen, Germany, on the 14th, landed in various directions, some of them crossing back into Germany. The airships which did this include the Brandebourger, Lindenhof, Aeronauc, which landed near Oldenburg, not having been heard from. It appears to be certain at this moment that the Ernest, the smallest of the balloons, 650 cubic meters, Berlin Air Navigation society, Dr. Brockmann, has won the contest, as it landed at Brigg, Austria, 200 miles away.

The results have been comparatively disappointing, the balloons made good progress until they reached Bohemia, where they struck a region of high barometric pressure. The atmosphere was almost without wind and the balloons drifted about in various directions, some of them crossing back into Germany. The airships which did this include the Brandebourger, Lindenhof, Aeronauc, which landed near Oldenburg, not having been heard from. It appears to be certain at this moment that the Ernest, the smallest of the balloons, 650 cubic meters, Berlin Air Navigation society, Dr. Brockmann, has won the contest, as it landed at Brigg, Austria, 200 miles away.

CROKER LIBEL SUIT ENDS

Publishers of London Magazine Make Amends Honorable in Matter of Americans.

LONDON, Oct. 15.—The lawyers representing the Amalgamated Press, publishers of the London Magazine, against which Richard Croker brought suit for damages on the ground of defamatory statements made in an article headed "Tammany in England," in which Mr. Croker was charged with having used his office as chief of Tammany hall for purposes of financial profit, informed the Associated Press today that the case has been amicably settled out of court. It was added that counsel is not at liberty to announce the terms of the settlement.

ASKS RECEIVER FOR RAILWAY

Woman Cannot Collect Judgment Against Omaha & Southern Company.

On the grounds that she is unable to collect a judgment for \$162.25 she secured last September in justice court, Anna Stuber asks the district court to appoint a receiver for the Omaha & Southern Railway company and empower him to collect unpaid stock subscriptions from the stockholders. The petition says the officers have abandoned the business of the corporation and are not trying to collect the assets that are available.

Electric Line Incorporated

ST. LOUIS, Oct. 15.—Senator M. P. Fry, president of the City of St. Louis, accompanied by Mayor James S. Jones and a staff of secretaries and interpreters, arrived here in a private car and spent today afternoon in St. Louis. The party is touring the United States.

OIL CASE NEARS THE END

Judge Banker Excludes Evidence Relative to Rebates Paid Retail Dealers.

STATE WILL CLOSE THIS MORNING

Buckeye Pipe Line, Manhattan Oil Company and Ohio Oil Company Owned by Standard of New Jersey.

PINDLAY, O., Oct. 15.—The end of the trial of the Standard Oil company of Ohio, for alleged conspiracy against trade, came suddenly in sight at the conclusion of the session of the court today. The state was precluded by the ruling of Judge Banker from offering a line of evidence intended to show that the Standard Oil company gave rebates to retail dealers in oil. Mr. Phelps for the prosecution admitted the state had no means of showing that the Standard Oil company authorized its agents to offer or give rebates. The court said that it was a fundamental rule of evidence that the authority of the agents must be shown.

"The state will close its case in ten minutes tomorrow," remarked Attorney Phelps, and the jury which had been excused for this argument of counsel, was called in and court adjourned. A few witnesses for the defense will be called, but it is stated that the testimony will be all in on both sides before the court adjourns tomorrow; that the argument of counsel to the jury can be completed Wednesday, perhaps in time for Judge Banker to make his charge to the jury and place the case in the hands of the jury.

Rockefeller Case Postponed. An agreement was reached between Prosecutor David and the attorneys for the Standard Oil company today whereby the case against John D. Rockefeller will not be set for trial until after the present case has been finally disposed of, whether this is in the probate court, now conducting the trial, or before the supreme court of the state after all appeals have been taken. Until today's agreement, the Rockefeller case had simply been postponed until after the present trial of the company in the probate court.

John O'Brien, superintendent of the Buckeye Pipe Line company, and E. R. Curtin, superintendent of the Manhattan Oil company, both took the "immunity bath" before testifying in the case today. With the exception of the last witness, the evidence put in by the state was from officers of the alleged constituent companies of the Standard, including the Buckeye Pipe Line, the Manhattan Oil company, the Ohio Oil company and the Solar Refining company. It was testified to by officers of the Buckeye Pipe Line, the Ohio Oil company that the Standard Oil company of New Jersey owned practically all of the stock of these companies.

Rebates Paid to Grocer. The last witness, Willis B. Ulls, a local grocer, was proceeding to tell the jury that when he first went into business several years ago he purchased oil from the National Refining company, a local independent concern, but that two or three years ago he was visited by an agent of the Standard, since which time he had bought oil of that company. He had no means of knowing that the supposed agent of the Standard was such agent, and while Attorney Phelps stated that he wished to show that the agent had offered and paid a secret rebate to the witness since his visit and that the witness had bought all his oil of the Standard since that time, he said the state could not prove that the Standard had given the agent authority to offer the rebate, and that the evidence was thereby cut short.

It was understood to have been the intention of the prosecution to place before the jury the testimony of the same nature. When Judge Banker, who is conducting the trial, announced that W. L. Findley, state inspector of refined oils, would be the only other witness, and that his testimony would take but ten minutes tomorrow.

FIGHT ON COUNTY OPTION

Saloon Men Will Organize to Resist Proposed Legislation by Anti-Saloon League.

An organization of Douglas county saloon men will be perfected Friday afternoon at 1:30 o'clock at the Krug theater for the purpose of resisting the efforts of the Anti-Saloon league, which is trying to work up sentiment in favor of the county option bill to be introduced at the next legislature. Knowing that all candidates for the legislature are being sounded by the Anti-Saloon league as regards their opinions on the option matter, throughout the state there is considerable concern on the part of the liquor dealers, who are organizing by counties.

THIRTY TICKETS FOR DOLLAR

Bridges' Street Car Fare Ordinance Expected to Pass the City Council Tonight.

One of the matters taken up yesterday afternoon by the city council at its meeting was the ordinance which was introduced two months ago by Councilman Bridges providing for thirty street car tickets for \$1 for all school children. Indications are now that the ordinance will go through the council this evening.

MILLION DOLLARS DAMAGE

Eastern Coast of Central America Visited by Disastrous Hurricane.

NEW ORLEANS, Oct. 15.—Damage 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 Fruit company say that probably no loss of life occurred.

The hurricane appeared 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 main land the storm damage was confined mostly to a path about thirty miles wide, in which banana and rubber crops were destroyed and plantations blown down. Great demolition was reported from Arama, a town on the coast about forty miles from Bluefields. Port Limon, on Costa Rica, also suffered damage.

PARIS SLAVE TRADE DISCUSSED

PARIS, Oct. 15.—The third international congress of the suppression of traffic in women, over which former Premier Bourgeois will preside, will assemble here October 25 and remain in session until October 28. At the continental powers and Great Britain will be represented, but the United States will not give notice that it will send delegates.

Electric Line Incorporated

ST. LOUIS, Oct. 15.—(Special Telegram)—Articles of incorporation were filed today for the Sioux Falls & Sioux City Electric Railway company, with headquarters at Sioux Falls and a capital of \$1,000,000, with a number of Sioux Falls men as incorporators.

CROW & MURRAY STABLE IN

Noted Toronto Horseman Makes Entry to the Omaha Show This Fall.

Good news came to the horse show headquarters last night in the shape of the entries of the horses of Crow & Murray, the noted horsemen of Toronto, Canada, who are expected to make a better entry than the Kansas city horse show, which is being held this week. Murray is well remembered in Omaha, as he is the horse of the arena while he is showing his life and always engages in any fun going on. Last year in the polo race it was Murray who rode his pony through the juries' stand. He has pairs and fours and hunters and jumpers and tandem and four hunting tandems, in fact, has entries for almost every class. Murray's chief pride is his famous horse "Frog's dent," which as a green horse last year won honors at the Omaha show. The ticket sale will open Wednesday at the Auditorium.

The horse show arena is completed and horses were worked out Saturday morning. Although the show does not begin until Monday, W. A. Austin, superintendent of the arena, has everything in readiness a week ahead so the local owners might have an opportunity to work out their horses and have them become accustomed to the circular ring.

The last day for receiving entries from abroad has passed and the show this year has a list of entries which is surprising and which reflects great credit to Omaha and to the directors of the horse show association. The show will be the prestige of several more years of experience at the horse show business than Omaha, will not have as many entries as the Omaha show. Many of the smaller show windows of the city already are decorated for the horse show in the red and white and the larger windows of the department stores where the strife for first honors will be keen, are darkened and show signs of large forces of men working trying for the coveted prizes.

Meta Bros. have made arrangements to enter their large four-horse team in competition with other teams of the city. The company which will be at the show. This will make three entries in the heavy class, as Storz will also show four and six.

PYTHIANS AT NEW ORLEANS

Hotels Filled to Limit and Many Delegates in Tents on Race Track.

NEW ORLEANS, Oct. 15.—With 1,300 tents pitched at City park race track and thirty thousands of people, the annual meeting of the Pythians and their friends, which is being held here at 2 o'clock this afternoon, was a most successful one. The Pythians of New Orleans, who are the hosts of the convention, were at the race track at 2 o'clock this afternoon, at daylight about 3,000 Knights in uniform were at the tented city and hotels were filled to the limit, with Pythians and their friends here to attend the ceremonies.

NASHVILLE, Tenn., Oct. 14.—The Knights of Pythias special train en route for New Orleans for the convention, which left here at 2 o'clock this afternoon, was wrecked an hour later at White's Bluff, Tenn., twenty-five miles west of here, on the Nashville, Chattanooga & St. Louis railway. The special collided head-on with a freight train, the result being that one trainman was killed and another badly scalded. The passengers received a severe shaking up.

"SAM" JONES FOUND DEAD

Noted Georgia Evangelist Dies Suddenly on Passenger Train Near Little Rock.

LITTLE ROCK, Ark., Oct. 15.—Rev. Sam P. Jones, the well known evangelist of Cartersville, Ga., died early today of heart failure in a sleeping car on train No. 4 of the Rock Island railroad near Pety, Ark. Mr. Jones had been conducting a most successful revival at Oklahoma City, I. T., and left there last night for his home in Georgia. He died at the age of 57. He was a member of the Methodist church and was a devoted husband and father. He was a member of the Methodist church and was a devoted husband and father. He was a member of the Methodist church and was a devoted husband and father.

FATHER O'CONNOR'S ADDRESS

Father M. J. O'Connor, vice president of the university, acted as chairman on the occasion, introducing Count Creighton, he said.

The deans and regents of the Creighton university gathered at Count Creighton's home to offer their congratulations on his 75th birthday. Insured by the best of health, Count Creighton has been able to do a great deal of good work in the line of the university. He has been a member of the university since 1865, and has been a member of the university since 1865, and has been a member of the university since 1865.

COUNT'S CORDIAL WORDS

In his address Count Creighton said, making the great donation:

Gentlemen: It was always the wish of my father, the late John Creighton, to build up in this western country a free educational institution that would provide a home for the poor and the unfortunate. I have endeavored to do this, and I have endeavored to do this, and I have endeavored to do this.

CREIGHTON DOWLING RESPONDS

Count Creighton finished speaking and handed to President Dowling the deeds to the two buildings, a deafening cheer went up. The happiness of President Dowling's heart shone in his eyes as he took the papers. He responded to Count Creighton in these words:

For many years it has been my privilege to be associated with Mr. Creighton in the upbuilding and development of Creighton university. We have both seen this college grow from an elementary school, started in a frontier town of 20,000 population, to a university that is no discredit to a metropolitan city. During all this time Mr. Creighton has taken a keen, fatherly interest in all the Creighton institutions, but his earliest and strongest affection has been lavished on the college founded by his father. He has watched with solicitude and pride the growth of the John A. Creighton Memorial hospital, built in memory of his wife; the Poor-Clare convent, the Edward Creighton institute, which affords a home for dentistry, law and pharmacy; the Creighton university.

NEBRASKA WEATHER FORECAST

Fair and Warmer Tuesday, Wednesday Fair.

Table with 4 columns: Hour, Deg., Hour, Deg. Rows for 5 a.m., 7 a.m., 9 a.m., 11 a.m., 1 p.m., 3 p.m., 5 p.m., 7 p.m., 9 p.m., 11 p.m.

COUNT MAKES GREAT GIFT

John A. Creighton Presents Nearly Half Million Property to University.

DONATION ON SEVENTY-FIFTH BIRTHDAY

Throng of Friends Gather at Magnificent Home to Pay Respects to Omaha's Grand Old Philanthropist.

Count John A. Creighton signified the celebration of his seventy-fifth birthday anniversary by donating to Creighton university \$400,000 worth of real estate. In the presence of his relatives and friends and of the faculty, students and friends of Creighton university, he delivered the deeds to the property into the hands of Father Dowling, president of the university.

The endowment consists of two large business blocks, the last two Count Creighton has built, one the building on Ninth and Howard streets, of which the Hyman Hammer Dry Goods company will soon take possession, and the other the warehouse on Jones street, between Tenth and Eleventh, occupied by the John Deere Flow company. The former is eight stories and basement in height and covers ground 132 feet square. The site cost \$40,000 and the building and site are worth nearly \$250,000.

Deere building is 60,000 feet and six stories high. The two buildings were erected under long time leases. They will bring the university something over \$2,000 in monthly rentals.

Two years ago Mr. Creighton gave the college \$300,000 worth of property, consisting of the Arlington block, on Dodge street, and the block on the headquarters of the Department of the Missouri, and the Creighton block, at Fifteenth and Douglas streets. The income from these two and the two included in the gift of yesterday will yield the college an income of about \$30,000 a year.

AMERICAN MINING CONGRESS

Session in Denver Expected to Recommend Important Changes in National Mineral Laws.

NEW YORK, Oct. 15.—An action against the Great Northern Railway company and J. J. Hill, on charges of misconduct, are made against Mr. Hill as president and director of the railroad company and resolution in amount said to exceed \$10,000,000 is asked, was begun by Clarence Verner today in the United States court. Verner claims to hold 300 shares of Great Northern stock, alleges that in 1901 President Hill wrongfully and illegally carried out a plan to purchase Chicago, Burlington & Quincy railway stock in the open market at a price said to be a little over \$100 per share, but which it is alleged became the property of the Great Northern and Northern Pacific jointly at \$200 per share.

The amount paid is alleged to have exceeded \$15,000,000 and President Hill is charged with making a profit of over \$10,000,000. The complainant asks that restitution be made to the stockholders of this money.

CHRISTIAN CONVENTION ENDS

Arrangements Made to Celebrate Centennial of "Herald of Gospel of Liberty" in 1908.

HUNTINGTON, Ind., Oct. 15.—The quadrennial meeting of the American Christian convention came to a close tonight. A committee was named to decide on some form of celebration to observe the centennial of the Herald of Gospel Liberty, which will be 100 years old in 1908. Delegates were named to attend the Church Federation congress to convene in New York. A committee was named to devise ways and means for a Christian university, to report in 1910. The executive board will decide on the location of the next convention.

BRYAN AT JACKSONVILLE, ILL.

Nebraska Orator Given Enthusiastic Greeting by Friends and Former Neighbors.

JACKSONVILLE, Ill., Oct. 15.—William J. Bryan spent two hours in Jacksonville today on his way through the state, this being the home town of Mr. Bryan, where he graduated from Illinois college, of which institution he was chairman of the board of trustees, and where he first opened a law office. He was greeted by many personal friends of all parties and at the city park, where he spoke, Mr. Bryan was given an enthusiastic greeting by a large crowd.

DOCTOR WIGTON GETS PLACE

Omaha Physician Succeeds Dr. Young at Insane Hospital at Lincoln.

LINCOLN, Oct. 15.—(Special Telegram)—Governor Mickey today announced the appointment of Dr. H. A. Wigton of Omaha to be assistant superintendent of the Nebraska insane hospital, vice Dr. Young, who has succeeded to the superintendency of the Norfolk asylum. Dr. Wigton was installed this morning.

NEBRASKA BANK IS ROBBED

Unidentified Parties Get Away with Four Thousand Dollars at Early Hour.

McCOOK, Neb., Oct. 15.—(Special Telegram)—The Bank of Maywood, at Maywood, Frontier county, was opened with dynamite at an early hour this morning by unidentified parties, who secured \$4,000 of the bank's funds. The robbers escaped.

MISSOURI PRISONERS BREAK JAIL

SIDALLA, Mo., Oct. 15.—Henry Payne, charged with murder, and other prisoners from Graves, attempted assault with intent to kill, and Thomas Lee, burglary, escaped from the county jail last night through a hole in one of the jail walls made with a saw. The nine other prisoners in jail saw and succeeded to defend the holes of the wall.

GRAIN MEN COMBINE

Share Made by Farmers' Elevator Agents in Chicago Hearing.

STATE ASSOCIATIONS ARE BLAMED

Witnesses Say Men Who Buy from Co-Operative Concerns Are Boycotted.

RAILWAYS SAID TO BE PARTIES TO DEAL

Instances of Refusal to Furnish Cars or Move Grain for Independents.

ONE WITNESS CRIES WHILE ON THE STAND

Illinois Man Tells of Business Ruined Because He Dealt with Farmers' Direct-Secret Letters Shown.

CHICAGO, Oct. 15.—Testimony was heard today before members of the Interstate Commerce commission relative to the possible existence of a grain trust. The first witness was A. T. Aygarr, of Pontiac, Ill., who told of his struggles against the Illinois Grain Dealers' association. Mr. Aygarr broke into tears on the witness stand and it was necessary to excuse him from giving further evidence. He declared as he left the stand, tears streaming down his face and his voice broken by his grief, that he had been ruined because he had dared to deal with the farm and with the track shovellers. He declared the discrimination against him had been doubled because the railroads had refused to give him cars in which to transport his grain.

Secret Letters Shown. Secret letters and circulars to members of the Iowa State Grain Dealers' association and similar documents issued to members of the Illinois association were read to the commissioners and the statements were considered so unusual by the commissioners that the witnesses were rightly excited.

J. E. Brennan and J. G. Dunn, grain shovellers for a Chicago house, told of the struggle between the farmers and the organized commission men in Illinois and Iowa. Both men declared that their firm had been blacklisted and boycotted because it refused to buy grain from farmer elevator companies and not alone from members of the grain associations.

A number of letters were introduced in which members of the Illinois association protested against the firm doing business with men whom it termed irregular.

Because the firm declined to obey the expressed wishes of the Illinois association all the members of that organization, it was said, had refused to do any business with it.

Road Refuses to Move Grain. Witness Aygarr, when he had recovered his composure, resumed the stand. He said that he had \$10,000 invested in his business, but that has disappeared and he is many thousands of dollars behind. He has a crippled child and a wife to support; he declared, and all his troubles followed his attempt to aid a friend who was a farmer, by purchasing his grain. He said that at one time the Illinois Central railroad refused to move his grain, and he was forced to buy it without moving it, this being, he declared, a part of the discrimination against him that brought about his ruin.

H. H. Carr, an independent dealer in grain, also claimed that he had been ruined, also claimed that he had been ruined by the discrimination of the railroads. He declared that time after time he had called the attention of the Interstate Commerce commission, of President Roosevelt and of Attorney General Clegg, but to no avail. "Can you give an instance of where a man has been ruined by the conditions which you describe?" asked Commissioner Froudy.

"I certainly can," replied the witness. "I am an instance myself. I have been ruined by these things."

Promises More Information. The witness then broke into a tirade against the president, attorney general and the members of the commission for having paid no attention to statements which, he declared, had been submitted to them in the past. At the request of Commissioner Prouty he promised to furnish the commission with further information.

Witness Dunn told of the refusal of the Chicago & Northwestern railroad to give an independent dealer a grain site for an elevator, and of his fight to get a bill presented to the legislature providing for the compulsory allowance of elevator sites by the railroads to anyone who wished to build. He also declared that five weeks ago the Illinois Central road refused farmers the right to build an elevator along its line, and that it had raised the price for their grain.

Other witnesses told of the efforts to divert business away from F. M. Terry of River Sioux, Ia.,