SINGLE COPY THREE CENTS.

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OMAHA, THURSDAY MORNING, MARCH 31, 1904—TWELVE PAGES.

Objects to a Staten and by Attorney for Mr. att.

IGNORES THE RULING OF THE COURT

Is Ordered to Eit Down and Relapses Into Silence.

INCIDENT CAUSES A SENSATION Speciacular Scene Follows Assertion of Judge Krum.

Declares That the Contents of Scaled Communication Do Not Represent the Sentiments of

Mr. Bennett.

NEW HAVEN, Conn., March 30,-The hearing of the appeal of William J. Bryan from the decision of the probate court excluding the \$60,000 "sealed letter" as a part of the will of P. S. Bennett was continued today in the superior court. Judge Stoddard, counsel for Mrs. Bennett and other heirs, regarding the admissibility of the "sealed letter," today supplemented his argument of yesterday by a brief address which he reviewed the main points, Stoddard laid special emphasis on the as-England have never admitted a document like the "sealed letter," and he referred theater. to many authorities and decisions. The fact that the letter was signed by the acter, he said. "It is no part of the will, was not properly executed, and if allowed to be entered in this court will be contrary the Imperial theater at St. Petersburg. hibit fraud, undue influence and position,"

continued Mr. Stoddard. the letter was not properly attested by cleared up. three witnesses and was not described in the will as being a part of the will. "It is PANAMA SURPRISED AT THE DELAY apparent," he said, "that this paper was never intended to be a part of Mr. Ben- Has to NegotiateLoan Recause Canal nett's will. Counsel for the other side will say that this paper was contemporaneous with the will. Where a paper is executed at the same time at which the will is executed why does not the party make it a of the agreement on the exchange of ratipart of the will? It is clearly apparent that there has been no intention to do so." Judge Stoddard quoted from the letter that part which says that the letter was

to be read by the widow alone, and asked: Do you mean to say that this document was ever intended to be spread on the public records, 'read by you alone'? There is nothing in that which can possibly be construed as being a technical part of the testament of Mr. Bennett. It was a letter of instructions, the very terms of which show that conclusively.

Questions Bryan's Sincerity. A sensational incident occurred when Mr. Stoddard in the course of his argument declared that the sealed letter did not express the truth and did not represent the sentiments of Mr. Bennett.

Mr. Brynn, who had entered the court was interrupted by Mr. Stoddard, who said with great emphasis that Mr. Bryan was "hiding behind a subterfuge in this NTCARAGUA IS BUYING FIREARMS. important matter," and that it was about time Mr. Bryan said something. Stoddard referred to certain letters which were said to have passed between Mr. Bryan and Mr. Bennett, but while Mr. Bryan was still trying to get an opportunity to speak the court ruled that all reference to the letters mentioned was inadmissible at this time. Mr. Bryan insisted on being heard, however, saying: "Your honor, Judge Stoddard has made a statement that is contrary to a fact and wish to refute it. It must be stated right. The court replied: "Mr. Bryan, I should

the court has made a ruling you cannot go and break it. Please sit down. Mr. Bryan thereupon seated himself, and Judge Stoddard was allowed an objection. The letters referred to are said to contain an announcement of the intention of Mr. Bennett to withdraw the letter he had already written in which he had expressed a wish that Mr. Bryan should have \$50,-

000 from his estate. At the hearing in the probate court it was stated that, although Mr. Bennett at one time desired Mr. Bryan to have \$50,000 in accordance with the terms of the "sealed letter," he had changed his intention and had he lived he would sooner or later have withdrawn the letter which is now in con-

When Judge Stoddard had concluded his address he was followed by Attorney Hewitt on behalf of the appellants, who quoted from several cases, in which he claimed the same conditions existed, as inthis case, and made a strong plea for his

Attorney Newton, one of Mr. Bryan's counsel, argued for the admission of the 'sealed letter" as evidence. He contended that Mr. Bennett certainly intended that are handsome and dress in gaudy costhe sum of \$50,000 should go to Mr. Bryan. "Should Mr. Bryan refuse it," he said, "Mr. Bennett intended that the money should be divided for educational and charitable pur poses. We protest against the charge that Mr. Bryan is trying to get this \$50,000 for himself, and as his attorneys it is our duty to say that it is his purpose to fulfill the trust made by Mr. Bennett to the letter."

Arguments Take All Day.

The day was taken up entirely by argu-"sealed letter," Judge Stoddard concluding that other ships have smaller fares. the argument that he began yesterday. He was followed by Attorney Hewitt, after for over two hours, showing the relations seals have as yet been accounted for and reason for appeals and facts to show why 240,000, whereas last year it exceeded 200, the admission of the "sealed letter" is

Judge Stoddard then replied briefly, He said for some unaccountable reason Mr. Newton wishes to eulogize Mr. Bryan and tried to impress the court with the fact that Mr. Bryan did not want the money for his own financial sid.

'In the letter," said Judge Stoddard, "we find that the gift is to Mr. Bryan 'or to his heirs if they survive him.' Just what kind of charity Mr. Bryan is in favor of.

whether it is that which begins at home, I Judge Gager adjourned court until tomor-

row. Judge Gager will rule on the admission of the "sealed letter" tomorrow morn-

Advertising Company Bankrupt. BOSTON. March 30.-A petition in bank

BOER LEADER WANTS PEACE PELLETAN ANSWERS ATTACK

Regrets Proposed Reproduction o the War at St. Louis Exposition.

KRUGERSDORP, March 30.-General De larey, the former Boer commander, ad-dressing a congress of farmers, said today that he regretted the forthcoming representation of scenes of the Boer war at Probable There Will Be No Change in the St. Louis exposition, which he said would be a shameful production.

General Delarey said he wished to bring to the notice of the world the fact that the Boers had abandoned all thoughts of vindictiveness towards Great Britain and that now it was their privilege to work in

FIND GREULING GUILTY OF MURDER,

OUESTIONS TRUTHFULNESS OF LETTER Charged with Murder of Roumanian

Singer in Paris. PARIS, March 30.-Frederick Greuling, the murder of Elise Papesco, a Reumanian singer, in his room at the Hotel Regina, October II last, was today declared guilty. circumstances in the case and Greuling was state of efficiency. sentenced to ten years at hard labor and to ten years' police supervision.

It was announced from Paris October II last that Greuling reported to the cierk of the Hotel Regina that a young woman, Elise Papesco, a Roumanian singer, had killed herself. When the body was examined by a physician a bullet wound was found in the base of the skull and another a the temple

Grueling was held on the charge of mur der. According to Gina Papesco, sister of the jury being meanwhile excused. Mr. the dead woman, Greuling proposed marriage to Elise, claiming he was rich, and sertion that the courts of this country and said he was opposed to her going to Bucharest to fill an engagement at the Royal

The murder of Elise Papesco recalled an other violent death in Paris, that of an testator makes no difference in its char- American singer, Mrs. Ellen Gore, in November, 1902. She was found dead in the campaign as against the minister of macom of Jean de Rydzewsky, a singer of rine. to all law in Connecticut framed to pro- Although the United States, French and Russian governments took a deep interest in the elaborate investigations which fol-Continuing, Mr. Stoddard contended that lowed, the mystery was never satisfactorily

Money is Not Paid. PANAMA, March 30.—Great surprise is alleged nonfulfillment by the United States fications of the canal treaty, to pay to a question inexpedient. The interpellation, the new republic the sum of \$10,000,000. It is said the delay of the United States to make the payment has forced the govern-

WASHINGTON, March 30 .- The reason for the nonpayment up to the present time of the \$10,000,000 to be paid Panama or account of acquisition of the canal territory doubtless is to be found in the fact that title cannot be taken to the canal and the rights therein until after certain necessary formalities in Paris, whither two law attend a family gathering on the occasion gone to see that the Panama Canal company regularly conveys its rights and title Press on March 3 announced that pay- and military authorities. After their currently about April 1.

Consul at New Orleans Says Troops Are Being Rearmed. HAVANA, March 30 .- The Nicaraguan government steamer Ometope sailed for Bluefields today with 5,000 Remington rifles purchased from a Spanish hardware house here. The Cuban government, in response to the solicitation of the Mearaguan government for the purposes of this purchase had suspended the recent requirem firearms in quantities stored in Havana must be taken to the fortress of Cabanas. Senor Ramon Echarreta, Nicaraguan conthink that you ought to know that when sul at New Orleans, who negotiated the purchase, said to the Associated Press; 'Nicaragua has just purchased 21,000 rifles and 4,000,000 rounds of ammunition from Spain and expects to buy more."

The consul said that Nicaragua was re arming its troops, but this did not bode any fear of a revolution.

HAIRY AINUS FROM HOKKAIDO. Little People Will Be Exhibited at

World's Fair. VICTORIA, B. C., March 30 .- The Canadian Pacific steamer, Empress of Japan, arrived from Yokohama today. Among her passengers were a party of hairy Ainus from the island of Hokkaido, in charge of Prof. Fred Starr, lecturer in the Department of Anthropology at the University of Chicago. He is to be in charge of that department at the St. Louis exposition. He collected these extraordinary people among the mountains of Hokkaido and after much persuasion they were induced to leave their country for the fair. The men are small, but well proportioned and have long beards and intelligent faces. The women

CATCH OF SEALS WILL FALL SHORT. Only 216,000 Animals Have as Yet

Been Accounted For. ST. JOHNS, N. F., March 20.-The steamer Greenland, which has arrived here with 20,000 seals, reports that the steamer Vanguard has a catch of 17,000, the Newfoundland 14,000, the Bloodhound and the Ranger 7,000 each, the Southern Cross and the Diana 6,000 each, the Iceland 4,000 and

The outlook is very unfavorable and it is feared that the seal fishery will show the which Attorney Newton addressed the court smallest results for years. Only 26,000 between Mr. Bryan and Mr. Bennett, the the total catch is not likely to exceed

> COTTON CAUSES BIG LOSS IN WAGES Statement Issued by the Federation

of Master Spinners. LONDON, March 30 .- Charles W. Macara, president of the Federation of Master Cotton Spinners' associations, today issued an exhaustive statement on the situation of the wage earners, resulting from the neces sity of shorter hours, amounts to \$550,000 weekly or \$6,875,000 since the short time was When the arguments were concluded started. This amount is born by 500,000 people. The total loss to the employers is \$300,000 weekly, making that loss to Lan-

Emperor's Health is Normal.

cashire \$750,000 weekly.

BERLIN. March 30 .- Inquiries made in onsequence of a report published in Paris har alarming news had been received concerning Emperor William's health, elicit went to Hot Springs, Ark., for his health excort of the Nashville. These warships reputation and read a letter from Senathe announcement that the condition of his four weeks ago, jumped from the fifth will reach St. Louis about April 23, but it is tor Allison. Overholther requested the is otherwise discredited.

WASHES CARS FROM TRACK

French Minister of Marine Denies Charges of Inefficiency.

COMMISSION WILL EXAMINE THE NAVY

the Cabinet, as a Result of the Marine Campaign.

PARIS, March 30 .- In the Chamber of Deputies today the campaign for the opposition against M. Pelletan, minister of marine, failed to shake the government's position which obtained a majority of eighty on a test vote.

After Deputy Lockroy, radical republican, had concluded the bitter attack which he began yesterday on the present adminishe editor of an art paper, charged with tration of naval affairs. Minister Pelletan charges made against his ministry and escaping to the hills. maintaining that the French navy in both VINCENES, Ind., March 30.-The great

> parliamentary commission. He said he desired an investigation which would satisfy all unprejudiced persons and therefore the Belgrade levee will be enormous on

national defenses would be communicated for pointed without delay. The motion was carried by a vote of 318 to 218, this indicating that there will be no

POLITICS IN SALE OF VESSELS. Statement Made by Officer of Hamburg

American Line. HAMBURG, March 30 .- At the annual meeting today of the stockholders of the were flooded. Hamburg-American Steamship company plan was formed by a number of stockhold- ARRESTS MOYER ONCE MORE ers to interpellate Herr Ballin, the director general of the line, in regard to the remanifested in all circles here over the ported sale to Russia of vessels belonging to the company, but it was explained to them that political reasons rendered such therefore, was withdrawn.

Herr Ballin announced freight rates from tory, but that the passenger business conment of Panama to float a loan in New tinues to improve.

> KING AND QUEEN VISIT DENMARK. Royalty of England Attend Family

Gathering at Copenhagen. COPENHAGEN, March 30.-King Edward and Queen Alexandra arrived here today to shorts But officers of the Department of Justice have of King Christian's Sith birthday. They were received at the railway station by all the members of the royal family, the cabto the canal property. The Associated inet ministers, diplomatic corps and civil room a short time before, jumped to his ments to the canal company and to the feet immediately and started to speak, Republic of Panma would be made con-Edward and King Christian the first, and Queen Alexandra and the crown prince the second. They drove to the palace enthusiastically greeted by great crowds,

BRITISH MUST SAVE AMMUNITION.

Ships at Victoria in Readiness for Orders to Distant Quarters. VICTORIA, B. C., March 20.-It is re

ported that the vessels of the British naval squadron on this station have received orders from the admiralty to cancel their quarterly practice firing with the light and heavy guns, reserve their ammunition and hold themselves in readiness for instant orders to sail for a distant quarter, presumably Chinese waters. The cruisers are therefore temaining in or very near Esquimalt harbor.

Emperor William's Hinerary. GAETA, Italy, March 30.-Emperor Willam, on board the imperial yacht Hohenzollern, left here today for Messina, Sicily

escorted by the German' cruiser Prinz Friedrich Karl. Aemelius Jarvis is III. Jarvis, the well known yachtsman, skipper

tuberculosis. UNIQUE REQUEST OF WOMAN

While Others Ask Reduction in Taxes She Wants Her's

NEW YORK, March 30 .- All records of the tax department in Greater New York permitted to write and fill a prescription have been broken by a woman whose name calling for whisky the check is virtually rehas not been made public. She accomplished this by appearing before Commisstoner Brady and protesting that her asrecovering from his astonishment, raised the amount from \$22,000 to \$27,000, making a Start from Portland on the difference of \$70 in the levy. For several days the commissioners have been busy listening to complaints of persons who reside elsewhere and wished to swear off the tax here on personal property. Therefore, the officials were completely taken aback by the woman's unique request and endeavored to secure her photograph for the department records.

GREAT WESTERN WOULD GROW Report Made that it Desires to Buy Green Bay Railroad.

LA CROSSE, Wis., March 30.-Local railroad officials state that the Great Western railroad is negotiating for the purchase of the Green Bay road, which would give the former road a line to the Great Lakes through Wisconsin from Winona. Minn. President Stickney of the Great Western is scheduled to make a trip over

the Green Bay line this week. LEAPS FROM FIFTH STORY

Meets Death at Hot Springs After Short Residence

MARSHFIELD, Wis., March 20 .- A dis patch was received here today, stating that Frank A. Cady, a prominent attorney of this city and former assemblyman, who noon and was instantly killed,

in Missouri Causes Train Crew to Swim for Life.

PIEDMONT, Ma., March 20 .- The Black river has steadily risen during the past week, until today it reached twenty-two feet, which is five feet higher than any previous record. The country is inundated for miles; farm houses have been floated from their foundations; thousands of feet of lumber have been destroyed by the large areas of forests devastated, and, except by wire, this town is completely isolated. It is reported that Rodney Malloy and his wife and James Mangan, his bired man, living four miles from here, have been drowned. The Malloy home has been washed away.

A wave six feet high struck a freight gine from the track and almost drowned the crew before they could swim to safety. The village of Mill Spring is flooded.

The jury found that there were extenuating ships and personnel was at present in a Beigrade levee broke today, causing the worst damage resulting from any single Premier Combes wound up the debate by break. Many houses were washed from declaring that the government accepted their foundations and much live stock has the resolution proposed by the members of been drowned. The break increased the the majority for the appointment of an water at Westport, where the flood is now extra parliamentary commission to ex- in the second story of every house. The amine the condition of the navy, said that town has been abandoned. Two-thirds of owing to the intensity of party feeling in Lawrence county is under water, in many the chamber it was impossible to accept a places twenty feet deep. A hard rain is The damage caused by the breaking of

> made the question a question of confidence. the Illinois side, although it has relieved The premier pledged that all documents the Indiana side. Messengers have arrived which would in no way compromise the by boats from the flooded districts asking volunteers to assist in rescuing the to the commission, which would be ap- flood-bound people. Many boats have started to the rescue.

> INDIANAPOLIS. March 30 .- At a special seeting of the city council today \$25,000 change in the cabinet as a result of the was appropriated to make immediate repairs of flood damage in the city and an ordinance was introduced to sell \$200,000 bonds to make further repairs.

Mrs. Elmira Wright died today from exosure during the flood. She died at the ome of her rescuer, Roy Stratton, aged 18, who is credited with saving fifty persons from the high waters whose homes

Colorado Militia Takes President of Miners' Federation Upon His Release.

TELLURIDE, Colo., March 30 .- Charles H. Moyer, president of the Western Federthe United States remain very unsatisfac- ation of Miners, who has been held in jail here since Saturday on a charge of desecrating the flag, was released today by County Judge Waldlaw on furnishing a bond for \$600, but was immediately rearrested by a squad of soldiers acting under orders of Adjutant General Sherman M. Bell. The nature of the charges on which he is held by the military has not been

> Sheriff Rutan has gone to Denver for the purpose of arresting William D. Haywood, secretary of the Federation, on a warrant which has been issued, charging him with

desecration of the fing. DENVER, March % -William T. Hay-wood, secretary of the Western Federation of Miners, was arrested here today on a charge of desecrating the flag. He was reeased by Justice Pynes on a 1900 bond at the case set for April 2. The warrant on which the arrest was made was served before Sheriff Rutan arrived from Telluride with a warrant charging the same offense, the purpose being to foil the attempt to remove Haywood to Telluride, where he would be liable to be held a prisoner by the military indefinitely.

The charge of flag desecration made against President Moyer and Secretary Haywood is based on the issuance of a dodger by the Western Federation of Miners signed by two officers. The background is a picture of a United States flag and it is headed "Is Colorado in America?" On the stripes are short sentences commenting in sarcastic language on the policy of the government and the military.

DECIDES AGAINST THE DOCTOR Physician Cannot Mix Own Prescrip-

tion in Missouri if Principal

Ingredient is Whisky.

ST. LOUIS, March 30 .- A decision was St. Louis strike. handed down in the St. Louis court of ap-TORONTO, Ont., March 30.-Aemelius peals today which will prevent physicians who are also druggists from filling their of all the Canadian boats in the contests own prescriptions when the principal infor the Canadia's cup, is dying here from gredient of the prescription is whisky. The case was that of T. S. Manning of Audrain ounty, who was found guilty of violating the drug dramshop law and was fined \$100. He appealed on the ground that he was a physician and also a druggist and had a and fill the prescription as a pharmacist. The court holds that the requirement of a rescription is intended as a check on the pharmacist, and that if the same man is

moved, and therefore the judgment of the lower court is sustained. sessment was too small. The official, after JAPANESE VILLAGERS ARRIVE to the St. Louis Ex-

> PORTLAND, Ore., March 30.-The Japatese that arrived on the Portland and Asiatic liner Indrapura on their way to St. Leuis, where they will be employed erecting the Japanese exhibit, have left for the east.

position.

A part of the cargo brought by the Indrapura is the material for the Japanes exposition exhibit at the World's fair. I contains a number of Japan's famous trees, ome of which are said to be several hundred years old and only two or three feet high. Other trees of the average size are iso included in the exhibit. There are numerous crates of curiously perfumed wood that will be used in the erection of the Japanese buildings at the fair. A quantity of fancy work and decorative material shipment.

WARSHIPS FOR ST. LOUIS Gunboat Nashville Will Escort a Torpedo Boat Destroyer to the

World's Fair, ST. LOUIS, March 30 .- A letter was re ceived today by Mayor Wells from Commander John Hubbard of the gunboat Nashville, now at Pensacola, Fla., saying that he had been authorized to announce

HEINZE MUST PAY BIG SUM

Montana Copper King Fined \$20,000 for Contempt of Court.

UNDER ARREST UNTIL THE FINE IS PAID

Litigation Resulting in Decision of Four Years' Standing and is

> Over Michael Davitt Claim.

BUTTE, Mont. March 30 .- F. Augustus Heinze, the Moniana copper magnate A. L. Frank, superintendent of the Johnstown Mining company, and J. H. Trerise, superintendent of the Rarus mine, Heinze train near Leeper, threw the train and en- properties, were found guilty of contempt of court by Judge Beatty in the United States court today in the action brought by the Butte & Boston Mining company Many of the inhabitants are living on against the defendants for entering the replied in his own behalf, denying the their housetops and others succeeded in Michael Davitt lode claim and extracting as the Enargite vein.

Mr. Heinze was fined \$20,000, while Frank proper form through the military to raise and Trerise were fined \$1,000 each, the fines the flag over the building from which it to be paid by it o'clock tomorrow morning | was removed. The British flag, which was or the defendants to be taken to Helena in ordered taken down, will also be allowed custody of the United States marshal and to remain confined until the fines are paid. Carlos Warfield, another defendant, was found not guilty and discharged.

The litigation which resulted in F. gustus Heinze being fined today is of four years standing and is over the Michael Davitt claim, adjoining both the Rarus mine, owned by Mr. Heinge, and the Pennsylvania, owned by the Amalgamated Copper company. In the latter part of 1899 the claim was put under injunction by Judge Knowles of the United States district court, both parties to the suit being enjoined pending decision as to title, which decision is still pending.

Up to June of last year both parties observed the injunction. Later the Heinze concern, owning the Rarus, began, it is alleged, to mine the claim in open violation of the court's injunction. Federal Inspectors appointed by Judge Knowles were refused admittance to the Rarus, whence they wished to get into the Davitt, even when guided by United States Marshal Lloyd.

Circuit Judge Scale called in Judge of the federal court had been violated. Yalu river. Three weeks ago Mr. Heinze, Trerise and Frank were arrested by Marshal Lloyd, on the Yalu river do not exceed 40,000. Trav-Judge Knowles' order, after they had re- elers report having seen troops fused the marshal and federal inspectors to go on parole until Judge Beatty could

The text of the decision shows that the fine is practically a deposit ending final adjudication of the ore bodies in controversy. In an interview this afternoon Judge Beatty said;

Beatty said;

Should later developments in the trial of the case prove that Mr. Helnze is entitled to this ore the money should be returned to him, or at least part of it, but I believe in any event he should pay a fine for the violation of the injunction order. Should the plaintiffs be entitled to the ore I believe the money should be turned over to them to apply on the payment of the judgment.

TEAMSTERS ARE IN THE DARK International Union Officers Have No after being warned to do so by a canton Sepanoff, who was smong the Russians Official Information of Indict-

INDIANAPOLIS, March 30.-Nothing is will take away all Americans who desire officially known at the headquarters of the to leave. International Brotherhood of Teamsters about the indictment at St. Louis of sev-

eral of its officers at St. Louis. At the headquarters it was said today here is no officer by the name of Daniel Thurman of Chicago, but it was though that Daniel Furman of Chicago, secretary of the local union, must be meant, though he has not been in St. Louis during the strike, which began about January 20. The general secretary of the organization is E. Turley of this city. Albert Young, general organizer, who is mentioned in the the native newspaper men will be allowed dispatches, resigned from his position last | to do so.

President Shea has been in California for more than a month, but went to St. Louis on March 25 and is expected to re turn tonight. Rowbothan has been in charge of the funds for the maintenance of the strikers. Charles Robb had been in St. Louis for several days, Innes, whose home was in Detroit, was in charge of the

LARGE FLEET OF WARSHIPS assembled Off Florida Coast to Engage in Target Practice-Alabama Establishes Record.

PENSACOLA, Fia., March 30.-With the rrival here today of the gunboats Newport right to prescribe whisky as a physician and Castine from Colon, the largest fleet of United States warships ever assembled in times of peace is gathered here. The ombined fleet engaged in target practice includes seven battleships, five cruisers. seven gunboats, three monitors, two torpedo boat destroyers, besides a number of tenders, colliers and supply boats. The flect includes more than twenty-five vessels of various classes. The battleship Alabama has established a new world's secord for rapidity and accuracy in firing all classes of its guns. It came into port today after a week spent at the target range and its officers report that its record is much better than that of the Kearsarge, made last week. The percentage is being worked out by the target inspectors.

RESULT OF THE TRAFFIC WAR St. Louis Southwestern Proposes Withdraw from All Railroad

Membership on April 6.

ST. LOUIS. March 30.-It was announced at the general offices of the St. Louis Southwestern Railway company (The Cotton Belt Route) today that at the close of business on April 6 the Cotton Belt Japanese Refugee Says There would withdraw from all memberships. both freight and passenger. This is the result, it is said, of a controversy over for the Japanese pavillon is included in the freight rates between the Cotton Belt, the the Memphis Freight bureau.

IOWAN MUST SERVE TWO YEARS

Former Congressman Convicted of Forgery Requests Court to Change Sentence to Life Imprisonment.

LOS ANGELES, March 30 .- J. Overholther of Iowa, aged 64 years, a former member of the Iowa legislature, was sen to the authorities of St. Louis that the tenced today to serve two years in state Navy department had decided to send a prison for forgery. His attorney pleaded torpedo boat destroyer to St. Louis under for leniency on the ground of former good majesty's throat is normal and the report story window of a hotel there this after- not known how long they are to remain court to change the sentence to life im- seried, the action of the marquis checks prisonment.

NEBRASKA WEATHER FORECAST

Pair Thursday, Preceded by Showers

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WILL HONOR THE AMERICAN FLAG RUSSIANS SAID TO HAVE LOST ABOUT TEN

Emblem Removed at New Chwang is to Be Restored.

NEW CHWANG, Tuesday, March 29. Inder a strong representation made by United States Consul Henry B. Miller that the civil administrator had invaded neutral rights when he ordered the lowering of the American flag from buildings belonging to American citizens, even though it was done through the apprehension that the flag was Hegnity used by Chinese for the purp therefrom valuable ore on what is known of resisting police inspection, the civil administration has promised to duly and in

M. Protasieff, viceroy Alexieff's financial agent, says that it is not Russia's intention to strangle the shipping trade at New Chwang, and he consents to negotiate Day before yesterday the Japanese at-

terms which will facilitate it. Five merchant ships, which arrived on Sunday last, but were not admitted into the harbor until today, report that they saw a Russian fleet of nine warships cruising off Port Arthur at a distance of twelve miles out at sea. The protected ing the Russians retired northwards, the cruiser Askold was farther cut, acting as Japanese taking the town. scout, while the forts ashore were making experimental shots under directions of the seen close inshore.

The police were in force throughout the shipping district here when the ships arrived and were active in enforcing their authority established by the recent order promulgated by Vicercy Alexieff.

A reliable report from the vicinity of the points northwards toward the Yalu, Yalu river states that everything is quiet in the interior cities. Native theaters are running and the Chinese are undisturbed, except at An Tung, where all the large shops have been closed. The natives have Beatty to decide whether or not the orders been forbidden to cross or recross the The natives believe that the troops on

strenuous march along the Feng Hung admission to the mine. They were allowed Cheng road, footsore and weary. The bridges, which are partly temporary, are inundated, owing to the melting snows and rains. Sir Ernest Satow, the British minister at Peking, has informed residents of that

ationality in New Chwang that Great Britain will not keep a warship here, and he advises them to accept the situation as it is. The British residents regard Min- tained losses at least equal to our ister Satow's letter as inadequate to the ST. PETERSBURG, March 30 -A later roy Alexieff has approved a plan permitting cargoes to leave New Chwang.

or flags, and failing to heist lights or flags be sunk." The United States gunboat Helena has to the emperor today by Jeneral Kouropa received orders to proceed for Shanghai. It kin.

JAPS CONCEALING THEIR HAND.

Forbid Use of Telegraph Lines and Inconvenience Correspondents, LONDON, March 31 .- The Telegraph says the Japanese authorities have refused correspondents the use of the field telegraph to Tokio by mail. The paper further says that there is no sign that any foreigners will be permitted to go to the front, though

The Telegraph in an editorial on the unprecedented severity of this censorahip uggests that Japan has some new and mportant move to conceal, possibly the reembarkation of a portion of its forces already in Corea for some point in the theater of war, and is anxious to guard against the possibility of leakage through foreign correspondents who might sympa thize with Russia. A correspondent of the Telegraph at

Seoul reports that the Russians are evacuating the positions they occupy in Cores. Specials from Shanghai repeat that the mikado will shortly proceed to Corea with the headquarters staff. A correspondent of the Times at New

Chwang, cabling yesterday, says: "The Russian police have apologized and have reholsted the United States flag over the correspondents' mess.'

THINKS RUSSIA MADE A MISTAKE. Be Followed by Japan.

(Copyright by New York Herald Co., 1994.) BERLIN, March 304-(New York Herald ablegram-Special Telegram to The Bee.) -The trouble which has occurred between the Russian authorities and the British and to take at New Chwang, which is clearly American consuls at New Chwang has been The feeling in official circles is that the onsuls are taking the incident much more tragically than the governments in London

and Washington. At the same time it is considered that Russia has made a mistake in taking the step it has. No doubt New Chwang as a treaty port lies outside the sphere of op erations as designated by Secretary Hay's note to the powers regarding Chinese neatrality. If Russia thus gives an example of a breach of neutrality it cannot be surprized if Japan at a given moment claims. the same rights.

FOOD SUPPLY OF PORT ARTHUR. Enough for One Month.

NEW YORK, March 30 .- A Japanese mer chant who left Port Arthur in one of the many Chinese junks which are now driving St. Louis, Iron Mountain & Southern and a profitable trade supplying Port Arthur with foodstuffs, estimates that the food supply is sufficient for one month, says a Times dispatch from Wei Hat Wel. He asserts that the garrison does not exceed 10,000, excluding the naval strength. Work on damaged vessels is progressing diligently. In the hombardment of March 9. 90 per cent of the Japanese projectiles

> result, but no serious conflagrations. Ito Interferes with Schemes.

burst. There were three small fires as a

SECULL March 20.-The European pr gressionists claim to be disappointed at the Marquis Ito having discouraged radical government changes, on the occasion of his mission here, while in reality, it is asthe sfleged reformers' speculation schemes, of the crew and passengers, Chinese and

Official Report Says Only Five Japanese

Are Killed at Chong Ju. INHABITANTS MAKE THE LIST LARGER

Declare Forty Japanese, Are Killed and One Hundred Wounded.

Alleged That They Take Most of Their Dead with Them-

BATTLEFIELD COVERED WITH BANDAGES

Report Says Loss of the Enemy Must Be Equal to That Suffered by the Japanese

Troops. (Copyright by New York Herald Co., 1934.) SEOUL, March 30 -(New York Herald

Cablegram-Special Telegram to The Bee.) -The first land engagement in Corea has resulted in a victory for the Japanese army. tacked 600 Russians entrenched in the Corean town of Chang Ju, thirty-five miles north of Anju, on the main highway to Wiju. After several hours of severe fight-

The Japanese losses were three killed and rhips. A fleet of terpede boats was also wounded. The Russian losses are unknown,

they carrying their wounded with them. In all probability this is the first and last engagement on Corean soil, as the Russians continue to retire from all the

Official Japanese Report. LONDON, March 30 .- The Japanese legation here has received the following official report from Tokio of the fighting between Japanese and Russian forces at Chong Ju, Cores, Monday:

Chong Ju, Cores, Monday:

On March 28 a portion of our cavalry and infantry forces of apied Chong Ju after defeating the enemy. The enemy, who humbered about 600 then, retreated in the direction of Wiju. Cur casualities were Lieutenant Kano and four others killed. Captain Kurokawa and twalve others wounded of the cavalry force. There were no casualities among our infantry. Two dead bodies were left by the enemy on the field, but it is reported that rume seven or eight were killed inside the town. These were promptly carried off by the enemy on horseback or by ambulances. The Russians were seen conveying in an ambulance two dead men. apparently officers, and blood stained bandages were found scattered around. The enemy must have sustained losses at least equal to our own.

situation and severely criticise him. Vice- efficial dispatch from General Mishtchenko reports that on the sutherity of the inhabitants of Chong Ju the Japanese lost forty The commander of the Ruesian fleet bas men killed, 100 men wounded and a number issued the following notification: "Every of horses during the fighting there Monvessel of war or commerce discovered day. The Jaranese employed 600 Corenu within the sphere of war without lights bearers to carry their wounced to Anju. General Michtchesko adds that Captain shot, will be considered an enemy and will wounded, died ; esterday. The dispatch, which was dated March 29, was forwarded

SEEKS PAYOR OF GREAT BRITAIN.

St. Petersburg Newspaper Refers Bitterly to United States. ST. PETERSBURG, March 30, 4:28 p. m.

The Novoe Vremya today executed a faceabout, strongly supporting the idea of a Rosso-British understanding, in an editorial entitled "The Blindness of England." The paper argues that the success of Japan would be more injurious to England than to any other nation and points to the United States as the common rival of both. It ascribes Japan as America's sharpshooter, and says:

Remember what nation, in the person of the commander of one of its men of war at Chemulpo, refused to join in the collective protest of the other foreign commanders before the 'Apanese destroyed the Variag and Korietz.

Remember whose flag among all did not take on board the crews of our perishing ships. To the honor of England, the ally of Japan, it was not her representative, but the commander of the American ship.

The Americans attempt to cover the Pacific as an American Mediterranean. Would that be to the advantage of England? Does England not understand in its blind policy and hatred toward Russia that it is turning this ocean into an American Meditorranean? Sooner or later the European countries will recognize that America is their mutual enemy. Why should not Russia and England, in view other possessions outside of Europe, combine?

Some one will do England a great service by warning it of the economical and, perhaps, political Sedan which will be effected by the Japanese and Americans. Russian and English interests do not clash. Russia does not want India, but only wants open ses from India to Visdivostok and Pors Arthur. They are like two planets, which by combining and supplementing each other could dominate the

nenting each other could dominate the world. The diplomatists here cannot understand why there should be any protest against such military measures as Russia may care within the sphere of operations as laid down in its reply to Secretary Hay's note. Manchuria also being excepted by the other powers in their replies, Russia considers that it is acting entirely within its rights. It is pointed out that Japan in is reply to Secretary Hay agreed to observe the neutrality of China, as far as Russia did. Inasmuch as Russia has publicly declared its intention not to extend the war west of the Liao river into the portion of Manchuria previously evacuated by it a Japanese landing on the west coast of the Liso Tung gulf would make it responsible for an extension of the war into Chinese territory, which Russia cou-

The Grand Duke Michael, helr presumptive to the throne, has sent a reacript of thanks to the 15-year-old Count Mordvinoff, who subscribed \$12,500 to the navy fund.

SHIPPING RULES AT PORT ARTHUR

Russian Admiral Promulgates Orders Governing Vessels of All Nations. CHE FOO, March 30.-It is officially an-

nounced that Vice Admiral Makaroff, com-mander in chief of the forces at Port Arthur, has issued notification to the effect that all warships and merchant vessels entering the zone of operations at night without lights and during the day without flags, will be considered hostile unless they stop when a blank shot is fired. The captain, an olier and one passenger

of the Japanese coasting steamer Hanyei arrived at Teng Chow this morning and reported that the Hanyei had been fired on and munk by the Russian floet near the Minotao islands on the morning of March 28. They also reported that the remainder

approximate Pettingill & Co., an adversing agency of this city, has been filed in the United States district court by several few York and Boston newspapers. The abilities are placed at \$1,000,000, while the specta are estimated at about \$50,000.