

ESTABLISHED JUNE 19, 1871.

OMAHA, THURSDAY MORNING, DECEMBER 29, 1904—TEN PAGES.

SINGLE COPY THREE CENTS.

BARS OUT PROCESS

Colorado Canvassing Board Defies Officers of the District Court.

COURT VOTES BEHIND LOCKED DOORS Attempt to Break Into Room Prevented by State House Guards.

REPUBLICANS NOW CONTROL SENATE Two Democrats from Las Animas County Unseated and Replaced.

ADAMS FILES PETITION IN THE COURT He Asks that a Bi-Partisan Board Be Appointed to Examine the Boxes and Report to the Court.

VERMONT, Colo., Dec. 28.—(Special Telegram.)—At the statehouse today, a dispute between the two governors, both of whom claim to be governor-elect, caused a deputy sheriff to be deposed in the course of his duty and brought about a general election for the office of governor by ballot in the city and county of Denver to expose further frauds.

Carrying a writ of injunction from the district court against the State Canvassing board, a democratic official was refused admission to serve it. He then threatened to break down the door, but the show of strength by the republican statehouse guard and doorknobs stopped such action. Later in the morning Governor-elect Alva Adams filed a petition in the supreme court asking that all the ballot boxes in Denver be opened. Republican attorneys immediately declared, outside the court room, they would join in the petition.

"This is just what we have been wanting," said J. H. Hershey, attorney for the republicans.

Governor Adams' petition recites that evilly disposed persons are using the disclosures made before the supreme court to nullify the will of the people in the present condition of the state. It is injurious to the peace and property of the state. The petitioner insists that however extensive the frauds may have been, all legal voters have a right to have their ballots counted. Governor Adams suggests a bi-partisan commission to open and examine every ballot in all the boxes. A decision is expected tomorrow.

"I have no question about my election by substantially the majority represented on the face of the returns," said Governor Adams. "I believe if the frauds in outside counties had been getting my honest majority would amount to 20,000. But I want no tainted seat. It is of far greater importance that the extensive election frauds should be unseated and punished than that I or any other particular individual be favored in a return by the governor. I don't know who committed the alleged frauds in Denver. I know nearly thirty men are in jail ostensibly for contempt of court, but really charged with election crimes. If they are the characters represented by the newspaper that there are men at liberty far more deserving of jail than those who are incarcerated. I feel that some of those in jail have been unjustly dealt with. But be that as it may, I want this investigation made; I want it to extend from the head to the foot and I want the truth known."

The supreme court follows openly proclaim that the republicans stuffed the ballot boxes after the election to make the fraud showing they have made. Republicans say that the charge is absurd.

Republicans Get Senate. The members of the state canvassing board this morning consummated the plan which was the Peabody men a majority of the late senators. The board disregards the returns from Boulder and Las Animas counties unseated State Senator W. A. Beshear and seated their republican opponents, Millard and Barwell. This makes the Senate Senate nineteen republicans to fifteen democrats.

The supreme court this afternoon decided that it did not have jurisdiction in the matter of granting an injunction to prevent the state canvassing board from going behind the returns. The application was made by Dr. Beshear, democratic senator-elect, from Las Animas county, who feared that the board would throw out enough returns to seat Barwell, his rival. Directly after the decision was handed down the state canvassing board went into session behind closed doors and proceeded to complete its work. At about the same time District Judge Carpenter, on the application of Adams to open the returns, issued an injunction restraining the state canvassing board from getting behind the returns. Deputy Sheriff John Braemer was at the state house a few moments after the supreme court decision was handed down. He was refused entrance to the room of the canvassing board.

Deputy Sheriff Called For Aid. James Brown called for aid, who was present, why he did not tell the supreme court of the writ that had been issued. Mr. Kush said he was not serving papers, and then advised Braemer to stop at the door of the state house and proceed through the hall through the hall to the door of the board could hear and this would be as binding as if the writ had been served by hand. Deputy Secretary of State O'Connor, who was guarding the door, refused to allow him to do this and then Braemer sent a hurry call to the sheriff's office for help. He said if the doors were not opened he would break it down.

By this time news of what was going on was communicated to John Waldron, who was arguing in the supreme court on the application of Adams to open the ballot boxes. He immediately interrupted the proceedings and asked the court not to adjourn for the present. Then he told of the Carpenter injunction and how he would probably be asked for punishment of the judge and the others in contempt of the supreme court. At that time the doors of the canvassing board room were opened and the members accepted service. They announced that they had unseated Beshear, democratic in Las Animas county for Barwell and Ward, democratic from Boulder and the others, republican. They had held the door until they had completed the canvass. The deputy immediately returned to the district court and charges of contempt of Judge Carpenter will be made against the canvassing board.

Judge Carpenter Summoned. District Judge Samuel L. Carpenter and Attorneys Everett Bell and John A. Reah were later served with notice to appear before the supreme court tomorrow morning.

SENTENCED FOR AN ASSAULT

Cousin of Earl of Craven Physically Resents Criticism and Gets to Jail.

LONDON, Dec. 28.—A. E. Craven, a cousin of the earl of Craven, son-in-law of Mr. and Mrs. Bradley-Martin, formerly of New York, has been sentenced to twenty-one days in jail for a brutal assault on a fellow passenger on a train. The latter, while entering a crowded car, bumped against Mr. Craven's knee with his gripstick. Mr. Craven offensively demanded an apology and upon receiving a refusal struck the plaintiff in the face. Mr. Craven then loudly proclaimed himself "a gentleman whose name would be found in DeRrett and a cousin of the earl of Craven."

CHIEF DONAHUE EXONERATED

Police Board Dismisses Charges at the Cost of Elmer E. Thomas.

EVIDENCE DOES NOT SUPPORT ALLEGATION Unanimous Judgment of the Board is in Favor of the Chief on the Showing Made by Accuser.

At a meeting of the Board of Fire and Police commissioners yesterday afternoon a verdict in favor of Chief of Police J. J. Donahue, in the matter of charges filed against him some time ago by Elmer E. Thomas for the Civic Federation, was rendered: an address by Edward Rosewater, secretary of the Civic Federation, was listened to outlining certain suggestions in the matter of local reform, and the board will meet again at 2:30 this afternoon to consider protests filed by Elmer E. Thomas against the issuance of a license to William Garrity of 23 North Tenth, Minn. Ward of Tenth and Harney and G. M. Starford of 1302 Douglas, and possibly other protests.

JAPAN WANTS A NEW TREATY

Agreement with United States Would Enable Advanced Principles.

TOKIO, Dec. 28.—The Japanese government has agreed to negotiate an arbitration treaty with the United States. This is the result of American Minister Griscom's representations to Baron Komura, minister of foreign affairs, who has notified him that his government is pleased to accept America's invitation. Baron Komura further states that Japanese Minister Takahira is fully empowered to act with Secretary of State Hay to frame and sign a treaty of the kind at Washington. Although it is undrafted, it is expected that this instrument will be modeled on similar lines with a series of treaties recently signed by President Roosevelt and Secretary Hay, embodying the most advanced principles of international policy.

NO STEAMERS SOLD

Berlin, Dec. 28.—The Associated Press called attention to the Hamburg-American North German Lloyd lines to the reports circulated in London of recent sales of their steamers and marine equipments from both companies that no steamers had been sold. The Hamburg-American officials denied the specific denial that the steamer Phoenicia had been sold to an unnamed purchaser and that it was going to be sold at auction in light of a dispatch from Hamburg to a London news agency.

VENICE APPROVES AMERICAN IDEAS

VENICE, Dec. 28.—The American friend with William Henry Goodyear, the curator of the fine arts of the museum of the Brooklyn Institute of St. Mark's, has been published by the newspapers here and produced an excellent impression. It seemed to be the opinion of the American Art Educator that the condition of the basilica is not so grave as it appeared to be.

PURGE AMONG THE COCKSCACKS

ST. PETERSBURG, Dec. 28.—An official announced that a disease, the characteristics of which are similar to bubonic plague, has appeared among the Kirghiz Cossacks in two settlements of the Ural territory, resulting in 150 deaths between November 24 and December 1. The local authorities have been declared to be infected with the plague.

PREMIER KOEBER RESIGNS

VIENNA, Dec. 28.—The New York Press says Premier von Koerber at an audience of Emperor Francis Joseph this morning tendered his resignation on the ground of ill health.

STRIKE TIES UP TOWNS

BAKU, CAUCASUS, Dec. 28.—The strike situation here is serious, but no disturbances have occurred. The tie-up of the city is practically complete.

RUSSIANS GO ON STRIKE

ST. PETERSBURG, Dec. 28.—Tens of thousands of men have struck throughout the Baku (Caucasian) oil fields.

DENIAL OF A PAPER MAKER

Manufacturer Says that the Selling Agency is in No Sense an Illegal Combination.

ST. PAUL, Minn., Dec. 28.—A special to the Pioneer Press from Eau Claire, Wis., says: W. L. Davis of the Delta Paper & Pulp company, one of the concerns mentioned as defendants in the application for an injunction against the General Paper company et al. by the attorney general in the United States district court at St. Paul, said today: "The General Paper company of Chicago was organized as a selling agency for such items as natural causes, such as an advance of 50 per cent in the price of pulp wood, increase in the price of fuel, labor and in fact, everything consumed in the manufacture of paper. He stated further that those back of the suit based their figures on the rise in the price of paper on the price made to consumers, when paper was sold at a loss by paper manufacturers. Mr. Davis said there were a number of large paper manufacturers outside of the general paper company, therefore the statement that the organization has destroyed competition was not true. He said: "We find competition enough, and the intention of the suit is to deprive us of our business." He said the intention of the suit was to deprive us of our business. He said the intention of the suit was to deprive us of our business.

BAIL FOR NAN PATTERSON

West Virginia Men Said to Be Ready to Sign Woman's Bond.

NEW YORK, Dec. 28.—Nan Patterson, who is in the Tombs prison charged with the murder of Edward Swisher, was in later spirits today than at any time since the second jury which heard the testimony in her case reported that they were unable to agree upon a verdict. She believed, she said, that the freedom for which she has been fighting for more than six months was about to be granted. Telegrams had come to her from Wheeling, W. Va., announcing that four prominent men in that city were anxious to sign the woman's bond.

If the offers from Wheeling have been made in good faith it is probable that the court will be asked within a few days to fix the amount of a bond.

Miss Patterson would not reveal the names of the Wheeling men who offer to go on her bond, but she said that she was sure they are Charles Swisher, secretary of state-elect, of Wheeling, H. J. Price, a merchant, T. A. Deveney, a lawyer, and Edward Black, a banker of Fairmount.

TRACING MRS. BESSIE BOUTON

Colorado Springs Hears that She Was There with an Alleged Husband.

COLORADO SPRINGS, Colo., Dec. 28.—A number of developments have been brought to light by the detectives who are investigating the circumstances of Mrs. Bouton of Syracuse, in connection with the Mount Cutler murder mystery. The most important discovery is that while in this city the latter part of October she was accompanied by a man whom she introduced as her husband. She left the city on the evening of October 29, in company with this man. The officers have a number of questions in the matter of the man who is traveling for a Chicago cigar company.

VALUE OF FARM PRODUCTS

Corn Crop of this Year Worth Nearly One Billion Two Hundred Million Dollars.

WASHINGTON, Dec. 28.—The following bulletin was issued by the Agricultural Department today: Final returns to the chief of the bureau of agriculture in the matter of the crops, supplemented by reports of special field agents, show the average production and value of the principal farm crops of the United States in 1904 to have been as follows:

Table with columns for Crop and Value. Includes: Corn (2,587,263,000 bushels, \$1,104,440,000), Wheat (1,160,200,000 bushels, \$1,160,200,000), Oats (1,160,200,000 bushels, \$1,160,200,000), Rye (1,160,200,000 bushels, \$1,160,200,000), Sorghum (1,160,200,000 bushels, \$1,160,200,000), Potatoes (1,160,200,000 bushels, \$1,160,200,000), Tobacco (1,160,200,000 bushels, \$1,160,200,000).

MOCKETT, AGER OR STUEFFER

Former Speaker Ager Debates the Matter Just a Little Further.

AGER'S CONNECTION WITH THE CASE AND HIS ACTIVITY NOTED AND THE COINCIDENCES THAT MARKED MOCKETT'S COURSE.

TEKAMAH, Neb., Dec. 28.—To the Editor of The Bee: I send you a letter herewith which I am addressing to the Lincoln State Journal.

I see in your issue of the 24th and 25th interviews by J. H. Ager and Speaker Mockett, relating to my letter addressed to the people of the state.

First, as to Mr. Ager's statement. In my opinion an equal denial would be made by Mr. Ager of pernicious activity on his part with reference to any pending matter before the legislature that he might be charged with. He states that I told him in the Lindell hotel the last legislature, and that never took place before the legislature, and that our meeting was by chance, and that he then told me he understood that matter was entirely a factional one in Burr county and I was making a mistake in taking it to the legislature. Such a conversation as Mr. Ager's connection with the case and his activity noted and the coincidences that marked Mockett's course.

REQUISITION FOR DR. CHADWICK

Warrant Issued at Albany Yesterday and Forwarded to Sheriff Barry at New York.

ALBANY, Dec. 28.—Governor Odell this afternoon granted requisition papers for Dr. Chadwick, who is wanted at Cleveland, O., on the charge of forgery. Sheriff Barry presented the corrected papers for Dr. Chadwick today, and the clerk of the grand jury minutes the contents of the testimony of Iri Reynolds to the effect that Dr. Chadwick was in Cleveland on March 5, 1903, when the forgery charged against him is alleged to have been committed. It was the lack of this proof that caused Clerk Joyce to issue a writ of habeas corpus which was granted by the Ohio sheriff. Mr. Barry said last Monday. No application for extradition of Dr. Chadwick to Massachusetts has thus far been received here from the Boston authorities.

MOCKETT'S COMMITTEE

Regarding Mockett's statement in the later issue that a fair committee was intended, I commend the statement previously made with reference to the personnel of the committee as first announced, which I have been unable from the beginning to this time, I would like for him to mention that instance. I made no suggestion to the personnel of the committee, except that it should be of the strongest and most capable men. Mr. Mockett, I thought he was entitled to that consideration as speaker of the house, before I should make my statement. As chairman of the committee I could not report the bill back without his signature, except with the statement I made. He and I agreed as to the form of the statement I should make, and we agreed that if any action should be taken on the motion of any member, that he should be appointed a proper committee; he thanked me for talking with him about it. I did not object to Warner on the committee, although, in my opinion, he should not have been named, and I so stated. Mr. Mockett, in the matter of the withdrawal his motion, Nelson refused to act on the committee because of Mangold's opposition to the investigation, they being on the same delegation.

FARMERS ARE BURNING COTTON

Georgia Planters and Merchants Taking Drastic Measures to Reduce Over Supply of Fiber.

PORT GAINES, Ga., Dec. 28.—The farmers and merchants of Clay county met today at Port Gaines and decided to burn their share of 2,000,000 bales of surplus cotton. A starter was made today when a bonfire was made of cotton on the streets of Port Gaines. It is estimated that it will stop. The farmers have decided to set the pace and are moving determinedly. A large crowd paraded, with much spectacular ceremony. The object is to show that the farmers are ready to sacrifice a good many bales. The fire is still burning and will continue for some time.

SIXTY LASHES ACROSS BACK

Chicago Man Who Insulted a Woman on Street at Natchez, Miss., Given Whipping.

NATCHEZ, Miss., Dec. 28.—A. D. Lewis, a white man, 25 years of age, whose home is in Chicago, was taken to the county jail near Natchez and ordered out of the state. Lewis was being taken to the county jail to serve a sentence for insulting a woman on the streets. As he was being taken he was in a crowd of six white men who took him from the jail. The man who insulted the woman was given sixty lashes across the back, and placed him on a train and ordered him to leave the state.

NEBRASKA WEATHER FORECAST

Fair Thursday and Friday; Warmer in East Part of Territory.

Table with columns for Temperature at Omaha Yesterday, Hour, and Degree.

WEATHER CONDITIONS IMPROVE

Kansas and Missouri Report Warmer Temperature Than During the Storm.

KANSAS CITY, Dec. 28.—The lowest temperature registered here during the last twenty-four hours was 1 degree above zero. The weather was clear today and tonight it is moderating. Two deaths are known to have resulted from the recent blizzard. Near Hiawatha, Kan., Constantine Miller, an old soldier, let his way in the storm and was frozen to death.

LA CROSSE, Wis., Dec. 28.—A drop in temperature of 40 degrees followed the blizzard, which ceased at midnight. Snow is drifting to the height of eight and ten feet on the streets today. Great difficulty was experienced by railroad officials in securing telegraphic reports of the movement of trains. Wires were down in many places. Points in the northwestern extent could be reached only by circuitous routes.

ST. LOUIS, Dec. 28.—The lowest temperature reached here was 3 degrees above zero today. Two hundred homeless men and women were sheltered in the police station today. A high wind added to the suffering of those compelled to remain out of doors. Practically all the trains coming into the city were late today, the delays being from one-half to six hours. In most cases the delay was caused by the inability of the locomotives to keep up steam, but in other cases snow, icy rails and heavy winds were responsible. No accidents were reported.

ST. CINCINNATI, Dec. 28.—Tonight when the government weather bureau signed on the day's windstorm it was discovered that all records since the establishment of the bureau had been broken. The highest velocity today was fifty-four miles an hour, exceeding the previous record by six miles. The average for the day was forty miles. In the last thirty-two hours the thermometer has fallen 61 degrees and now stands at 9 above.

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CRUISER AT AMOY

HONG KONG, Dec. 28.—A large Japanese cruiser arrived at Amoy yesterday.

Two Japanese cruisers were sighted off Hong Kong today.

TALK OF MEDIATION

BERLIN, Dec. 28.—It is believed here that the latest rumor regarding the willingness of Emperor Nicholas to listen to mediation proposals rests upon a fresh inquiry of France as to what terms he is willing to accept in the case of mediation. Official circles in Berlin entertain the possibility that something in this direction has been going on since it has been known that France and Great Britain were anxious to terminate the war.

RUSSIAN JAPANESE WAY BUDGET

TOKYO, Dec. 28.—The House of Peers today unanimously passed the war budget as originally proposed and the ordinary budget for 1905 as amended by the House of Representatives, and also approved the bills providing for additional taxation and other financial measures, as passed by the House of Representatives.

MINES OFF FORMOSA

WASHINGTON, Dec. 28.—The State department has been officially informed that mines have been placed in Kelung harbor, northeast coast of Formosa, and that shipping has been notified.

ALL QUIET AT THE FRONT

HUANHANG, Dec. 28.—Everything continues quiet along the front of the hostile armies. There is little expectation of a decisive movement till spring, when it will be possible for both sides to throw in strong reinforcements and recommence the campaign in earnest. In the meantime the Chinese army is being retrained and their communications eastward. They have an unusually full equipment of narrow-gauge field railroads, one of which connects General Kuropki's base at Shihadet with Feng Wang Cheng, which is a branch to Hsinching. The Japanese are also being retrained and their communications eastward. They have an unusually full equipment of narrow-gauge field railroads, one of which connects General Kuropki's base at Shihadet with Feng Wang Cheng, which is a branch to Hsinching. The Japanese are also being retrained and their communications eastward. They have an unusually full equipment of narrow-gauge field railroads, one of which connects General Kuropki's base at Shihadet with Feng Wang Cheng, which is a branch to Hsinching.

CAN HOLD THE FORT

Russian Army at Port Arthur Has Provisions for Over Two Months.

JAPANESE MOUNT MANY MORE CANNON Work of Dynamiting and Paralleling the Eastern Section of Circle Continues.

CHINESE WARSHIPS ARE UNDER ORDERS Attempt Will Be Made to Hold Russian Vessels in Shanghai Harbor.

JAPANESE BOATS OFF SOUTHERN CHINA One Large Cruiser Arrives at Amoy and Two Cruisers Are Sighted Off Hong Kong Today.

TOKYO, Dec. 28.—(10:30 a. m.)—Trustworthy advices from Port Arthur confirm the report that General Koppenhagen has been killed and that General Stoessel has been injured by falling from his horse. General Smiloff is also reported wounded.

The advices further say that the stern of the battleship Sevastopol has sunk in shallow water. Its bow is damaged in two places and the steering room gear is also damaged. The garrison is reported to be confident in the belief that relief will arrive before March 1. Despite its heavy losses November 28 and subsequent the garrison is said to be cheerful and resolved to continue the struggle as long as a single soldier remains. The army claims to have sufficient provisions to last until February. The navy possesses about one month's stores. The price of food in the beleaguered fortress is high. Beef is 1/2 rubles per pound, horse meat 6 copeks per pound, dog meat 25 copeks, turkeys 150 rubles each, eggs 100 rubles per hundred. But a few junkies hearding supplies reached the garrison the past month.

It is expected that the capture of the heights of Pigeon bay will further curtail the landing of supplies. The emperor today received in audience and received Captain Zerkonov of the steamer Willahad, which had brought home the Japanese refugees from Russia.

The Japanese dynamiting and paralleling against the eastern section of the main circle of forts around Port Arthur is proceeding favorably. The right wing of the besiegers continues a heavy and effective shelling of the new town preparatory to operations which are nearing completion. It is probable that the next attack will be simultaneously directed against the east and west fronts of the line. An endeavor to divide and weaken the resistance of the defenders.

Admiral Togo will probably arrive today at Kure, an important station of the Japanese navy, 500 miles from Hiroshima. Accompanied by Vice Admiral Kamimura and other officers, Togo is expected to come to Tokyo Friday morning, when the emperor will receive him personally and congratulate and thank him for his services during the war.

JAPS ARE ACTIVE

CHÉ FOU, Dec. 28.—(11 p. m.)—It is reported here that the Japanese in front of Port Arthur have mounted two twenty-eight-centimeter guns on 500-meter hill. The persistent rumor which has been in circulation for the last two weeks of several torpedo boat destroyers had escaped from Port Arthur and succeeded in reaching Vladivostok, is denied by the officers of the British steamer Ellamy, which arrived here from Vladivostok today. These officers say that the cruisers of the Vladivostok Squadron—Roosta and Gromobol—are in good shape.

CHINESE WARSHIPS UNDER ORDERS

SHANGHAI, Dec. 28.—The orders issued strict orders to the commanders of the Chinese warships in the harbors of Woosung and Shanghai and to the harbor master at Shanghai to prevent any attempt at escape by the Russian war vessels, the cruiser Askold and the torpedo boat destroyer Grozovoi.

More Chinese cruisers are on the way to Shanghai.

The Askold and the Grozovoi succeeded in reaching Shanghai after the battle between the Russian and Japanese fleets off Port Arthur August 10, and since that time their officers and crew have been interned at Shanghai.

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