THE OMAHA DAILY BEE. NEWS SECTION WEATHER FORECAST. For Nebraska Unsettled. PAGES ONE TO TWELVE For Iowa-Unsettled. OMAHA, SATURDAY MORNING, APRIL 8, 1911-TWENTY-FOUR PAGES VOL. XL-NO. 252. SINGLE COPY TWO CENTS BRYAN DEFEATED Hill Line Pleads COAL MINE FIRE The End HOUSEFOR PHONE Guilty to Violating **IN PARTY CAUCUS** IMPRISONS FIFTY MERGERMEASURE Appliance Law Half a Hundred Men and Boys Prob-Senator Martin Chosen Permanent Lower Body Agrees to Amendment of Great Northern is Fined Two Hunably Killed in Pancoast Colliery. Guairman and Minority Leader in Minor Bill Carrying This dred Dollars and Costs at Near Scranton, Pa. Senate by 21 to 16. Provision. Sioux Falls. RESCUERS FIND THREE BODIES SHIVELY MADE VICE CHAIRMAN CLOSE VOTE 55 TO 34 RECORDED STOUX FALLS, S. D., April 7.-(Special.) ". H. Winsor, of this city, attorney for Progressive Candidate Forced to Take the Great Northern Ballway company, ap. Officials Say There is No Hope of Any Little Debate When Act Comes to the peared before Judge Willard of the L'nited ; Being Saved. Secondary Position. Final Test. States court and withdrew his answers for States court and withdrew his and against THREE HUNDRED ARE EMPLOYED RESULT DISCOUNTED IN ADVANCE VETOES BUSHEE EXEMPTION BILL the company by the government, charging iolations of the national safety appliance stort sent evers "Bryanism" is Kept in Background aw. Attorney Winsor confessed the viola- Party in Blind Gangway Beyond Governor Objects to Withdrawal of tions for the company and Judge Willard Engine House Caught. During Proceedings. Garnishment Restrictions. imposed a fine of \$300 and costs. This makes several cases of this kind which VICKERS TELLS OF FIRE'S WORK COMMONER STARTS THE TROUBLE PASS TANNER WATER BOARD BILL have been disposed of during the present term of federal court. Rescued Miner Says No One Could Nebraskan Objects When Martin is The boud of Harry LaRoche, a mixed-Will Go to Governor Without Gross-Live in Such a Place-Workings Advanced as Progressive Candidate t blood Sioux Indian living on the Lower man Amendment-House Passes Brule reservation, was declared forfeited Said to Be Seething Bartos Anti-Bucketshop to Defeat Bailey and Spoils by Judge Willard, through the failure Furnace. of the defendant to appear at the present Unnulmous Election. Measure. term of court for trial. There are two, SCRANTON, Pa., April 7 .- Fifty men and WASHINGTON, April 7 .- Senator Martin indictments agains: him, one charging that (From a Staff Correspondent.) of Virginia, at the democratic senate cau- he fired a shot at another Indian, and the boys including two foremen, are imprisoned LINCOLN, April 1.-(Special.)-Telephone cus, was today selected as permanent cau- other that he took liquor upon the reserva- and in all likelihood dead, as the result of mergers under the control of the radiway tus chairman and minority leader during tion. It is expected LaRoche will be ar- a fire in the Pancoast mine in Throop. untission were made a possibility today. the present congress. He received 21 out rested within a day or two on a bench near here, f the governor approver, when the house Rescuers nushed past the fire late this of the 37 votes cast, 18 going to Sanator Warrant. oncurred in the senate amendments to H. Benjamin F, Shively of Indiana, who was Fourisen persons, all residents of afternoon and found three bodies. Officials ft. 537, the Minor physical connection bill. Gregory. Tripp and Bon Honime countles, and rescuers say there is no hope of any The house cut the merger clause out of then elected vice chairman. Senator W. W. Chilton of West Virginia appeared before Judge Willard and entered of the men being alive, he bill, but the senate paiced the bill this was elected secretary of the cancus, the pleas of gullty to indictments charging. The government rescue crew with oxygen norning with the merger added. The usise spent only a little time in debating two last named places having been filled them with selling liquor to Indians. It was belinets and other equipment is on the by acclamation. Senator Owen declined a the first offense in each case and each ground. There are two openings to the and defeated a motion not to concur by was given a sentence of sixty days and a mine, under the law of the state, but the vote of 35 to 34. re-election as secretary. The expected long contest did not de- fine of \$100 and costs. Those sentenced fire is so located that escape has been Rott call was as follow For the bill with the i stop. Prior to the session the progressive to confinement in the Minnehaha county entirely cut off. democrate, as the followers of William Jall were: Walter McCarthy, Gene The fire started in the engine room and Jennings Bryan prefer to be designated. Guertin, Joseph Papusek, Morris Minihan, communicated with a number of dustmet in the office of Senator Owen to can- John Harnisch, George Bruning, John C. covered and oil-soaked mine cars, which vass the situation. Several found them- Hays and J. R. Laid. James Uberker was burned fiercely. Added to this was the selves in an embarrassing position because sent to the jail at Tyndall, while John fear that a serious explosion might occur of piedges made many weeks ago that they Beringer. Ben Loesel, F. Blazek, Frank if the flames should reach a pocket of gas. Stanicek and John Reinbrecht were sen- The rescuers are making slow progress and would support Mr. Martin. Destal, Gager, Files, Gallagher Gall, Gerdes, Gustafart Haller, It was decided that the progressives tenced to the Yankton jail. The cases relief crews are constantly being sent into tek. should vote for Senator Newlands of against these defendants were instituted the mine: locket. Nevada, as Senators Culberson of Texas on evidence secured by a special agent of There were 300 men in the mine when the Taylor (Mertick) Taylor (Hitcheock) Watte-55, and Stone of Missouri, both declined to be- the Indian bureau. five started and all escaped except one come candidates. The plan was changed A great deal of the time of the court in the caucus, however, when it was during the last two days has been taken party which was in a blind gangway beyond the engine house. Two men who were learned that Mr. Shively, who was the up with the trial of the case of the United Assainst the off with t 1122194 at work in the engine house and who got vice chairman under the leadership of Sen- States against Claude Cournoyer, the de-Anderson ator Money during the last congress, would fendant being charged with the theft of out reported the imprisonment of a party From the Indianap.'is News. of their fellow workmen. not object to receiving the complimentary horses on the Rosebud Indian reservation. inchént vote of those who would not vote for Mr. An effort was made by the defense to Martin. Mine a Secthing Furnace. Hegan, -Hillig, sghneth, shi-delar, MEN ON WHOM PRESIDENT DIAZ IOWA TO TRY MABRAY CASES One of the men rescued was James HERO IN UNMARKED GRAVE (ilean1 kirk. Lawrenni PUTS HIS FAITH. Vickers, a fire boss. He reported the porgranter por Martin First Progressive Man. Several of the progressives conceded that General Williams Weesner, Speaker Kulij-94 tion of the mine was a seething furnace. Soldier Who Died in Line of Duty is The roof is falling, the coal is on fire and Attorney General Cosson Orders Senator Martin could not be defeated. Buried Without Ceremony. Tanuer BHI Passes. and Band Are Raiding the timber holding up the roof of the gang. Nolled Indictments Reinstated. Failure to upset his candidacy was due The house tonight passed the Tanner way is being eaten away by the flames. partly to his having been originally ater board bill, S. F. No. 283, permitting lickers was overcome by smoke and was JUAREZ HUMS WITH RUMORS cought out as the candidate of the Bryan American Ranches SAYS STATE MUST PURGE RECORD ound by rescuers, who took him to the he city of Omaha when it owns its own following, led by Senator Stone, to predne hospital and revived him with diffivater plant to sell water to suburbs. The vent the election of either Senators Balley Insurrecto Junta at El Paso Declines Invokes New Law on County Attorney rossman amendment that would have or Bacon. Both of these senators, gento Give Over Rebellion at the Citizens of United States Appeal to abled the Water Board to have charged and He Hastens to Comply-Vickers was carried into the office of erally known as the regulars, were op-Solicitation of the Mathat it wished for water to the suburbs Commanders of American Troops he coal company and physicians attended posed by the progressives, Mikers May Get Long him. He gave it as his opinion that all the dero Family. aas stricken out. It seemed for a time that Mr. Martin for Protection. Terms Yet. The Bartos anti-bucket-shop bill passed would be elected unanimously, but Mr. men in the mine are dead. (From a Staff Correspondent.) in the house by a vote of 52 to 14. The hill Bryan wanted an out and out progressive "They perished hours ago," he said. "No CALEXICO, Cal., April 7 .- Stanley Wil-The state of lowa will not permit Coundoes not prohibit genuine commission trad-EL PASO, Texas, April 4. -(Special Cornamed and frankly told some of the new one could live in a place like that. The liams and his rebel band of eights men cil Bluffs to rest under the stigma of apdemocratic senators that they were throw- stationed at Algodones, a few miles cast workings are a furnace and are full of respondence.)-There was no flag-draped

ing away their opportunities. Mr. Martin was nominated by Senater robbery and terrortem on the American Clarke of Arkansas and Senator Shively ranches located in lower Cultfornia. The Millinery Jobbers by Senator Kern of Indiana, the running loot of the American's band is reported at mate of Mr. Bryan in the last campaign. rendy to amount to more than \$16,000, Senator Stone seconded the Shively United States cltizens have appealed to nomination. The thirty-seven votes cast the American troops here for help. Wil-

Win Part of Fight patto Cutdad Juaren. Not a single com-

casket on a gun carriage for Manuel Sanora the Mexican hero who fost his life Saturday night when no attempted to extract the fuse from a lighted bomb in a

rade or officer accompanied his remains

parently refuelng to purge itself from the dishonor cast open it is the protracted ing the present limits upon the garnisheeany degree of immunity to any of the captured members of the swindle syndicate.

ing, but is strongly restrictive on operalions less distinctive.

operations of the Mabray gang. The state ing of the wages of the head of a family of lows will not permit the town to grant was vetoed by the governor this afternoon and to pass it over the vote only nine The state declares through its attorney reasons the fact that the supreme votes were cast. The governor gave as his

has decided that wages shall be considered

reverse that onlidon.

personal property and such a bill cannot

The vote on passing the hill over the

veto was taken very lightly. On the first

ballot more than buil the members passed

and when voting was invisted upon a score

were averse to being recorded with the

governor. They jumped back within the

railing again to raise the call of the house

The frequent use of the governor's veto

prerogative brought out a number of good

natured protests in the house this after

the governor would veto the Ten Com-

mandments if the house could pass them.

Riha of Dougias offered a resolution abol-

ishing the legislative and judicial depart-

ments of the state government as no longer

necessary. The resolution asked also that

the governor's office be declared vacant

oon. Hospodsky of Saline declared that

it was passed enthusiantically

of Mexicall, began last night a career of smoke.

were abzent because of Illness, and Senator Martin did not vote. The roll call follows:

berison, Fletcher, Foster, Johnston, Over- March 28, are confirmed by fugitives. man, Faynter, Percy, Rayner, Simmons, Smith of Maryland, Swanson, Taylor, Thornton, Watson and Williams, For Shively-Chamberlain, Davis, Gore,

Martine, Myers, Newlands, O'Gorman, Trcate eight days ago to retake Mexicall. Owen, Pomerene, Reed, Smith of South Carolina and Stone.

Brynnism in Background.

The fact that the battle had been fought In advance of the caucus enabled the demo- has left Mexicali, and, according to the shipment were unreasonable and discrimcrats to keep in the background all of the Commander-in-Chief Salinas, is on his way inatory and that they resulted in excessive Bryan and auti-Bryan sentiment mani- to Los Angeles. The United States authori- regulations for shipment. fested during the preliminary scrimmages. Hes at Calexico have wired the Los Ange-The friends of Senatos Martin decided les officials to look out for Leyva and ar- the filmsy character of the packing of hats the disaster deny, with frightened faces, that inasimuch as they had the votes to rest him. He is wanted for alleged violation and bonnets resulted frequently in damage elect their candidate, it would be folly to of the neutrality law.

bring that question into the caucus. The appointment by Chairman Martin of Automobile Driver a steering committee, which will also serve as a committee on committees, was authorized by the caucus. The committee will have to report its program for the filling of vacancies on standing committees Car Occupied by Mrs. A. R. Metzger, to the caucus itself. A statement issued by Senator Owen,

(Continued on Second Page.)

5 a. m.

6. 10

THE WEATHER





Comparative	Focur	Hece	256.	
Highest today Lowest today Moan temperature Precipitation	····· 8	100	1909. 44 31 35 ,00	190
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Reports From S		at 7		

State of Weather.	7 12.105.	Ta'v.	1
Cheyenne, clear		- 10	
Davenport, cloudy		-45	
Denver, show		. 548	
Das Moines, cloudy	41.	40	
Dodge City, clear		245	
Lander, clear.		-645	
Omaha: cloudy		1.9	
Pueblo, rain		107	
itapld City, part cloudy.		44	
Salt Lake City, clear		57	
Santa Fe. part cloudy		- 14	
Shorblan, clear		84	
Shour C'Ity, Fain		27	
Valentine, clear		45	
"I" indicates trace of		darlos.	
a annexanter trater in	Townships the	10/10/02/02/	

L. A. WELSH. Local Forecaster. | of cattle theft.

nt for the democratic strength ex- Hams is said to have been a former quar- Commission Rules that Regulations ept four. Senators Tillman of Bouth termaster sergeant in the United States Carolina, Terrell of Georgia and Shively army and is charged with desertion. All of his followers are Americans.

MEXICALI, Mexico., April 7.-Reports of the defeat and rout of Simon Berthold and

WASHINGTON, April 7 .- Some of the Bryan of Florida, Chilton, Clarke, Cul- seventy-five miles south of Mexicall on to the transportation of millinery were held presence of 150 federal troops at Laguna. reasonable and what were deemed by the and dropped into the yawning grave. Only nly twenty niles southwest of Mexicall commission to be proper regulations were freshly handled dirt today serves to show This force is believed to be one of the prescribed. The apinion was rendered in Hitchcock, Johnson of Maine, Kern, Les, three columns sent by Colonel Mayot from the case of the Millinery Jobbers' associa- stone or headpiece of wood to mark it. His

tion against the American Express com-General Stanley Williams, with his eighty pany and others, rebeis, all Americans, is at the Cudahy | In the complaint the association averred ranch, a short distance from Mexicall. that regulations of the express companies Leyva, the deposed Mexican commander, concerning packing of millinery goods for his country.

> The express company maintained that and they were forced, therefore, to provide

rules for proper packing, largely because of the immense size of women's hats. These packing rules were upheld. Other features Killed in Accident were ruled against.

FUNDING COLORADO DEBT HELD UP BY COURT Enroute from Denver to Coun-

Board Enjoined from Further Action Until Validity of Amendment is Determined.

LEXINGTON, Neb., April 7.-(Special elegram.)-A serious accident happened this afternoon while Mrs. A. R. Meizger, DENVER, Colo., April 7 .- District Judge with her chauffeur, was making the trip George Allen today issued a restraining from Denver to Council Bluffs, While run- order enjoining the State Funding board ning at a rate of sixty miles an hour the from passing upon old state warrants and fifty fost of space. He has been buried. machine awayed to one side of the road. exchanging them for 3 per cent bonds, as While trying to get back into the road the authorized under the constitutional amendmachine struck some loose dirt, causing nient parsed last November, until the con-

it to make a sharp turn, throwing it com- stitutionality of the amendment can be pletely over, killing the chauffeur. Mrs. determined. A bond issue of \$2,115,000 is Metzger was thrown out far enough to involved. escape the car, and aside from a few

RECORDS OF FIRST KANSAS TERRITORIAL COURT SAFE

Documents in Steel Boxes Recovered Intact from Ruins of Leavenworth Court House.

The chauffeur's name was Reld.

34 bruisss, was not hurt.

oil Bluffs.

LEAVENWORTH, Kan. April 7 .- The records of the first Kansas territorial court, which began in 1855 and which were reported destroyed in the fire that recently destroyed the Leavenworth court house, were found in the mins today. The ald court papers were placed in steel boxes and the docket books on steel roller shelves a short time before the fire and were uninjured. The records of the court sig of great value to abstractors through out this part of the country.

TWO MEN KILLED IN DUEL Fend Fight Between Councilman and

of Both.

Fireman Results in Death

EL PASO, Tex. April 7.- In a duel in the outskirts of Morenci, Ariz, this morn ing, according to a special to the Herald. Constable Lea Scott and Night Fireman George Johnson were killed. A feud between the men was due to Johnson's arrest by Scott five years ago on a charge

And when his body was lowered into the of Express Companies for Packyellow earth no trumpet sounded "taps" ing Hats Are Reasonable. and no flag fluttered downward. The mill-

tary authorities furnished a plain pine casket-that was all-and when it was time For Martin-Bacon, Balley, Bankhead, his band of sixty-five rebels at Alamo, regulations of express companies relating for this to be taken to the cemetery, loungers were requested to help handle it by the Interstate Commerce commission in At the cemeters the casket was lifted from These arrivals also bring word of the a decision handed down today to be un- the hearse by the undertaker and a helper

> where this man is interred. There is no wife and several children in Chihuahua have not yet heard of the tragedy, but

when they do the widow will dry her eyes. knowing that her brave husband died for The investigation of the bomb throwing

Sunday morning is being prosecuted slow! and with little result. Most of the thirtyreven persons arrested near the scene o

that they even heard the explosions, which woke all of Juarez, jarred every atom for

miles around and rang the bells in the quaint old mission of Gundalupe. "If it please the senor, jefe politico.

did not hear anything unusual. Explosion What explosion?" and thus are all ques on him to surrender the city and warning him that he will be held responsible for the

cromulgation of the suspension of guran tees law. A large number of soldiers passed he night on top of the governor's house, others inside and a sentinel stood in front of the door all night, but no one knew how the document arrived.

During the night a federal soldier, stationed on top of Sacred Heart church roused from sleep and sang out: "Ther they come." and stepped, gun in hand, inte tions answered. Angered by the tone of the answers none of the suspects hav been released. Among the prisoners i Jesus del Custillo, a son of Attorney Cas

(Continued on Fourth Page.)

Watching for the Coming of the Rebels



TWO TYPICAL MEXICAN TROOPERS-Copyright, 1911, by George Grantham Copyright, Bain,

Chinese Enroute to United States Held Up at Ensenada

Presence of Troops and War Craft at San Diego Reveals Magnitude of Smuggling In Coolies.

SAN DIEGO, Cal., April 7.-With every ment League of Council Bluffs. The league not of the Mexican boundary pairolled by held its only meeting during the last year United States troops, while a fleet of war this week and elected officers solely for the craft of all kinds is operating outside of purpose, it was said, of keeping the or-San Diego harbor, the smuggling of Chinese ganization alive, W. H. Killpack was made cross the boundary has been made a too president; F. J. Day, vice president; C. E. hazardous undertaking as a result of the Swanson, secretary, and Dr. L. L. Poston diltary and naval mobilization.

Chinese merchants of San Diego shipped ficers to appoint an executive committee 69 mats of rice by steamer yesterday to of five members at some future time. Then Ensenada, the capital of Lower California. in the absence of anything else to do some where 290 stranded Chinese are on the verge one suggested that the league should be of starvation. Ensunada being a port near consistent with its purposes and place itself he American line, has long been a center on record as opposing the dismissal of the of smuggling operations, and the fact that Mabray cases. A resolution passed to that here 200 Asiatics have accumulated there effect, and the secretary was instructed tince the order of proops to the boundary to do the rest. He did it well, in the form o prevent fillbustering, illustrates the ex-(Continued on Tenth Page.) ent to which these operations are carried

n ordinarily. Without hope of effecting an entrance to its country in the near future, the Chinese ow at Ensenada are in a sorry plight and tre appealing to their countrymen in California for assistance.

general that the indict the district court grand jury shall not be dismissed, and that the indicted "Mike" makers must be prosecuted. Attorney Gen eral Cosson yesterday ordered District Court Clerk Brown to enter his appearance in all of the cases.

The action of Allorney General Comon of democrats got up and left. They eviwas rather unexpected. County Attorney dently did not want to pass the bill, but Capell was perfectly willing to discharge his duties in the line of a vigorous prose ution of the Mahravites, but when he realized the expense that would be incurred. and when Haller of Washington moved he sought the advice of others. Before he (that "democratic members afraid to be had time to take any action the Board of recorded should be excused from voting." County Supervisors intervened with a resolution, instructing him to dismiss all of the cases. Under these instructions the cases

Law League Starts Things.

This action was supposed to terminate the matter, and all of the unpleasant memories of the Mabray business were fading from the public mind when the whole thing was suddenly recalled by the innocent action taken by the Law Enforce-

were all dismissed.

and the state government in all branches put under the control of the State Railway Mockett moved that all lawmakers should nter into a sulcide pact Gandy in the midst of general confusion treasurer, with instructions for these of loved to adjourn sine die and almost got the motion through before the house realized what it meant.

SENATORS IN CLOSING RUSH

Large art of Day Spent in Committee of the Whole.

(From a Staff Correspondent.) LINCOLN, April 7.- (Spacial.)-H. B. 221. appropriating \$39,000 for the establishment

PRATTLE



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Omaha. Neb.

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myon Hoter optie

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