

Famous Cunningham Coal Land Claims Are Disallowed

Alaska Claims, Through Which it was Charged the Guggenheims Hoped to Extend Their Interests, Are Disallowed by Interior Department.

Lands in Question Have Been in Dispute For Years And are Worth Millions--Caused of Ballinger-Pinchot Investigation.

Washington, June 26.—The famous Cunningham-Alaskan coal land claims, through which it has been alleged that the Morgan-Guggenheim syndicate had planned to extend their interests in Alaska and to control one of the most valuable coal fields in the world, were today finally disallowed by the department of the interior.

Secretary of the Interior Walter Fisher, having approved the department's decision as handed down by Fred Bennett, commissioner of the land office, the last door is believed to have been closed to the Cunningham claims. Their attorneys have presented an appeal to the United States supreme court, but such an appeal can be based only on some point of law involved and not on the findings of fact as announced by the department.

The Cunningham claims have been in the public eye constantly for more than two years past. They brought about the Ballinger-Pinchot investigation by congress and the dismissal of the public service of Chief Forester Gifford Pinchot, Louis R. Glavis, chief of field division in the land office, and several minor officials.

Both Messrs. Pinchot and Glavis were dismissed for insubordination in their attacks on former Secretary Ballinger, whom they charged was favorably disposed to the claims.

Fisher Makes Statement.

In announcing the decision of the department today, Secretary Fisher, who succeeded Mr. Ballinger in March, declared that new coal land laws passed in Alaska if that territory is to be developed properly. In a statement, the secretary said:

"This is a final decision of the department of the interior is concerned. No further proceedings will be necessary for the purpose of returning the record in case the department think there are questions of law which they desire to present to the courts. It is my understanding that it is conceded that the findings upon the facts by the department are conclusive.

It is the intention of the department to proceed at once to a final determination of all the remaining Alaska coal claims so far as this project is being denied, denying those that should be denied and granting those that should be granted as rapidly as possible.

Favors New Laws.

"I do not believe the present laws applicable to coal lands in Alaska are wise or practicable laws. Nevertheless the provisions must be restored, first because they are the law, and second, because they afford the only protection the public has against the abuses of monopoly and unrestricted private speculation. I sincerely trust that these laws will be modified at the next session of congress, so as to permit the development of the Alaska coal fields under provisions that will more adequately protect and promote the public interests. If, however, there are claims now pending which under the existing law, are entitled to patent, I see no justification for not taking action upon them as promptly as the department can be assured that it is in possession of the facts upon which such action ultimately be taken."

Value of Lands is Great.

Commissioner Bennett, in his decision holding the claims for cancellation on the ground of fraud, declared that each of the 33 entries was improperly allowed because of fatal defects apparent on their face. He asserts that the government conclusively established the charges brought against the claimants and that there is no doubt that an agreement existed among them in violation of law.

The 33 claims involved amounted to an aggregate area of 5,250 acres. The value of the land has been estimated here in the millions. The coal elements in the claims is said to be among the finest in the world.

Refers to Work of Glavis.

Commissioner Bennett makes frequent reference to the work of Glavis in prosecuting the government's case against the Cunningham claimants. He also refers at length to the negotiations between Cunningham and representatives of the Guggenheims who were shown at the Ballinger-Pinchot hearing to have taken an option on these coal lands, which were to be worked in connection with the other extensive Guggenheim interests in Alaska.

The government charged against Cunningham and his associates that their entries of the coal land were made in pursuance of an understanding.

(Continued on Page Two.)

Odice Moore Drowned At Blacksburg

Special to The News.

Blacksburg, S. C., June 26.—Odice Moore, ticket agent for the Southern railway here, and a prominent young man, was drowned yesterday afternoon in Buffalo creek, a short distance from the town limits. He had gone out with R. S. Cooksey, local railroad agent for the Southern to go bathing in Buffalo Creek. He was considered a good swimmer and had been in the water for some time before he went down. He was at some distance from his companion, when the latter discovered that something was wrong and made an attempt to reach him, but too late. It is supposed he took cramp.

The young man was 22 years of age and was one of the most popular young men in the city, where he had been in the employ of the Southern for some time.

One Killed In Explosion

By Associated Press.

Port Arthur, Tex., June 26.—An explosion which occurred aboard the barge Gumble in the harbor here at 8:30 this morning caused the death of one man and the destruction by fire of \$150,000 worth of property. The explosion was felt for several miles. Three barges, a tug and three warehouses filled with oil at the Texas Company's terminals were destroyed.

The captain of the Gumble was blown into the air a distance of sixty or a hundred feet and instantly killed. Seamen standing a few feet away were uninjured.

Following the explosion the barge was enveloped in flames. Three barges moored alongside and a tug caught and were soon burning fiercely. The fire then spread to the warehouses of the Texas Company, and the cases of oil in this building were soon sending flames high into the air, threatening destruction to vast property along the water front.

Other shipping in the harbor was uninjured.

HUSBAND WAS LIKE A PIECE OF STONE

New York, June 26.—The trial of the suit of Mrs. Edith Russell Gambler, a former Atlanta society girl, for a separation from Edwin Victor Gambler, a banker, was continued before Justice Pendleton in the supreme court today. Mrs. Gambler has testified that her husband treated her "like a piece of stone" and seldom embraced or kissed her.

At today's session Mrs. Gambler was recalled to the stand. She was questioned about card playing and said she had played cards a few times with the gentleman whose name had been handed to her on a card by counsel. Mrs. Gambler, in reply to an interrogation of counsel, said her husband "played solitaire."

THREE FIREMEN PERISH IN FIRE.

By Associated Press.

Portland, Ore., June 26.—Three firemen are thought to have perished in a fire which broke out today in the plant of the Union Oil Company. The damage is now estimated at \$250,000 and the flames are still spreading.

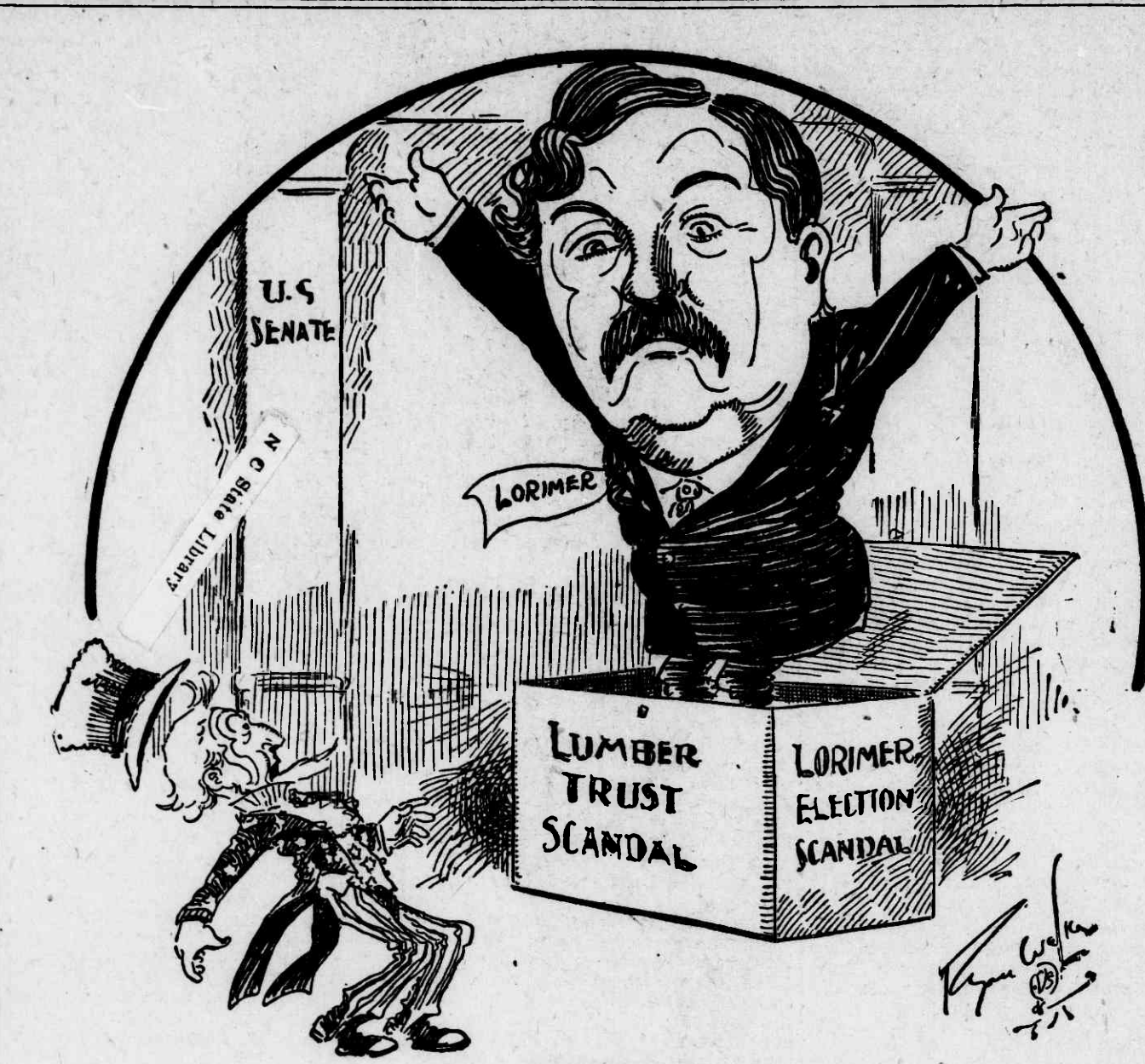
EXPECT VOTE ON ROOT AMENDMENT AT DAY'S SESSION

By Associated Press.

Washington, D. C., June 26.—An expected vote on the Root amendment to the wood pulp and print paper schedule of the Canadian reciprocity bill before the adjournment of the senate this afternoon, was the overshadowing feature of today's program of congress. A little political by-play was anticipated in the house over the urgent deficiency bill because of its inclusion of \$31,000 odd to pay the bill of the probing committees, including those investigating the affairs of the Steel and Sugar trusts and the expenditures of the executive department, but the urgent deficiency bill is being reroiled through congress.

The Root amendment to the reciprocity bill by the finance committee almost three weeks ago. To the section of the agreement which prescribes that wood pulp, print paper, paper board, etc., shall be admitted free of duty from Canada, the amendment adds these words:

"When the president of the United States shall have satisfactory evidence and shall make proclamation that such wood pulp, paper and board, being the product of the United States, are admitted into Canada and every province thereof free of duty."



UP AGAIN.

Diegle Trial Resumed Today

By Associated Press.

Columbus, Ohio, June 26.—The trial of Rodney J. Diegle, sergeant-at-arms of the Ohio senate, indicted on the charge of acting as go-between for certain members of the legislature and Frank S. Harrison, a detective, in soliciting bribes, was resumed today with Roscoe R. Wolcott, court stenographer, on the stand. He is expected to testify to notes of conversations of legislators with Harrison that he took over the dictograph in a room at the hotel. In this room legislators are alleged to have met Harrison and discussed bills and, according to Harrison, accepted bribes from him.

Was Defiant in Face of Adversity

By Associated Press.

New Orleans, June 26.—Undaunted by having her husband fall ill and the source of income suddenly cut off, Mrs. H. A. Brothers, of this city, transformed her backyard into a miniature truck farm several months ago and has since made enough in growing vegetables to support the family. Her lot is 45 by 159 feet, part of which is taken up by the residence. One day last week truck worth \$1.05 was sold from one patch 15 feet square, and 85 cents from another little patch. She cultivates celery, snap beans, lettuce, onions, carrots, corn, lima beans, squash, cucumbers, spinach, green peas, peppers, radishes and pumpkins, and whenever there is an inch of room not occupied by some vegetable, Mrs. Brothers has chrysanthemums which will bloom and find a market next November. She pays a street sweeper 25 cents per load for "sweepings" which she uses as fertilizer. The husband can now do light work, and as Mrs. Brothers has made such a success from her farm both are centering all efforts toward getting enough money ahead to buy a larger place.

FILIBUSTERING DAYS ARE OVER

By Associated Press.

New Orleans, June 26.—That the festive filibustering days are over for the time being, anyway, is the forced conclusion of certain Central Americans in this city following the visit to New Orleans, Gulfport, Mobile, Pensacola and Tampa of United States secret service agents of the United States government. It seems that the word would deal severely with the next bunch of revolutionists operating out of gulf ports and that special care would be taken to balk any filibustering expedition.

A hundred or more cases of arms were held up at this port last Saturday by the consular guard, presumably for the government. It is now said that arrangements had been made to have them fall into the hands of parties hostile to the Nicaraguan administration. An investigation is being made and it is possible that the entire consignment may be seized.

NAGEL BARS LOAN SHARKS.

By Associated Press.

Washington, D. C., June 26.—"Loan sharks" come under the ban in an order which Secretary of Commerce and Labor Nagel has issued, forbidding any assignment or making over of salary by an employe of the department as security for a loan or under any circumstances to loan brokerage concerns.

Rail Mill Resumes.

By Associated Press.

Youngstown, O., June 26.—The rail mill of the Ohio plant of the Carnegie Steel Company resumed operations last night after being idle for a year and a half.

RULE ISSUED AGAINST THREE LABOR LEADERS

By Associated Press.

Washington, June 26.—Justice Daniel T. Wright, of the district supreme court, today issued a rule against Samuel Compers, Frank Morrison and John Mitchell, the labor leaders, requiring them to show cause on July 17 why they should not be judged guilty of contempt of court. This action followed the filing of the report of the special committee of attorneys appointed by Justice Wright to inquire into the matter of contempt proceedings in the Bucks stove and range boycott case.

Mr. Compers is president, Mr. Morrison secretary and Mr. Mitchell a vice-president of the American Federation of Labor. The contempt proceedings were against the labor leaders recently were passed upon by the United States supreme court, which set aside jail sentences heretofore imposed by Justice Wright. The supreme court held that the contempt on which Justice Wright formerly passed was of a civil nature and against the Bucks Stove and Range Company.

In dismissing the former proceeding, however, the supreme court gave to the District court a right to reopen the case in the event that any contempt of the court itself or its orders should be found.

Inasmuch as the stove company and the American Federation of Labor have adjusted their differences, it was not supposed that the matter would be pursued further. But the day following the decision, Justice Wright immediately ordered an investigation with a view looking to further contempt action against the labor men.

He appointed a committee of three lawyers to inquire into all the circumstances of the case and to determine whether or not there had been a contempt of the court itself. This committee consisted of J. J. Darlington, Daniel Davenport and James M. Beck. Samuel Compers, in a statement, at once questioned the fairness of an inquiry by these gentlemen, inasmuch as they all had been associated as counsel for the stove company against the federation.

BIG DAMAGE SUIT RESUMED THIS AFTERNOON

Special to The News.

Raleigh, June 26.—At one o'clock this afternoon Federal Court convened in the trial of the million two hundred thousand dollar damage suit of the Ware-Kramer Tobacco Company vs. American Tobacco Company, but by the request of plaintiffs' counsel court took recess to 2:30 when the plaintiff, F. D. Ware, is to take the stand.

The Trunstein evidence was temporarily withdrawn by plaintiff's counsel. He had \$36,000 stock in the Ware-Kramer Company and in this deposition developed the relations of the company co-defendant W. M. Z. Carter, to plaintiff and defendant corporations that is a vital issue in the suit.

Suit Against Magazine Trust

By Associated Press.

Washington, D. C., June 26.—A civil anti-trust suit against the periodical publishers association, commonly called the "Magazine Trust," will be filed in the United States court at New York some time tomorrow unless the present plans of the department of justice are changed.

Fallieres Asks For New Cabinet

By Associated Press.

Paris, June 26.—President Fallieres today asked Joseph Caillaux, the minister of finance in the Monis ministry that retired yesterday, to form a new cabinet. M. Caillaux said that he would give a definite response this afternoon.

Mr. Caillaux had been suggested to the president by M. Monis, and it is understood that if he undertakes the task, the new cabinet will follow the path of the old concerning proposed changes in the electoral law, involving proportional representation in elections. Accordingly Caillaux will be required to make up a combination which will be assured of the support of the radical majority which is divided on the question of electoral reform.

The One Millionth Patent Issued

By Associated Press.

Washington, June 26.—The United States government will issue its one millionth patent for an invention on August 1 next and the honor will go to an inventor who has been designated by President Taft.

Commissioner of Patents Edward Bruce Moore has been looking for some time to a celebration of the issuance of a patent number one million. It was hoped that this distinguished number should go to some epoch making invention.

Several weeks ago President Taft received a letter from an American inventor saying he had perfected a device which he intended to patent and that he would like to have the honor of receiving number one million. The president asked the commissioner to comply with the request if it was not incompatible with the regulations of the office. The commissioner reported to the president that the device was good and would constitute a valuable addition to the list of American inventions and that patent number one million would be granted the inventor. The number was placed in reserve and will be officially recorded on the first issue day of August.

ANOTHER DOCK STRIKE STARTED

By Associated Press.

London, June 26.—Another shipping strike was launched today as the union workers on the dock at Liverpool generally obeyed the order to strike against the 46 firms in the shipping federation.

The shipping interests at Hull, Goole Grangemouth and Clyde found themselves in a similar plight, the union men refusing to handle goods from federation ships. Negotiations between employers and employes have ceased.

The trouble began at Liverpool where the strike leaders, encouraged by the success of the men in obtaining concessions, issued a manifesto ordering all the union workers employed by the shipping federation to stop work.

2,000 Men Strike.

By Associated Press.

Amsterdam, Netherlands, June 26.—Two thousand dock hands struck today in sympathy with the striking seamen. Work ceased at all of the ships of the eight largest firms.

Mr. Clarence S. Funk Appeared Today In The Lorimer Trial

THE WEATHER OVER COUNTRY

By Associated Press.

Washington, D. C., June 26.—An area of low pressure, central over Iowa has caused scattered local showers in the upper Mississippi valley.

Good rains have fallen since Saturday over the lake region as far south as Tennessee and over several of the cotton growing states. Rains were very heavy in northern Ohio and portions of Tennessee, but dry weather continued over western Missouri, Kansas, the greater portion of Oklahoma and northwestern Texas.

Very high temperatures, ranging from 96 degrees to 104 degrees, were registered Saturday and Sunday over states west of the Mississippi river, extending as far as the Rocky mountains and reaching from Minnesota to Southern Texas, while on Sunday 108 was registered at Dodge City, Kan. Brisk winds accompanied this intense heat over a large part of the Southwest.

The barometric disturbance which has been moving slowly eastward over the Rocky mountain slope, is this morning centered in the upper Mississippi and lower Missouri valleys. The rains which have attended this disturbance west of the lake region, have been followed by considerably cooler weather, somewhat lower temperatures prevailing this morning over the Northwestern states. It continues abnormally warm, however, in Missouri, Kansas, and states further south.

Thunderstorms.

Louisville, Ky., June 26.—Thunderstorms accompanied by cloudbursts of unusual proportions were noted throughout a large part of the Ohio valley this afternoon. Small creeks were swollen to a point where communication by country roads was many instances impossible and serious wire trouble was experienced by telephone and telegraph companies.

Just how he was introduced to Senator Lorimer was described by Mr. Funk. He said the meeting occurred in Washington about 18 months ago. "Mr. Hines came up to Mr. McCormick and myself in a hotel here," explained Mr. Funk. "We talked for a few moments when Mr. Hines said that Senator Lorimer was in his room and he, Hines, wished we would meet him."

"What did you do?" asked Mr. Marble. "I looked at Mr. McCormick and Mr. McCormick looked at me, and we both looked out of the window. I waited for Mr. McCormick to say something. Finally we went up stairs and were introduced to the senator."

He told of another meeting with Mr. Lorimer and added: "The senator was very kind on both occasions." The witness said he had never heard Senator Lorimer's name mentioned in connection with a tax fight on the McCormicks, who are largely interested in the harvest company.

"Did you recall a certain conversation with Mr. Edward Hines?" asked Attorney Marble. "Yes, sir."

Mr. Funk then repeated his story of the conversation with Mr. Hines in which the request for the \$10,000 contribution is said to have been made. "Just as casual as the sale of a car of lumber," was the way Mr. Funk referred to the proposition.

Ruth Solomon Won The Watch

By Associated Press.

Miss Ruth Solomon is the winner of the watch, as having turned in the most money on subscriptions during the week ending last Saturday night. The watch will be presented to Miss Solomon tomorrow.

As was previously announced, the amount of business turned in by any of the contestants will not be made public until the close of the contest. The records in this office show every subscription turned in, by whom and the date turned in and can be seen by any contestant after the contest closes. A sworn statement of the amounts turned in during the past week has been made by the contest manager and sealed. This will be made public after the contest closes and can be proven by the original contest cash records.

We are very sorry that a typographical error omitted the name and standing of Miss Eloise King, in the standings published in The News yesterday. Miss King has nearly 20,000 votes to her credit and is one of the most hard working of the contestants. We are sorry that the error was made, but it is of course in no way influences her standing as the records kept show what has been done. This is the second time that an error has been made and we trust that it will not happen again.

The next list of standings will be published in The News on Tuesday and will include all votes deposited in this office up to 7 o'clock tonight. There is only a little over three weeks of the contest left and every moment counts.

Ballroom Burned.

By Associated Press.

Hannoversch-Muenden, Prussia, June 26.—The dirigible balloon Parveval, while undergoing repairs today, caught fire and was destroyed. No one was injured.

Man Whose Revelations About the Alleged Corruption Fund Caused Illinois Investigator Testifies Before Senate Committee in Famous Trial

By Associated Press.

Washington, June 26.—Clarence S. Funk, general manager of the International Harvester Company, whose account of an alleged request to him by Edward Hines of Chicago, for a \$10,000 contribution toward a \$100,000 Lorimer election fund, caused an investigation by the Illinois senate committee, appeared today before the senate Lorimer investigation committee.

Tells of How He Managed to Meet Senator Lorimer But Nothing of Vital Interest Either Way is Learned by Cross Examination.

Edgar Farrar of New Orleans, had been added to the counsel for Lorimer and Hines, and joined with his associates, Elbridge Haney and W. A. J. Hynes, of Chicago, in cross-examining the witness.

John H. Marble, of counsel for the committee, began the direct examination. Mr. Funk testified that as general manager of the harvester concern, it was one of his duties to keep in touch with political affairs. He declared, however, that never to his knowledge had the company used money to get votes in legislatures or congress. He said, as far as he could, he had always avoided discussing Lorimer personally.

"Have you regarded Mr. Lorimer as a factor opposed to the International Harvester Company?" asked Mr. Marble. "No sir."

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The witness said he met Mr. Hines at the Union League Club soon after Lorimer's election. "Hello," said Hines, according to Mr. Funk, "you are just the man I want to see."

The witness explained that he was not repeating the exact words necessarily, the only giving his recollections of the conversation. Hines said: "Well, we put Lorimer over down at Springfield, but it cost \$100,000 to do it."

The witness added that Hines explained that he had to act quickly. "What else?" inquired Marble. "He said: 'Now we are seeing some of our friends to get the matter fixed up.'"

Mr. Funk said he inquired, how much he was getting. "Well, we can only go to a few big people," Mr. Funk said Hines replied, "and if we can get it to contribute \$10,000 we can wipe it out."

Pardon for Arthur Cooper.

By Associated Press.

Hickinsville, Ky., June 26.—Governor Willson sent to Hopkinsville today a pardon for Arthur Cooper, recently indicted for disturbing the peace. Accompanying the pardon was a statement from the governor in which he charged that the indictment was the outgrowth of Cooper's testifying against alleged night riders. Cooper, according to the governor, has been a marked man since he gave his testimony and has been made the subject of persecution.

Swindell Sold to Cleveland.

Special to The News.

Winston-Salem, June 26.—Announcement was made today that Pitcher Swindell had been sold to the Cleveland American League at a price declared to be the highest ever received for a Carolina league player. Swindell will report at Cleveland at the end of the present season.