All Must Face a Trial

Court.

Hency will leave tonight for Portland

SIGNAL CORPS BOOST SUMMARY OF THE BEE SCHNITZ CASE IS REVERSED NO GRAFT CASE TO BE DROPPED BURKETT'S ENEMIES HUSTLE ONE MORE JUROR FOR THAW

Burkett Introduces Bill to Increase Its Size and Importance.

HAS APPROVAL OF DEPARTMENT

Puts it on the Same Footing as the Artillery and Infantry.

DMAHA TO BE CHIEF .

longressman Hepburn to Fa.

Similar Measure in House.

DBJECTIONS TO GRAZING BILL Mondell of Wyoming: Chairman of

House Committee on Public Lands, Antagonizes the Burkett Measure.

(From a Staff Correspondent) WASHINGTON, Jan. 9 .- (Special Telegram.)-Following out what has become seep-seated conviction on the part of Senator Burkett and officers of the War department that the signal corps of the army should be placed on an equal footing with the artiflery and infantry the senior senator from Nebraska today introduced an imporant measure which more than doubles the present size of the present signal corps has stated his views on the use and misorganization. For months Senator Eurkett has been in close conference with Secretary Taft and Brigadier General James Allen. chief of the signal corps, looking to the enlargement of the organization and the result of these conferences is the bill introduced by Senator Burkett. Should it pass it will make Omaha the greatest signal station in the United States, which will become the headquarters for the increased organization. The secretary of war and the War department, it is understood, are in hearty sympathy with the masuure, which is as follows:

in hearty sympathy with the masuure, which is as follows:

The signal corps of the army shall consist of one chief signal officer with the rank of brigadier general, four noionels, four lieutenant colonels, twelve majors, thirty-six captains, thirty-six first lieutenants, thirty-six captains, thirty-six first lieutenants, thirty-six second lieutenants, 100 master electricians, 200 first class sergeants, 200 sergeants, 200 corporals, 1,200 first class privates, 300 privates, sixty cooks, forty-eight farriers and blacksmiths, twenty-four saddlers, twenty-four wagoners, forty-eight trumpeters, and one band as now authorized by law for bands of cavalry regiments, and each grade shall receive the rank, pay and allowances as now provided by law.

Frovided, That the chief signal officer of the army shall be appointed as now provided by law, and vacancies thus created shall be filled: First, by promotion of officers holding permanent appointments in the signal corps, according to seniority, after examination as now required by law; and second, by details to the signal corps from the army at large, from any grade in which a vacancy exists, or the grade below, provided that officers so detailed in the grades below that of major shall not be again be eligible for such detail until they shall have served for at least one year away from that corps.

Provided, zurther, that the signal corps of the army shall be organized as may be directed by the president of the United States, and officers and enlisted men assigned to duty with troops shall, when so especially designated by the president, constitute part of the line of the army.

charge of a similar bill in the bouse, the able to stand the strain of the work. intention of the senator and representapossible, its importance warranting early property in China. consideration.

Teaching of Agriculture. Senator Burkett introduced today a bill to provide for the teaching of agriculture, home economics and manual training in normal schools of the United States. The measure was introduced by tion the senator in the Fifty-ninth congress and has been indorsed by the National Educational association, which is now actively working for the passage of the present bill. The department of superintendence of the National Educational association is to meet in Washington on

deavor to secure the passage of Senator

February 25 to present the matter to

their senators and representatives and en-

Senator Burkett has recommended Edgar Allyn Russell of Lincoln to be a of more judges on the supreme bench cadet at Annapolis. He has an opening and larger pay for the occupants of the for three young men to be appointed as office. alternates.

Opposition to Grazing Bill. encounter strong opposition before it be- learning the printers trade. comes a law, if ever, as now framed up. Congressman Mondell, chairman of the public lands committee of the house, said that the people of Wyoming were opposed to the Burkett measure; that there were only two newspapers in the state favorable to the range control idea, and that the newspapers were openly in opposition to the Burkett bill. "The people of Wyomind," said Mr. Mondell, "not only criticise theory of Senator Burkett's measure, but the details as worked out, in my judgment the Burkett bill violates the fundamental principles of our land policy; that is, as it relates to range control. The theory upon which the public land policy is based is that the government act as trustee of all the people in the distribuof the public lands for the nation This idea is embodied in the thought that ultimately the national government will have passed all the lands into private ownership and will then cease to be a landlord. During the period in which the land is gradually passing into private ownership, unentered lands should be kept open for free access of all who desire to enter. utilize or settle upon them. Any legislation or any policy that doesn't allow the freest and fullest access must necessarily discourage settlers.

"Better range control can only be justiffed on the theory that in certain portions ment of the canteen was an absolute neces of the country all the remaining lands are sity. fit only for graning purposes and their use can be permanently regulated by the police control of the general government lands. eW are learning through dry farmng to grow crops in regions where heretofore it has been thought impossible to carry on crop reoduction. Small areas of Old soldiers will drink, and if they cannot land are being brought under most of get good Equor, they will take had liquor, ective cultivation through trrigation and processes of reclamation portions of the blic lands in every section are being saved to the homesteader and the soil culturist by new and modern methods of land treatment. Under these circumstances It scems to me the height of folly to pass a bill looking to police control of the public CLEARING HOUSE TO MEET domain on the part of the general gov-

ernment and I for one will be against it. Auxious About Jack London. SAN FRANCISCO, Jan. 5. - Friends ack London, the author, feel uncore of

1908 ~ JANUARY~ 1908 SUN MON TUE WED THE FRY SEE --- 1234 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 28 24 25

Friday, January 10, 1908.

3 27 28 29 30 31 == THE WEATHER. MAHA, COUNCIL BLUFFS AND Fair and cooler Friday, BRASKA-Fair and cooler Fri-- Partly cloudy Friday; cooler



DOMESTIC. Secretary Taft, in reply to request from Page 1 use of injunctions

Federal circuit court has decided that former Captain Carter is not entitled to \$400,000 in securities supposed to represent part of the money embeggied from obtaining a license to sell liquor. government by means of fraudulent contracts. One more juror was secured for the court.

Thaw case yesterday, making seven in District Attorney Heney at San Fran-

are to be dropped. and practically reorganize the navy.

Trustees of Bath Soldiers' Home make Page 1 strong plea for the canteen. Fred Dennett of South Dakota has eral land office to succeed Ballinger, re-Page 1 signed.

New York clearing house will Monday to decide upon admission of trust companies to the association. Page 1 It is rumored at Washington that the against H. H. Harriman, involving the Union Pacific-Southern Pacific relations, will be brought at Salt Lake City within the next thirty days. Page 1 Report that insanity complaint against ful." Mrs. Eddy had been filed by her son is denied.

Bill for a bridge across the Missouri the house of representatives. Lebanon, Ky. POMEIGN.

Congressman Hepburn of lown will have lin quit because they are physically un-

tive being to push the bill as rapidly as Rioters have burned Protesant mission NEBRASEA.

Burkett's enemies in Lancaster Page 1 Attorney general rules merchandise in express law means all kinds of goods and is not limited by .. company classifica-Page 2 Formal call for republican convention

Page 3 is insued. Burlington road refuses to pay for inspection of oil brought in for its own use and not intended for sale. Page 3 LOCAL.

The jury in the land fraud cases brings n verdict of guilty against Yeast and not guilty against Sutton. Page 3 Directors of the Commercial club meet and select officers for the ensuing year.

Page 5 Bar .. ssociation goes on record in favor Page 2

Omaha boy at the Kearney Industrial school writes his mother that it has been Senator Burkett's grazing bill is going to a good place for him and that he is Page 3

COMMERCIAL AND INDUSTRIAL. Page 7 Live stock markets. Grain markets. Page 7

MOVEMENTS OF OCEAN STEAMSHIPS -Moskya Madonna. Philadelphia Ivernia. HRISTIANIA Softa Hohenburg. BY WIRELESS

STRONG PLEA FOR CANTEEN Soldiers' Home Trustee Supports Demand on Congress, with Assertion it is Necessity.

BATH. N. Y., Jan. S .- Resolutions ask been passed by the trustees of the Soldiers inmates of the home," said Major McConone of the trustees, said the re-establish

"It will prevent drunkenness among the inmates of the home," said Major MsConnell. "At present the old men obtain The fact is there is no part of the public liquer in other places. Intoxication results. domain except possibly small areas here If we could supply them with pure beer and there that are permanent grazing and ale they would remain on the grounds and we could have them under control all the time.

> "The saloon is the bane of the army This cannot be prevented and the way to obtain the best results is to establish drinking place under the supervision of the officers of the institution." There are 2,000 old men in the Bath

> Status of Trust Companies to Be De

cided at Meeting to Be Held Monday in New York. SAN FRANCISCO. Jun. 5. -Pricings of Jack London, the author, feel unearly over his failure to arrive at the Marquosass is lands, which he was expected to reach carry in December, London and party left determine whether to admit trust companies in Missouri. This is a result of the entire association next Monday to determine whether to admit trust companies of the suit instituted by Attorney General less to membership in the association of Hadley to compel the company to comply with the state laws. NEW YORK, Jan. 9 - The clearing house flied with the secretary of state an appli-

Court of Appeals Sets Aside Judgment in French Restaurant Case.

EXTORTING FEES IS NOT CRIME

Liquor License Not Property and Threat to Withhold it or Take Money for Not Doing So Not Violation of Law.

SAN FRANCISCO, Jan 9.-The district court of appeals today handed down a deision setting aside the judgment in the case of former Mayor Eugene E. Schmitz, convicted of extertion in the French rest of a case in my life, as those who are taurant cases. Abe Reuf also benefits by the ruling of the upper court, for, according to its decision, he pleaded guilty to Mr. Heney when told of the reports that an act that was no offense against the Tierney L. Ford, general counsel for the

the mayor.

After discussing the point the court re- prove the charges made against him, Mr. versed the judgment against Schmitz on Hency said: the ground that no acts constituting a money from the Prench restaurants, is therefore equally guiltless.

Points in the Decision.

The gist of that portion of the decision secretary of Ohio Federation of Labor, relating to the allegation that there was no threat to injure property is contained in the following sentence:

> A license to sell liquor is not property Page 2 in the ordinary sense of the word, says the

In treating of the second contention of all. Among the men rejected was one Schmitz's attorneys that there was no who said he had never heard of the case. threat to do unlawful injury the court de-Page 1 clares that: "We are clearly of the opinion that the

cisco denies that any of the graft cases indictment is insufficient because it does Page 1 not allege or show that the specific injury Senator Hale introduces a bill which is threatened was an unlawful injury." It expected to put an end to controversies is not an unlawful act, reasons the court, to threaten to hold up the licenses of the Page 2 restaurant keepers or actually to do so. "Any one," reads the decision, "has the right to go before the Board of Police Commissioners, if that body will hear him, een nominated commissioner of the gen- and object to the granting of license to sell liquors to a person who is keeping a place in violation of the law. He has the right to threaten to do so. He would not be morally justified in obtaining money to induce him not to carry out his threat, but if he did receive money under such circumstances he would not come within the provisions of the statute. It is necessary to crimes to allege that the act was unlaw-

The concluding paragraph of the decision Page 2 reads as follows: "Many other questions are discussed as river at or near Council Bluffs passes to refusing certain instructions asked by Page 2 the defendant and as to the insufficiency Militiamen have been ordered out in of the evidence to justify the verdict, but Kentucky to protect the tobacco barns at in view of the holding as to the indictment Page 2 it would serve no useful purpose to discuss them. The judgment and order are drivers in Bor- reversed and the trial court is directed to

> to discharge the defendant as to such in-Page 1 dictments." Wipes Out French Cases. The decision wipes out the French restaurant cases and pending charges of extortion against Schmitz and Ruef must be dismissed. Both are now entitled to release on ball. If they obtain the necessary bondsmen they can remain at liberty until such time as a jury finds them guilty on one of the indictments charging them with receiving bribes from corpora-

> > against them the bail, figured at \$10,000 a case would reach an enormous figure. The judges of the court which rendered the decision in favor of Schmitz and Ruef are J. A. Cooper, Frank H. Kerrigan and

Samuel P. Hall. The news of the decision of the appellate court declaring the indictment of ex-Mayor Schmitz for extortion invalid spread rapidly over the city, causing consternation in some quarters and delight in others. The effect of the decision will be immediate release of Schmitz from the county jail, where he has been confined since his conviction on the charge of extortion in the

French restaurant cases. District Attorney Langdon said Schmitz and Ruef will be prosecuted on other counts that are public offenses. Langdon and Heney are in consultation this after noon and will probably decide upon some line of action.

ROAD BUILT WITHOUT BONDS Only One in Spanish America Guatemalan, Just Now Completed.

MOBILE, Ala., Jan. 9.-Major General Davis of the United States army, who will represent the United States at the opening. of the Guatemalan Northern railroad, Janu- Fu since 186. In 1963 there were three ary 16, will sail this afternoon for Puerto

Several days have been set apart for the celebration by order of President Cabrera. This is probably the only road in Spanish. America built without a bond issue. The government had not been able to subsidize a any way, and its builders, Sir William Van Horne and Minor C. Kelth of New Orleans, have advanced all the funds for its construction.

ing congress to restore the canteen have OCEAN PASSENGER RATES CUT White Star Line Takes the Lead and the Cunard Says it Will

Follow.

LIVERPOOL Jan 5.- The White Star line today announced a reduction in its second and third class passenger rates from English ports to New York and Boston This step is taken because of the traffic which has been deflected from the vessels of this line by the Lusitanta and Maure tania and to the refusal of the Cunard ompany to concede differential rates for vessels of the Baltic class. The second

WESTERN UNION GIVES IN Takes Steps to Comply with Corporation Laws of State of Missouri.

class fares are reduced by from \$6 to \$7.50

and the third class fares by from \$4 to \$5.

that it would meet the cut.

JEFFERSON CITY, Mo., Jan. 5.-The Western Union Telegraph company today

Francis J. Heney Serves Notice that Work Early. SAN FRANCISCO, Jan. 9 .- Francis J

Hency, who as assistant district attorney has had charge of the San Francisco DOBBINS GOES DOWN FOR TAFT bribery and graft cases, arrived here tolay from Washington, where he went to onfer with President Rooseveit. He made arrangements for the continuance of the trial of Patrick Calhoun, president of the United Ballroads, on the charge of bribery, until he returns from the north.

States District Attorney Hall of that city, who is accused of being involved the exception of the hotel men there is away. Just before the adjournment house in the land frauds. "I have never dropped the prosecution under indictment in the bribery graft cases will learn when I return," said According to the appellate judges the compelling of French restaurants to pay big "fees" to Abe Ruef was not a crima. Calbour would be drepped.

United Railroads, would not be brought to trial on the other indictments against him and that the presecution of Patrick Calbour would be drepped.

Calbour would not be brought to trial on the other indictments against him and that the presecution of Patrick Calbour would be drepped.

Calbour would not be brought to trial on the other indictments against him and that the presecution of Patrick Calbour would be drepped.

Speaking of the open letter of Senator of the delegation to the delegation to the delegation of the delegation to the delegation of the delegation to the delegation of the delegation to the delegation to the delegation of the delegation of the delegation to the delegation of the delegation to the delegatio Fulton of Oregon, calling upon Hency to "Many of the facts against Fulton will crime had been proved against him. Abe come out in the trial of Hall and the gate-at-large or whether it will present challenges allowed by law and the defense Ruef, who pleaded guilty to extorting senator will learn more than he may some other name. If the opposition to had expended nineteen. The court can, in

case of extorting money from a French restaurant proprietor. Pronouncing of

Report Insanity Proceedings Have Been Brought, but it Lacks

Confirmation. western relative.

LEAD, S. D., Jan. 9 .-- Mary Glover. daughter of George, said her father and know their whereabouts nor when they will return. She is non-committal and evasive. Probate Judge Bennett of Deadwood. Hampshire.

CONCORD, N. H., Jan. 9 .- No application to have Mrs. Mary Baker G. Eddy brought before a commission in lunacy is pending in the courts of this state.

FORTY DROWN IN ROUGH SEA sustain the demurrer to the indictment and Passengers on Steamers in Storm Are Lost-Ships Have Hard

PARIS. Jan 9.-The storm on the English channel, along the west coast of Europe and on the North African coast, is still raging and many fishing boats already

sailing.

have been lost. A dispatch received here from Tangler says that two native passenger boats foundered off El-Araish, Morocco. sons were drowned, including some Euro-

tions. Owing to the number of cases NEW ORLEANS, Jan. 9 .- Communication with the mouth of the Mississippi river. near which the Southern Pacific passenger steamer Creole went aground last night was interrupted early today. Local Southern Pacific officials say that the steamer is in ne danger. The Creole left here yesterday for New York.

ROVINCETOWN, Mass., Jan. 2.-The battleship North Carolina, which put into this port Tuesday night because of stress of weather, while on a twenty-four hours' endurance run, sailed this morning.

RIOTERS BURN THE MISSIONS Disorder in Che Kiang Province Ends in Destruction of Protestant

Property.

SHANGHAL Jan. 9.-Rioters at Kiamagistrate was also destroyed. The for- tion. eigners at Kla-Hsing-Fu are safe. There has been considerable unrest recently in

directed principally against the dynasty. The Presbyterian church has maintained a missionary establishment at Kia Hsing nissionaries and their wives, one woman missionary and several native workers at

the station, which consisted of two places of worship, three day schools, one boarding school and one dispensary. The town, which is a commercial center, is situated on the Grand Canal.

FIFTEEN OF SHIPS SIGHTED Plainly Seen from Shore as the Squadron Passes Per-

nambuco.

day from Pernambuco that when the was chosen president. Letters were re-American fleet passed there at noon yes- ceived from United States Senators Galterday, bound south, fifteen battleships linger and Burnham and Congressmen Curcould be distinguished from the shore. has been here awaiting the fleet since time in favor of any candidate. Many January 3.

Captain Deichoff of the Russian navy. who commanded the cruiser Gromobol dur Rio Janeiro for the express purpose of witnessing the arrival of the American

The Cunard company immediately said MATIN AGAIN MAKES PEACE Paris Newspaper Announces that

United States and Japan

Will Not Fight. PARIS. Jan. 9 .- The Matin teday, refering again to the American-Japanese altuation, declares that President Roosevelt spoke to a diplomat in Washington a few

days ago in the following words: 'All will be arranged in the most satisthe slightest apprehension of a conflict." engage any more women.

Lancaster Opponents of Senator Get to

Lincoln State Committeeman Gets Himself on Record After the Roll Call Had Disclosed Feeling of Other Members.

(From a Staff Correspondent.) to commence the trial of fermer United LINCOLN, Jan. 9 .- (Special.) - With lenges swept all of the provisional mevery little regret expressed here that the at 8 o'clock, when today's venire had been republican state convention is to be held exhausted, five temporary jurors had again in Omaha instead of Lincoln. The politicians place all the blame on the two But once more the arbitrary challenges NOTICE FOR THE DEFENDANTS committeemen from Lancaster county for were brought into play and all but one not being able to corral a majority of the of the men on probation were allowed tion. On the personnel of this delegation ifying either to the prosecution or defense depends whether Lancaster county will and better things are hoped for tomorrow. present the name of Senator Burkett to At the close of today's work the prosethe convention as a candidate for dele- cution had employed fourteen of the thirty Senator Burkett can agree upon a man, its discretion, increase the number of Abraham Ruef appeared before Judge the fight will start at once and it will challenges allowed either side and last year, today. Secretary Taft prefaces his state-Frank H. Dunne today for sentence in the he wide-open. Among those who have at the first trial, Justice Flizgerald did so. been discussed by the opponents of Sen- Patrick McCue, a hat manufacturer, furator Burkett to measure swords with him nished the only bit of color to the prosentence, however, was postponed for two are Judge Alien Field, Judge Lincoin ceedings today by declaring that he had Frost, H. J. Winnett and today W. B. never heard of the case. Consequently he Rose was mentioned. The last-named was had no disqualifying opinion and was MOVE IN EDDY CASE RUMORED used by the opponents of the senior sen-ator to prevent him from going as a panel, only to be excused peremptorily later delegate to the last state convention.

Dobbins Gets on Record.

The action, it states, follows the alleged the vote had been taken and the result took her to luncheon with him. telegraphic refusal by Mrs. Eddy to effect had been announced, 25 votes for Secretary A messenger from Mr. Reilly's office sat a reconciliation with her son planned to Taft and one for President Roosevelt, Mr. in the audience of the theater where the clusive jurisdiction of the federal governtake place in Boston and a letter in which Dobbins returned to the room, went to the young actress is playing all of yesterday his "next friends" actions were bitterly secretary and had himself recorded for afternoon and last night and finally served scored and in which Mrs. Eddy stated that Secretary Taft. This was after Bud Lind- the subpoens in person. It was intended under no circumstances would she see or sey had called out that he wanted Lan- to serve the subpoena after the matinee, have anything whatever to do with her caster to be called again and its repre- but Miss Goodrich had dinner served in her sentative to cast a vote.

While the committeemen who were still herethis morning expressed their entire SUIT AGAINST E. H. HARRIMAN mother left Lead in a buggy early this satisfaction with the work done last night, morning for the country. She does not Dobbins of Lancaster county was real huffy when he went home because the committee turned down the primary plan of C. O. Whedon and announced that he Glover's local attorney, says he knows had thoughts of resigning from the comnothing, but has heard rumors. He says mittee. He was asked this afternoon if fidentially expected at the Department of if suit has been filed it must be in New he intended to carry out his threat and Justice that suit will be begun within the for them and for the public. he replied that he did not intend to resign next thirty days against E. H. Harriman, and could not be forced to resign.

Committee is Ready. Chairman Hayward said he had no idea now many of the countles would ask for atad with him but that the committee would be ready to furnish the necesplication. It is a question whether Lanthere may be a fight over the proposition. the committee meets.

BRIDGE ACROSS THE MISSOURI shortly, when suit will be begun in Salt Bill for One At or Near Council Bluffs Passes House of Representatives.

WASHINGTON, Jan. 9.- The house today of bridges across the Missouri river at or near Council Bluffs, Ia., and across the Mississippi river at Burlington, Ia.

When word reached Omaha Thursday of other bridge across the Missouri river little by Governor Wilson, in order to protect was known as to the nature of the bill. property of the American Tobacco people Some business men thought it was the at that place. Lebanon has been threatresurrection of a bill introduced by Congressman Smith of Council Bluffs some years ago for another bridge across the Missouri north of the Douglas street bridge. This bill passed the house, but was killed in the senate through the efforts of Sena-Hsing-Fu in the province of Che Kiang, tor Millard, who claimed he could see nothhave burned the protestant chapel and ing back of the bill except a scheme to try school. The official residence of the local to sell the franchise to some big corpora-

A charter is in existence for a bridge across the river east of South Omaha. It this province, but the disorders have been has been expected the promoters of that scheme would ask for an extension of their

franchise Considerable ground was bought up som time ago between Manawa and Council Bluffs and it was thought at the time this land was to be used by some railroad company for an approach to a bridge which might be built under the franchise for the bridge across from South Omaha.

TAFT CLUB IN NEW HAMPSHIRE Favors Sending an Unpledged

Delegation to Convention, However.

CONCORD, N. H., Jan. 8 .- About 150 republicans of this state met here today and formed the Taft Association of New Hamp-RIO JANEIRO, Jan. 9.-News came to- shire. Former Governor Frank W. Rollins rier and Sulloway expressing disapproval The German cruiser Bremen has arrived of the meeting on the ground that it was ere and the American collier Aberanda unwise for the party to declare at this other letters were read endorsing Secretary

Tart. A resolution favoring a continuance of ing the Russo-Japanese war, has come to New Hampshire's system of sending unpledged delegates to the national convention was adopted.

WOMEN DRIVERS CEASE WORK Unable to Stand the Strain of Driving Auto Cabs in German Capital.

BERLIN, Jan. 9.- The short career of the

comen auto cab drivers in Berlin already has come to an end. Today the only woman who was licensed to drive an automobile retired because she did not possess sufficient endurance to withstand such arduous duties. Twenty other women, who for some months past have been learning factory manner. The last memorandum to drive, failed to satisfy the police rereceived from Japan was expressed in the quirements for the granting of licenses. most conciliatory terms, and there is not The cab companies show no disposition to

Among Men Rejected is One Who Said He Had Never Heard of Cane.

NEW YORK, Jan. 3.-One new sworn juror was added to the Harry K. Thaw trial panel today, making seven in all se lected from the 400 talesmen summoned since the beginning of the second hearing on Monday. Another panel of 100 will re port tomerrow morning, Justice Dowling has announced that he will hold court on Saturday if necessary to complete the jury At the time of the luncheon recess today the box was filled with six permanent and FAVORS CHANGES IN STATUTE six temporary jurors, but peremptory chalbeen selected to fill the back row vacancies

Just before the beginning session of the Some of th politicians here are criticising trial today Attorney Daniel O'Reilly their committeemen for not voting last announced that subpoens for the defense CHICAGO, Jan. 8.-The Chicago-Record night when a preferential vote was taken has been served on Miss Edna Goodrich. Herald today says: A sensation has been for president. Harry Dobbins and his the actress who is playing here this week, caused in Lead. S. D., by the filing of a proxy and spokesman, C. O. Wheden, left Miss Goodrich failed to appear in response petition in the district court by George tithe room at the time the roll was about to to a subpoena last year. Mrs. Evelyn Baker Glover, asking that his mother, Mrs. be called, in company with Frank Harri- Nesbit-Thaw on the stand at the first trial Mary Baker G. Eddy, head of the Christian son, Mr. Whedon not getting out until declared that it was Miss Goodrich who Scientists, be examined as to her sanity. after some names had been called. After first introduced her to Stanford White and

dressing room.

Lake City Withing Next

Thirty Days.

WASHINGTON, Jan. 9.-It is now coninvolving the relations between the Union Pacific and Southern Pacific railroads. At a conference held at the White House last May it was decided that the report of the defendant and a hearing is had. This mitted to the atterney general for exam- abolished. In the class of cases to prevent the bringing of suit as then condelegates at primaries, but whether the made an independent investigation of the county committee wil care to go any fur- facts and questions involved in the controther than that cannot be determined until versy and were ready to proceed with the suft when Mr. Severance was unexpectedly called to Europe. He is expected to return Lake City. It is understood that the procedure will be a suit in equity in general analogy to the Northern Securities case.

MILITIA TO PROTECT TOBACCO passed bills authorizing the construction Lebanon Pears a Visit from Night Raiders and Asks for

LOUISVILLE, Ky., Jan. 9-A detail of ings in their original purpose. To twelve militiamen left Louisville today for this injustice I believe, as I have already the passage of a bill by the house for an- Lebanon in response to instructions issued said, that the federal statutes might well ened by night riders.

Protection.

being hurried to Louisville for storage to impose any limitation as to the time for escape the cancellation of fine policies or a final hearing if, before an injunction can hension of further visits by night riders. FRANKFORT, Ky., Jan. 3.-C. H. Barett, president of the American Society of need today that he had resigned. HENDERSON, Ky., Jan. 9 .- At the state

mion of American Society of Equity here oday, Louis Hancock, president, called nunciation of the society or retract the statement that the society was guilty of participating in the night rider inwiess-

ATHLETE COMMITS SUICIDE Jumps from Window at Kansas University and Kills Him-

melf.

LAWRENCE, Kan., Jan. 9.-Uban Angney, captain of last year's foot ball team, and an all-around star athlete of Kansas university, committed sutcide here today by jumping from the dome of Frazer hall at the university grounds. Anguey left the following note on the window all from which he jumped:

Dear Jesus: My life is passed, pleasure is gone. No pleasure for You can know the reason. I was a fer what I owe. If I only had dor sooner. Do not hold me respons Goodby. May you all live happy. responsible Uban Angney was 22 years old. His nome was in Wellington, Kan. This was

DENNETT FOR LAND OFFICE

ceed Ballinger as Com-

missioner.

and Gregario Araneta of the Philippins his own, which now obtains in the practice islands, to be an assistant justice of the of the federal court of appeals by statute supresses court of the Philippine islands. and the present suggested case. It is of Secretary Taff announced today that the highest importance that the authority adge Tracy of the supreme bench of the of the court to enforce its own orders of Philippine islands, to whom had been of fectively should not be weakened, and fered a position on the Philippine com- therefore I am opposed to the intervention mission, had declined the effer, preferring to remain on the bench,

Secretary States Views on Use and Abuse of Writ.

ANSWER TO LABOR LEADER

Letter in Reply to Request of Ohio Federation Secretary.

Law Authorizing Court Orders Should Be Made More Specific.

Hearing of Charges of Contempt for Violating Injunctions Should Not Be Heard by Judge Issuing Order.

MARTINS FERRY, O. Jan 9 .- The views of William H. Taft, secretary of war, in regard to the use and abuse of injunctions, are stated in a letter in reply to questions propounded by Liewilyn Lewis, secretary of the Ohio Federation of Labor, given out ment with a declaration that he believes "It to be highly beneficial and entirely lawful for laborers to unite in their no interests." Proceeding directly to the answer of the questions propounded be says:

"First-You ask me what I would think of an enactment of law defining the cases in which a temporary restraining order may issue, and defining in specific terms the language in which such order may be framed. I see no objection to the enact ment of a statute which shall define the rights of laborers in their controversies with their former employers. As this statute would fix the full limits of their action, it would necessarily furnish a definite rule for determining the cases in which injunctions might issue, as well as their character and scope. It should be said that this statute, however, if enacted by congress, could relate only to the District of Columbia or some place within the exment, or to those employers and employes whose relations are within congressional definition and control. Generally, the law governing the relations between employer and employe is a state law and is only enforced in the federal courts when the jurisdiction arises by reason of the diverse citizenship of the parties. Speaking generilly, however, both as to federal and state Action to Be Commenced at Salt legislation, I see no objection to a statute which shall, as far as possible, define the rights of both parties in such controversies more accurately. Indeed, the more exactly the law of the limitations on the actions of both parties is understood, the better

Favors Change in Rule. "Second-You ask me what I think of a provision that no restraining order or injunction shall issue, except after notice to

ballots upon which to cast a vote for prest. the Interstate Commerce commission on was the rule under the federal statutes for dent, as none of the county chairmen had this subject when completed should be sub- many years, but it was subsequently ination with a view to possible action you refer I do not see any objection to sary supplies when any county makes ap-delay, however, in the completion of the Indeed, I have taken occasion to say in caster county will hold a primary and prevent the britains of caster for public speeches that the power to issue injunctions ex parte has given rise to certain templated. Mesers. Severance & Kellogg, abuses and injustice to the laborers on This county has in the past selected its who had been engaged as epecial counsel, gaged in a peaceable strike. Men leave employment on a strike; counsel for the employer applies to a judge and presents an affidavit averring fear of threatened violence and making such a case on the ex parte statement that the judge feels called upon to issue a temporary restraining order. The temporary restraining order is served on all the strikers; they are not lawyers; their fears are aroused by the process with which they are not acquainted and, although their purpose may have been entirely lawful, their common determina tion to carry through the strike is weakened by an order which they never have had an opportunity to question and which is calculated to discourage their proceed-

> notice and a hearing before an injunction "Third-In answer to your third ques-Tobacco from all parts of the state is tion, it would seem that it is unnecessary to the refusal of new risks owing to appre- issue at all, notice and hearing must be given. The third question is relevant and proper only should the power of issuing ex parte injunctions be retained in the quity, the tobacco growers' association, court. In such case I should think it eminently proper that the statute should require the court issuing an ex parte injunction to give the person against whom the injunction was issued an opportunity apon Governor Wilson to prove his de- to have a hearing thereon within a very short space of time, not to exceed, I should

> > Hearings in Contempt Cuses

say, three or four days.

be made what it was originally, requiring

Fourth-Your fourth query is, in effect what I would think of a provision in such cases by which the contempor-that is, the person charged with the violation of at order of injunction-might object to the judge who issued the injunction, as the one to try the issue, whether the injunction had been violated and to fix punishment in case of conviction, and thereby regulte another judge to try the issue and impose sentence if necessary. In federal courts in such a case it would be proper to provide that the senior circuit judge of the circuit should, upon the application of the defendant contemnor, designate another district or circuit judge to sit and hear the issue M_{Y} presented. I do not think such a restriction would be unreasonable. In most cases it would be unnecessary. But I admit that there is a popular feeling that in contempt proceedings, and the very name of the proceeding suggests it, that the judge feeding his last year at the university. He would the injunction has a personal sensitiveness have been graduated in June. Anguey is in respect to its violation, and therefore that he does not bring to the trial of the issue presented by the charge of contemp of his order the calm judicial mind with insures justice. I think that this popular South Dakota Man Named to Suc- feeling is in most cases unfounded, but I believe that it is better, where it run be done without injuring the authority of the court and the efficiency of its process, to WASHINGTON, Jan. 2-The president grant such a privilege to the contemnor oday sent to the senate the nomination of and thus avoid an appearance of injustice Fred Dennett of North Dakots, to be com- even at some inconvenience in the matter missioner of the land office; also the nomi- of accuring another judge. There is some nations of James F. Tracey of New York, analogy, though it is not complete, between to be a member of the Philippine commis- the exclusion of a judge from sitting in sion and secretary of finance and justice, the court of appeals to review a decision of

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