

# Sensational Story Concerning the Sunnyside Mine.

## TALE OF A MINE IN TODAY'S HEARING

Starting Testimony Given Before Interstate Commerce Commission.

BY WITNESS G. D. HOLLIDAY.  
Discoverer of Sunnyside Property Declared He Was Forced Off His Land by Armed Agents.

He Said: "God Had Never Made a Man Who Could Take From Me What I Had Honestly Come By."

What might have been a chapter or two from "The Spoilers," was related before Interstate Commerce Commissioner E. E. Clark this morning at the investigation of the coal land scandals now pressed in the U. S. courtroom. The sensation came at the close of this morning's session when in a dramatic manner, that carried conviction to the room full of auditors who listened with electrified attention, George D. Holliday of 340 west North Temple street, stated how he, as the original discoverer of the now famous Sunnyside mine, was forced off his property in 1897 by armed agents of the Pleasant Valley coal company and the Rio Grande Western.

### WITNESS THREATENED.

After litigation that consumed a couple of years, the case was transferred to the district court here, when, said witness, his associates agreed to accept the price offered by the big corporation. Holliday told of meeting the P. V. Co. superintendent of the P. V. Co. coal company, and seven other officials of the coal company and the Rio Grande Western in the offices of the company in the double block. He was told that he could take the view hundred dollars or he could take his property. In response, Holliday said he told those present that "God never made a man who could take from me what I had honestly come by." He further told them that he would not deal with those agents who were to harass him, but would come to the court and fight the case. He said he was responsible. Witness told how he was told to go ahead and he would not be molested.

### THREATENED WITH DEATH.

Subsequently the Holliday coal company was organized and work was started. Then Holliday left for Alaska, he only reached Portland, Or., when he was reached by a dispatch stating that the agents of the P. V. Co. coal company had jumped the mine and driven all the employees off the premises by force. He returned at once to Salt Lake and upon the solicitation of his business associates, who did not want to see him, he went to Sunnyside to investigate. Upon his arrival there he was met by Robert Kirker, an agent of the P. V. Co. coal company, who cursed him and told him to get off the land under pain of death. Accompanied by his father as a witness, Holliday rode over the property despite the threats, and when he passed the cabin the second time he was fired upon by him. "Winchester fire," said witness, "he leveled his father's rifle when Kirker and the other armed men ran into the mine like a lot of rats."

### FINALLY SOLD OUT.

Then followed a story of obstacles placed in the way of the Holliday coal company which terminated two years ago in a change of venue of the cases and an immediate anxiety on the part of the Pleasant Valley Coal company to settle. This company eventually induced the original location of the mine with their property for \$125,000. This property today is the most valuable coal property in Utah, and it was sold to the P. V. Co. for \$1,000,000. The testimony forthcoming from the witness today apparently affords a new twist to the case, and it is a settlement, because had they continued in business unmolested, they would have surely survived the attacks of the commercial galling which goes by the name of Secret Mine.

### AS TO SHIPPING RATES.

Charles Livingston, erstwhile chief clerk of Sunnyside, told how the Utah Fuel company shipped the Utah coal, lumber, etc., at a flat rate of, he said, half a cent per 100 pounds. He said that in Utah, whether it was in the coal business or not, it was as soon as it became apparent that the interstate commerce commission intended to investigate things generally, the Rio Grande traffic department promptly published a tariff which was taken last August.

### THE MISSING CAPT. COLTON.

There is also somewhat of a ripple in the government asked for the return of the Utah Fuel company, whether he had authorized the payment of certain vouchers to the company. Mr. Williams said he knew nothing about it. Like Capt. Colton, the reputed cashier of the Utah Fuel company and the Rio Grande, he had gone. He said that he had not seen him for six weeks.

### PAS SHABIN IN VOGUE.

He said he carried a complimentary card over the Rio Grande railroad, and

after numerous questions admitted that whenever the company desired to send an employee to the mines a trip pass was usually forthcoming. He also admitted that the Wasatch Store company at whose establishments the miners buy their supplies, was a subsidiary company of the Utah Fuel corporation.

Byron Groo, former secretary of the state land board, proved a good witness but beyond detailing the procedure of the state land board in the selection of lands and stating that Robert Forrester was frequently in the office looking over the plats and had on several occasions paid money into the office, presumably for lands selected, his testimony was not of a startling nature.

### INTERESTED SPECTATORS.

When the commissioner called the investigation to order this morning, there was an unusual crowd of interested spectators present, which grew in numbers as the morning wore on.

Mr. Clark opened the proceedings by asking counsel for the Gould and Harriman interests whether they desired to introduce witnesses. Mr. Williams stated that he might call his colleague, Mr. Allison, to the stand. The latter seemed surprised and then transferred his gaze to the special maps that had been prepared showing the holdings of the Utah Fuel company and the Rio Grande Western in Utah, and which adjoined the north wall of the courtroom.

### TAKING OF TESTIMONY.

Chief Clerk at Sunnyside Was the First Witness Examined.

Charles Livingston was the first witness sworn this morning. He stated that he was chief clerk at Sunnyside for the Utah Fuel company for 13 months. Among his duties were the checking of expense bills and freight rates. Shipments on "in freights" to Sunnyside prior to Aug. 1 of this year, when there was a change. Prior to that time there was a rate of one cent per mile on all freight consigned to the Utah Fuel company at Sunnyside from Utah points. Witness stated that this rate was considerably less than that in effect for outside consignments. This "secret rate," as counsel Thomas for the government put it, was the same from any point in Utah regardless of distance from Sunnyside.

### WITNESS THREATENED.

Witness stated that this rate was in effect on Aug. 1, 1906, as were the rates from Colorado points. Where the Utah Fuel company paid from \$50 to \$60 a car from Idaho points after Aug. 1 it paid under the new rate, approximately \$200 a car. About the same changes were made in regard to shipments of rails and fire brick from Pueblo to Sunnyside.

### AUDITOR WILLIAMS.

W. O. Williams of Salt Lake and auditor of the Utah Fuel company, was called. He detailed the officers of the Utah Fuel company. He stated that Capt. Colton was not the treasurer of the Utah Fuel company. He did not know where Capt. Colton was at this time and did not see him for five or six weeks. In answer to questions, witness stated the Utah Fuel company was capitalized for \$1,000,000. He did not know who owned the stock. At this time and on any prompt, he volunteered the information that the stock of the company was owned by the Denver & Rio Grande interests.

### SUBJECT OF RATES.

Coming down to the subject of rates, he said the Utah Fuel company paid the same rate as did any other consignee. There had been no change in the rate for several months. He said witness, on all construction material, this rate, he said, was eight-tenths of a cent per 100 pounds per mile on this material. Rails, block and lumber were shipped at a flat rate. The question on the rate on coke shipped to Anaconda by the Utah Fuel company precipitated an argument between the attorneys for the government and the Utah Fuel company. Mr. Williams said that the published rate on coke to Anaconda was \$1 per 100 pounds, and he knew there was no change in the price of the coke was billed as an advance charge on California consignments.

### DESTROYED VOUCHERS.

Witness said he knew nothing regarding the transportation of Utah Fuel company. Personally he carried a complimentary pass over the Rio Grande railroad. About 50 employees of the Utah Fuel company were located in Salt Lake. Whenever they were sent to the mines, witness said, they were given a pass over the road.

### RECORDS ASKED FOR.

Here Mr. Thomas took a hand in examining witness. He asked that witness furnish the commission with the records of the company.

(Continued on page two.)

## CAUSE OF WRECK ON SOUTHERN RAILWAY

Due to Block Telegraph Rules Being Disregarded by Operator Mattoax.

### TELEGRAPH SHEETS SHOW IT.

Arrangements for Funeral of President Spencer Have Not Yet Been Completed.

Lynchburg, Va., Nov. 30.—The accident yesterday morning near Lawyers depot on the Southern railway, in which President Samuel Spencer and his party lost their lives, is declared by a Southern railway official to be due to the block telegraph rules being disregarded by Operator C. D. Mattoax, who was in charge at night at the block station at Rangoon, four miles from Lawyers depot.

Asst. Gen. Supt. E. E. A. Coapman, of the company, today gave out the following statement:

"Investigation so far made of the accident develops the fact that Operator Mattoax at Rangoon let train No. 33 into the block and disregarded the rules, failed to notify the operator at Lawyers depot of this fact. When the first section of train No. 37, the Washington and Southwestern vestibuled limited, approached Rangoon, Operator Mattoax asked the operator at Lawyers for the block on No. 37. This was given by the operator at Lawyers who did not know that No. 33 had gone in upon the block.

"No. 33 broke down at the south end of a curve and as soon as the train stopped, the flagman ran back to protect his train. As far as we learn, the flagman had proceeded about 200 yards when No. 37 was in view on the curve. Engineer McKinney saw the signal and applied the emergency brakes, but he did not have time to leave his seat before the collision took place.

"An inspection of the telegraph sheets in each of the block stations substantiates this belief. The sheet at Rangoon shows that No. 33 was given the block by Operator Mattoax and that the block was not cleared until after the accident. The sheet at Lawyers shows that Mattoax had not notified the operator there that No. 33 was on the block and entitled to it.

"A fuller investigation will be made as speedily as possible, but we do not expect to develop additional facts. The company has a number of men scouring the country in the hope of locating Operator Mattoax, but up to a late hour this morning we have been able to ascertain absolutely nothing as to his whereabouts.

An investigation is being made today as to the circumstances which led to the wreck of the two Southern Railway trains near here yesterday, resulting in the death of President Spencer, of the road, and several other passengers, and the injuring of several others. The death of William Pollard, the porter in President Spencer's car, and J. W. Shaw, a negro funeral home of whom died in the city hospital here last night, swelled the death list to seven in all. The latest word from the hospital regarding the injured indicated that all of them are doing nicely and probably will recover.

The scene of the wreck is 10 miles south of Lynchburg and to it many persons have wended their way out of curiosity to see the effects of the disaster. The work of clearing the debris is being carried on and some of the wreckage already has been removed. County Coroner J. W. Davis is expected to take some action on the accident today. He arrived at the scene of the wreck yesterday, but finding that the bodies already had been removed he deferred until today as to deciding what steps he should take in the matter.

The escape of A. E. Merrill of New York, private secretary to Mr. Spencer, the only survivor in the party on the private car, save for a porter, was a miracle. The injuries he sustained are not serious and he will be able to leave the city hospital here probably by the first of the week.

### SPENCER'S FUNERAL.

Washington, Nov. 30.—The bodies of Charles D. Spencer and Frank T. Redwood, both of Baltimore, who were killed in the collision near Lawyers, Va., when President Samuel Spencer, of the Southern railway lost his life, were sent to Baltimore early today. Arrangements for the funeral of President Spencer have not been completed, but burial probably will be in Washington. After a conference today with the family, Second Vice President Finley will announce arrangements.

### WAR ON BUTCHERS OF EAST SIDE GHETTO.

New York, Nov. 30.—A war on the butchers of the East Side Ghetto has been started by young residents of the district as a protest against the high price of meat. Recently the butchers put up the price of meat two cents a pound and in verbal explanation of the act said the packers had again raised the prices to the butchers and they had to pass it on.

## ALBERT YOUNG PLEADS GUILTY

Ex-President of Chicago Teamsters' Union Will Turn State's Evidence.

### CAUSED GREAT EXCITEMENT.

Business Agent of Coal Teamsters' Union and Member of Wrecking Crew Take Same Course.

Chicago, Nov. 30.—The dissensions which for the last year have prevailed in the ranks of the Teamsters' union here today were carried into the trial of Cornelius P. Shea, who, in company with 14 other men, is on trial for alleged conspiracy in connection with the great teamsters' strike of June, 1905, Albert Young, former president of the Teamsters' union, William Kelly, business agent of the Coal Teamsters' union, and William Murphy, said to have been a member of the "trekking crew" during the strike, withdrew their pleas of not guilty and entered pleas of guilty. All of the men declared their intention of turning state evidence.

The incident caused great excitement in the courtroom and took the other defendants completely by surprise. Shea and Young had for years been close friends and had worked through a number of strikes side by side.

Since the last convention of the Teamsters' union, however, they have been opposed to each other.

As soon as court opened today Atty. LeRoy Brown, who has not previously appeared in the case, addressed Judge Ball, saying:

"Your honor, I desire to give notice that I herewith enter my appearance as counsel for the following named defendants in this case: Albert Young, William Kelly and Michael Murphy."

The attorneys for the defense showed their surprise regarding their acquiescence and a moment later when it was announced that all three men desired to enter pleas of guilty, they were for a time taken completely aback. President Shea, sitting in his chair and stared fiercely at Young, who returned his look with an indifferent stare. The statement was then made by Atty. Brown that his clients desired to turn state evidence.

The attorneys for the defense then informed the court that they demanded the right of re-opening the examination of the jurors in order to question the jurors regarding their acquiescence in the case. A recess until this afternoon was requested by the defense and an exception was taken by the defense. A recess until this afternoon was requested by the defense and an exception was taken by the defense.

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### NEW SPANISH CABINET.

General Regret Over the Inopportune-ness of Ministerial Changes.

Madrid, Nov. 29.—Senator Moret y Prendergast has formed a new cabinet and his appointments have been accepted by King Alfonso. It follows: Premier—Moret y Prendergast. Ministers: Foreign Affairs—Perez Caballero. Interior—Senor Barroso. Finance—Fleuterio Delago. Public Works—Senor Delago. War—Lieut. Gen. De Laque. Marine—Duke of Alba. Justice—Count Romanones. There is no minister of worship and education.

There is general regret regarding the inopportune-ness of ministerial changes during the present unsettled condition of Spain's commercial relations with foreign powers and the Moroccan situation. It is considered, however, that the present commercial negotiations are sufficiently advanced to bind the new cabinet to the policy of its predecessor, while the taking over of the foreign office by Perez Caballero, who was one of Spain's delegates to the International Moroccan conference at Algiers, assures a continuance of the present understanding with France.

### SQUADRON SAILS FOR TANGIER.

Toulon, France, Nov. 28.—Admiral Touchard's squadron sailed for Tangier today.

## REORGANIZATION OF FIGHTING VESSELS

To be in Two Fleets for Service On Atlantic and Pacific Coasts Of United States.

### MAY BE READILY MOBILIZED.

Adequate Naval Force Needed in the Pacific—Plans Will Be Completed About Jan. 1.

Washington, Nov. 29.—The completed plans for the organization of the fighting vessels of the navy in two fleets for service on the Atlantic and Pacific coasts of the United States in such manner that the "whole force may be readily mobilized in cases of emergency," is announced by Rear Admiral Converse, chief of the bureau of navigation of the navy department, in his annual report made public today. The concentration of the battle fleet in the American waters and the assignment of all vessels therein to the command of one flag officer, will be completed about Jan. 1, next. Rear Admiral Converse said that, owing to our responsibility in the Philippines and the far east generally, an adequate naval force is needed in the Pacific ocean. The assignment of the ships of the battle line to Atlantic waters of cruisers and gunboats to Pacific waters, in accordance with present strategic requirements.

### ATLANTIC FLEET.

First Squadron, First Division—Connecticut, Louisiana, Maine, Missouri. Second Division—Georgia, New Jersey, Rhode Island, Virginia. Third Division—Florida, Kentucky. Fourth Division—Ohio, Indiana, Iowa. Third Squadron, Fifth Division—Tennessee, Washington, St. Louis. Sixth Division—Columbia, Des Moines, Cleveland, Tacoma. Fourth Squadron, Seventh Division—Dixie, Marietta, Newport, Don Juan De Austria. Eighth Division—Prairie, Dubuque, Paducah, Scorpion.

### PACIFIC SQUADRON.

First Division—Charleston, Milwaukee, Albany, New Orleans. Second Division—Chicago, Yorktown, Boston, Princeton. Fourth Torpedo Flotilla—Frebile, Paul Jones, Parry, Farragut, Goldsborough, Rowan. At an early date it is expected that the Asiatic fleet and the Pacific squadron will be merged into one Pacific fleet under the supreme command of a flag officer of the highest rank in the service and the Asiatic fleet is now organized.

The bureau of navigation is making every endeavor to secure a battleship strength of 15 in the Atlantic fleet, divided into two squadrons which will furnish every opportunity for the practice of battle tactics and will enable the higher officers to acquire facility in their exercise of a large fleet, and in maneuvering and dispatching the squadron against another.

### FROM GALAPAGOS.

Scientists Return With Seventy-five Thousand Specimens.

San Francisco, Nov. 30.—The schooner Academy arrived here yesterday from Galapagos islands with a party of scientists on board, which has spent the month on the islands, making a collection of the flora and fauna. There are 75,000 specimens in the new collection, which include the Galapagos varieties of plants and animals. The largest in the world, 4,000 specimens of reptiles and 10,000 specimens of birds, among which are many new species. The party also collected 10,000 specimens of plants and 40,000 specimens of both land and sea life. R. H. Baker, the zoologist, was in charge of the expedition.

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London, Nov. 29.—Although it has been feared that the recent speeches of

## GILLETTE A HARD HEARTED WRETCH

Admits That When Grace Brown Jumped From Boat He Did Not Try to Reach Her.

### HE DID NOT SWIM TO HER AID.

Confesses His First Version of The Tragedy Told to Sheriff Klock Was a Lie.

Declares His Attorneys Advised Him To Tell a Different Story From That One.

Herkimer, N. Y., Nov. 30.—Chester E. Gillette told his story of Grace Brown's death again today, this time in response to questions put to him by a prosecutor who picked out every flaw in the accused young man's testimony. For three hours Dist. Atty. Ward questioned Gillette and to the surprise of everyone in the room, Gillette was as cool and confident when he stepped down to go to dinner as he was when he walked into court this morning. Gillette replied in the affirmative when Dist. Atty. Ward asked him if he swam to shore and left Grace Brown to die in the lake.

### FIRE IN PITTSBURGH.

Pittsburgh, Nov. 30.—Fire of unknown origin broke out early today in the stationery department of the Rust Manufacturing company, at 34 Second avenue, and damaged the plant to the extent of several thousand dollars. The blaze was so fierce for a time that it threatened the adjoining structures and all the engines in the down town district were summoned. Several firemen were slightly hurt by falling glass.

### P. O. BOX RENT UNIFORM.

Washington, Nov. 30.—An order has been issued by the first assistant postmaster general looking toward the adoption of uniform rates of rent for boxes of postoffices. The revised rates will affect every postoffice in the United States. It is not the intention to make an increase in box rents. While some rates will be raised, others will be considerably lowered, the aim being to correct inequalities.

### BARRETT HEARST IS WILLING.

Mexico City, Nov. 29.—William R. Hearst, interviewed here tonight, modified the utterance recently attributed to him that he would not accept any other nomination, by saying that if circumstances warranted he would accept more he was a candidate for office. He did not designate the office.

### BALLOT BOX STUFFERS.

Pardoned That They May Testify Against Reuf and Schmitz.

Sacramento, Cal., Nov. 30.—At the request of Atty. Henry G. Barber, has pardoned Steffens and Wyman, the ballot box stuffers, in order that they may testify against Abraham Reuf and Mayor Schmitz of San Francisco. Steffens and Wyman were sentenced to five years imprisonment for stuffing the ballot boxes at the local primaries held a short time before the last election of Mayor Schmitz. Through the intervention of the county attorney, Reuf secured control of the county Republican convention. Charges were made that Steffens and Wyman were acting as election officers had stuffed the ballot box in favor of the late Mayor Schmitz. They were before Judge Lowler and convicted and sentenced to the penitentiary. When Judge Lowler came up for re-election Nov. 6 last, Reuf and his adherents made a bitter and strong fight against him, and it was the nomination of two men as candidates for superior judge in both the Republican and Democratic tickets in order to make Lawlor's defeat certain, that brought the present prosecutions for graft to a focus. Lawlor was elected judge and already some of the cases of some of the men indicted have been assigned to him for trial.

### BEWARE OF FALSE PROPHETS.

Geo. F. Baer Declares That Injunction Needed in These Days.

New York, Nov. 30.—George F. Baer, president of the Reading Railroad, in an address at Reading, Pennsylvania, yesterday, according to a special to the World, declared that in our day we need to heed the injunction to "beware of false prophets." The present tendency to "hear" and "flee" from strange doctrines.

### FROM GALAPAGOS.

Scientists Return With Seventy-five Thousand Specimens.

San Francisco, Nov. 30.—The schooner Academy arrived here yesterday from Galapagos islands with a party of scientists on board, which has spent the month on the islands, making a collection of the flora and fauna. There are 75,000 specimens in the new collection, which include the Galapagos varieties of plants and animals. The largest in the world, 4,000 specimens of reptiles and 10,000 specimens of birds, among which are many new species. The party also collected 10,000 specimens of plants and 40,000 specimens of both land and sea life. R. H. Baker, the zoologist, was in charge of the expedition.

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