Ruling of Interstate Commerce Commission on Nine-Hour Act.

POWER TO SUSPEND IT

Railroads Must Observe it Except Where Cause is Shown.

PROMPT ACTION NECESS

No Extensions Can Be Granted Afta Law Becomes Effective March 4.

POSITION OF THE COMMISSION

Clause Providing for Exceptions is to Cover Unusual Conditions and These Can Be Granted Only After a Hearing.

WASHINGTON. Feb, 11 .- An important announcement was made today by the Interstate Commerce commission respecting its attitude toward the request recently made by the operating vice presidents of the railroads of the United States that the so-called nine-hour law relating to the employment of train dispatchers, telegraph operators and tower men be suspended by the commission until such time as the law could be amended to meet the desires of all concerned. The commission holds it brief, that it has no authority to extend the time or suspend the operation of the law except in a particular case or in cases where a hearing has been held and good cause shown for the extension asked. Following is the text of the commission'

announcement: "Thousands of letters and telegrams re celved within the last few days indicate widespread misapprehension as to the power of the commission to 'extend the law,' which goes into effect March 4, next, limiting the hours of service of employes engaged in the movement of trains upon interstate railroads.

Provision for Exceptions. The only authority in this record

expressed in the law, as follows: "The Interstate Commerce commission may after full hearing in a particular case and for good cause shown, extend the period within which a common carrier shall comply with the provisions of this proviso as to such case.

"The proviso referred to is that part of section 2 which provides that no employe who handles train orders by telegraph or telephone shall be required or permitted to be on duty more than nine hours out of the twenty-four at offices continually operated night and day, nor more than thirteen hours out of the twenty-four at offices operated 'only during the daytime,' except in case of emergency, when four additional hours may be required on no more than three days in any week. "No other provision of the law can be

extended or modified by the commission. The power to extend under this proviso the plain import of the language above quoted, from the context to which it reentire enactment. It seems clear to u that nothing more was intended than to authorse the commission in exceptional in stances, where conditions are unusual o are unforseen, to enlarge somewhat the time allowed to prepare for compliance Conditions whic are common to many rail roads or to a substantial percentage of telegraph stations are conditions which must have been taken into account when this law was passed and do not constitute 'a particular case' for relief by the com-

Covers Special Conditions Only. We are therefore of the opinion, withou made that 'good cause' for extension is not shown when it is merely alleged or made to appear that the law ought not to be enforced at certain stations or classes of stations because the number of train orders handled is small and there is no need of increasing the force of employes, Neither would it be good cause, as we believe to show that additional operators cannot be obtained at the wages now or heretofore offered, if it appears reasonably certain that higher wages would procure the requisite number. These are purely questions of legislative policy which must have been and were determined by the congress adversely to the carriers, and the commis n has no right or authority to postpone the taking effect of this law merely be cause its observance wil involve inconven ience and financial hardship,

"We are also of the opinion that such power as we have must be exercised before the law takes effect. It is the power to 'extend' the period allowed for preparation, not of power to suspend after the law has become obligatory. Therefore, we can afford no relief after the March, except in the particular cases where extensions may have been granted prior to that date."

This announcement is made for public information and to the end that all interested parties may be duly advised.

BILLS TO SUIT MONEY PAID Evidence in Capitol Fraud Case that Money Was Turned Over Before Goods.

HARRISHURG, Pa., Feb. II.-The com monwealth offered in evidence at the trial today of the state capitol conspiracy suit bills of lading from railroad compainies to sustain its charge that J. H. Sanderson, to submerge all of the great Salton sink. a contractor, was paid hundreds of thou sands of dollars for furnishings for the capitol prior to the delivery of these furnishings The state's lawyers contended that large sums of money were paid to Sanderson without regard to the quality of the furnish ings and the hills were afterward fitted to the advance.

The commonwealth probably will close today. The defense still declines to say who will be the chief witness, although it is sup posed the defendants themselves will take the stand. Former Governor Pennypacker

may also be an important witness. IOWA MAN'S JEWELS STOLEN Thieves Loot Rooms of Guest at

Memphis Dinner During Postivities.

MEMPHIS, Feb. 11.-While a dinner party was in progress at the home of Frank G. Jones in Vance avenue, one of the most fashlonable residential sections of the city, last night, thieves entered a M. Young of the army, retired, who is suond story window and made away with perintendent of the Yellowstone National jewels valued at \$30,000. The jewels were park, has recommended that the garrison the property of Garret E. Lambs, his wife and daughter of Clinton, In., guests of Mr. and Mrs. Jones.

Wednesday, February 12, 1908. ~FEBRUARY~ 1908 SEN MON TEE WED THE PHY SET 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29

THE WEATHER. OMAHA, COUNCIL BLUFFS AND TY-Rain probably Wednesday; no st change in temperature.

NEBRASKA—Showers Wednesday.

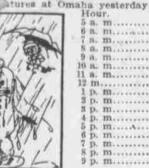
IOWA—Probably showers Wednesday.

Jerate temperature.

atures at Omaha yesterday:

Hour.

Deg.



DOMESTIC. Interstate Commerce commission issues statement that it can extend period of preparation of enforcement of ninb-hour law for railroad telegraph operators only in special cases where hearing shows that usual conditions exist. Denver Press club passes resolutions that hotels of the western city are large enough to accommodate the crowds that

will visit the democratic convention Decision in the United States circuit ourt of appeals refuses to permit the Southern Pacific road to secure control of the Salton sink irrigation project. Page 1

POREIGN. King Manuel of Portugal will take the oath before the Parliament, which has been called to meet at an early date. Page 1 Senor Gomez has been ousted from the Filipino assembly. Page 1

Ex-Premier Franco has left Marsellles Ex-Premier Franco has left Marseliles or Genoa.

Fage 1

Count Boni de Castellane has been fined 20 for his assault upon Prince Helie de 1

To the prince Helie de 1 \$20 for his assault upon Prince Helie de Segan. Page 1.

POLITICAL. Primaries held in Ohio were all in favor of Secretary Taft for the presidential omination. The supreme court decided the contested primary suit in favor of the

Taft organization. Governor Hughes of New York asks the senate of New York to remove Otto Kelsey, superintendent of insurance. Page 1 NEBRASKA. Railroad commission of Nebraska re-

uests the attorney general to bring suits for alleged violation of anti-pass law against persons mentioned in Missouri Pais extremely limited. This is evident from clific pass lists and against the roads Miss Ashford referred to the publicity

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| Port. NEW YORK | Arrived. | Halled | |
| PLYMOUTH | K. Withelm | II Pretoria | |
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| GLASCOW | Sicilian Pri | tice | |
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| NAPLES | | | |
| BOULOGNE | | | |
| | | Ryndam | Irene |

FIRST COUNTY GOES FOR TAFT

Cedar Leads Off Primary Election Expression of Presidential Preference,

HARRINGTON, Neb., Feb. 11 .- (Special deciding more definitely in advance of 'full Telegram.)-Cedar county, first in the hearing' on such applications as may be United States to Express its presidential preference for candidates at a primary aspirants. Of the 1,200 republican voters the democratic national convention in July, in the county less than 250 took the trouble to vote. Returns received today show that in but thirteen, of the twenty-one precincts Denver Press club, which is strictly a was an election held, and even in these newspaperman's organization and a potent decided to advise his partisans to support the interest was slight and the vete was factor in the affairs of the city and state, light. Taft had a plurality in nine of the declares, in the resolutions adopted, that precincts, LaFoliette in two and Roosevelt in two. The total vote in the thirteen precincts was divided as follows:

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| Roosevelt | | ٠. | | | | | | | | | | | | | | į. | | | Į, | | ï | į. | ı, | | ı. | | | | d |
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Taft's majority-34. ROAD MUST YIELD CONTROL

Judge Morrow Holds Southern Pa cific Cannot Hold Salton Irrigation System.

SAN FRANCISCO, Feb. II.-The control of the California Development company, which originated and constructed the monster irrigation system by which the water is taken from the Colorado river and applied to over \$60,000 acres of desert land the Salton basin district, Imperial ounty, must be restored from the hands of the Southern Pacific company to the hands of the original stockholders and shareholders. This in effect is the substance of a decision handed down by Judge Morrow in the United States circuit court of appeals and ends litigation that has tied up the canal system of the southern coun try since the Colorado river Went on rumpage in September, 1904, and threatened

BRIDGE INDICTMENTS FAULTY Ohio Supreme Court Beeldes Cases in Favor of Alleged Com-

bination.

COLUMBUS, O., Feb. II .- The Ohio sureme court today affirmed the decision of the Erie county circuit court invalidating the indictments against the so-called Bridge trust" in Ohio. The indictments are held to be fliegal on the grounds of duplicity and indefiniteness, in that they simply charge that the defendants were ogaged in a conspiracy in restraint of trade from 1903 to 1996, without stating efinite times of violations. All the defendants were convicted in their original trial in the common pleas court. Before the cases were carried to the circuit court three of the defendants paid the fines im-

More Troops for the Park. WASHINGTON, Feb. 11.-General S. B. at Fort Yellowstone be increased to four troops of cavalry of 100 men each, the increase to be permanent.

New York Governor Places Responsibility for Insurance Scandals.

REQUEST NOT AS YET GRANTED Demand Upon Senate, Which Body

Places it "On Table" for Time Credit of State is Involved.

ALBANY, N. Y., Feb. 11 .- Governor Hughes renewed to the senate his recom nendation of last year that Otto Kelsey be removed from the office of state superin tendent of insurance on the ground of in competency. Last year the senate refused by a vote of 27 to 24 to remove Superintendent Kelsey

Governor Hughes bases his renewal on recommendation of the report of Matthew C. Fleming, the governor's special commissioner, who recently investigated the insurance department, and transmitted with his message a copy of Mr. Fleming's report. On motion of Senator Raines, the message without comment was unanimously ordered printed and "for the present to be laid on the table."

While admitting the magnitude of the work of the insurance department and that its task has recently increased, the governor says that "Side by side with these dopartmental activities there grew up wasteful and corrupt methods which scandalized the country and brought the supervision of the department with regard to the important interests of the holders of life insurance policies into contempt."

Blame for Insurance Scandals. ·From the insurance investigation of 1905 says the governor, "it appears that if its energy had been well directed and the department has been efficient in the true sense, most of the scandals which were re vealed could not have existed." The concluding paragraph of the gov-

ernor's message is as follows:

The matter now presented to you involves the credit of the state. The conduct of the department should exhibit that care, thoroughness and vigilance which will guarantee adequate protection to the interests of the policyholders and at the same time justly insure the standing and promote the success of the companies bearing the seal of the department's approval. This, I am convinced, can be obtained only one way, and that is by having the department placed in other hands. The interests of the state require that a change should be made. ernor's message is as follows:

AGED SENATOR THROWN DOWN Miss Ashford, with No Desire to Separate Him from Family, Breaks Engagement.

WASHINGTON, Feb. 11.-Miss Maud Ashfordof this city today announced that she was no longer engaged to former United States Senator Henry G. Davis, the democratic candidate for vice president in the last national campaign. Miss Ashford stated that she broke the engagement last night. She said she and the former senwhich had been given the subject and to ish and Persian frontiers. B. the determined opposition of some of the nembers of Mr. Davis' family to the profrom his family. For this reason, she did bands in Macedonia by the use of mobile not care to have the engagement continue. Dr. Davis declined to be interviewed; say- powers consider the plan proposed to be ing he had no purpose of making any newspaper statements on the subject.

DENVER HOTELS BIG ENOUGH Newspaper Men's Club of Colorado City Deprecates Reports Circulated to East.

DENVER. Feb. 11.-Resolutions deploring the publication of stories in various newspapers throughout the country to the effect that hotel accommodations in Denver will be inadequate to care for the crowds election, voted on Saturday on republican expected in this city during the meeting of have been adopted at the regular monthly meeting of the Denver Press club. The "Denver hotels are modern and there are enough of them to house comfortably any sized crowd that might be expected to come | Prince to the city during the convention."

The resolutions request the newspapers of the country to print the club's protest.

TEST OF NEW RAILROAD LAWS Attorney General Hadley of Missouri Begins Argument Before Judge Smith McPherson.

KANSAS CITY, Feb. 11 .- Arguments wer begun in the federal court here today by Herbert S. Hadley, attorney general, representing the state of Missouri, in the maximum freight and passenger rate case. assault. Judge Smith McPherson last April issued a temporary injunction against the state, preventing the enforcement of the maxinum freight law and ordering a trial of the passenger rate law. The state filed a demurer to the injunction, asserting that both laws were valid, and it is upon this point that the arguments today were based.

BUSINESS ON SANTA FE POOR Ten Million Dollars Tied Up in Idle Equipment, According to Mr.

Hurley. TOPEKA, Kan., Feb. 11.-General Manager Hurley of the Atchison, Topeka &

Santa Fe railway said today: "The present conditions along the Santa n years. While we have been compelled to reduce the working time in the shops in Topeka to eight hours, yet I hope we won't be compelled to lay off a man."

According to Mr. Hurley at the present time the Santa Fe has \$10,000,000 tied up in equipment which is idle. This includes 800 empty boxcars and sixty-eight engines.

TAFT HASTENS TO MICHIGAN Where He Will Speak at Grand Rapids.

KANSAS CITY, Mo., Feb. 11.-Secretary of War Taft, who was the guest of the roung republicans of Missouri at a banquet in Convention hall here last night, departed for Chicago this morning on his way to Grand Rapids, Mich., where he is to speak Wednesday night.

Steamer Eagle Point Sighted. NEW YORK, Feb. 11.—The British steamer Eagle Point, which has been thirty days enroute from London for Philadelsteamer Eagle Foliat, which has been thirty days enroute from London for Philadel-phia, was sighted yesterday 270 miles east by southeast of Sandy Hook by the stramer Vaderiand, which arrived today. On Jan-uary 25 her captain reported that the reported that the steamer's shaft was broken

Growing Spirit of Nationalism in Grand Duchy Raises Questions in Russia.

ST. PETERSBURG, Feb. 11.-The relaons between Russia and the grand duchy of Finland, which have long been a subject of serious discussion in the higher administrative circles of the empire and the grand duchy, will not be raised in the Duma by the Octoberists, who have deelded to attack as a salient point the absence of control by M. Stolypin, the Rus sian premier, over the republics of the Finnish country.

The Octoberists maintain that the fundacental laws are applicable to Finland as an integral part of the Russian empire, and it is a fact that up to the present time the Finnish secretary, who ranks as a minister, has not observed this provision. Premier Stolypin will be asked what steps have been taken to put an end to this abnormal condition.

A second interpellation will ask why no measures have been taken in accordance with instructions issued by the emperor to onnect the railroad systems of Finland and Russia, a step which is imperatively necessary for the security of the empire in order to make possible the rapid mobilization of troops in case of the hostile inasion of Finland.

Both these questions will be urgent in order to forestall any on the part of the matter in a much sharper form. They are and that measures to crush the national aspirations of Finland be adopted.

WOMEN HIDE IN BIG VANS Suffragettes Storm House of Commons, but Are Stopped by Police.

LONDON, Feb. 11.-A band of militant delegates from the "Parliament of Woman Suffragists" which is now in session in London, made a vigorous assault on the House of Commons this afternoon. Their attempt to rush the doors of the lobby, however, was frustrated by the watchful police, who had a sharp skirmish with the shricking women, two score of whom were arrested for disorderly conduct. The attacking party was trying to deliver to the ouse of commons a resolution protesting against the "unconstitutional action of the government in refusing woman taxpayers the rght to vote.

The delegates secreted themselves in furniture vans in the vicinity of the buildng, and hus, were able to get close to the point of attack before being discovered.

TURKISH TROOPS WITHDRAWN Sultan Calls Them Back and Russia erally light. Will Not Increase Frontier Force.

ST. PETERSHURG. Feb. 11.-The withthe more conciliatory spirit shown at Constantinople, is regarded here as obviating the necessity for the present of taking further precautionary measures on the Turk- the general result.

LONDON, Feb. 13 "he foreign office columns commanded by Europeans. Both

impracticable.

King Manuel Will Take Oath of Office Before Body at Early Date. LISBON, Feb. 11.-The Diarao de Noticias

in its issue of today says that King Manuel Brown to the chairmanship of the state will leave Lisbon shortly for Cintra, where he will pass several months. Cintra is fourteen miles from Lisbon and has a royal summer residence. The Chamber of Deputies will reassemble

February 20, when King Manuel will take A leader in the French party who held a cabinet position under Senher Franco has

COUNT BONI FINED FOR ACT Helie de Sagan Secures Twenty Cents Damages for Assault of Relative.

the government in the coming elections.

PARIS, Feb. 11.-Count Boni de Castellane, the divorced husband of Anna Gould of New York, was today found guilty by the correctional court of criminal assault mony meeting of the leading candidates for and battery on Prince Helie de Sagan, his state and city offices with the Roosevelt cousin, and fined \$20. The prince was club of St. Paul last night resolutions awarded 20 cents damages.

attention to Mme. Gould, and this is supposed to have provoked Count Boni to the

SENOR GOMEZ LOSES HIS SEAT Filipino Member of Assembly Unseated at Manila by Close Vote.

MANILA, Feb. 11 .- After a series of exciting sessions, Senor Gomez was unseated by a vote of 40 to 35 this morning. Senor Jomez made a sensational appeal on Feb ruary 10 in which he accused party leaders of playing him false. The speaker was pelled to call him to order this morning before the vote was taken. The action of the assembly declares his election void.

FRANCO LEAVES FOR GENOA Fe from a business standpoint are the worst Ex-Premier of Portugal Departs from Marseilles for Italy-Detectives with Him.

> MARSEILLES, Feb., 11.-Senhor Franco, ex-premier of Portugal, and his family, who arrived here last night, left by train for Genoa this morning. Two detectives accompanied the party.

FIFTY THOUSAND DISAPPEARS Secretary of War Encoute Eastward, Safety Deposit Box Containing Valuable Papers is Missing at Minneapolis.

> MINNEAPOLIS, Feb. 11 .- A safety deposit box containing bonds and securities valued at \$50,000, the personal property of Daniel C. Hopkins, vice president of the Hopkins Land company, has disappeared from his office in the Metropolitan Life Insurance building.

Cold Benefits Conl Trade. SHENANDOAH Pa., Feb. II.—The cold of the last few weeks had the effect of strengthening the coal trade so much that all the Reading and Lehigh Valley coal collertes have been ordered to work six days a week, until further notice, instead of four

WILL ENFORCE LAW SUMMARY OF THE BEE HUGHES ASKS KELSEY'S HEAD FINLAND CAUSES CONTENTION TAFT WINS CUYAHOGA CASE INSURANCE MONEY TO LOAN

Supreme Court Finds that His Organization is Regular.

LIGHT VOTE AT PRIMARIES Elections Held in Thirty-Six Coun-

ties and in Only Two is There Opposition to Taft.

COLUMBUS, O., Feb. II.—The supreme court today declared that the roadway ommittee of Cuyahoga county which is controlled by the Taft people is the valid county organization in that county and the state agents predicted that more insurtoday primaries were held under the management of that organization. The commission, which was sustained by the supreme court today, had previously been declared regular by the republican state central committee and by two of the lower courts,

The Foraker people contended, however, that the board of elections had final authority by implication to decide what was the rightful committee and that it had recognized the Harvey, or Foraker comnized the Taft committee. They accord- urday. reactionaries, who purpose to raise this ingly asked that the board be enjoined from exercising its executive power con- man Paul Morton said that Omaha was the long drawn out controversy over the preparing to demand that the ownership trary to the way in which it had exercised one of the cities he meant to include in internal revenue collectorship matter by its judicial functions.

given previously by the circuit court, and able security. There is no limit to the declared that the board of election is with- ficient securities are offered. Mr. Morton out authority to ignore the committee recog- wrote that they would like to get a large nized by the state central committee; that the committee it named must be appointed. Judges Crew, Summers, Spear and Davis concurred in the decision, Chief Justice Shauck and Judge Price did not participate to be secured through any fixed agency the removal of Stillings. in the case.

Light Vote in Primaries. Primaries for the selection of delegates to the republican state convention were held in thirty-six countles of Ohio today. In fiftytwo countles there is but one list of candidates and no actual vote will be taken. In eleven congressional districts the primaries today nominated congressmen directly or selected delegates to congressional conventions. Opposition to Taft developed in two counties only, Knok and Cuyahoga, and the Tuft political managers are entirely confident of the result. They expect to have the convention unanimous

No Opposition in Cincinnati. CINCINNATI, O., Feb. 11.-Republican voters in the First and Second congressional districts today went through the drawal of Turkish troops from the Persian form of naming delegates to the state conterritory to the west of Tabriz, as well as vention, but only one ticket had been named and Taft delegates were chosen. A little one section of the city, but it did not affect

CHILLICOTHE, O., Feb. 11.-No primary has received replies from the governments state convention was held in Ross county posed marriage. She said she had no de. of Russia and Austria-Hungary regarding today, there being no opposition to Taft sire to estrange the senator at his age lits proposals to hunt down marauding delegates who had been nominated by the regular party organization. Similar conditions prevailed throughout the Eleventh congressional district.

TOLEDO, O., Feb. 11.-Considerable interest was manifested here today over the PARLIAMENT WILL MEET SOON republican primaries for the selection of delegates to the state convention. There are two lists of delegates, the one headed by Taft for president and the second by Captain John Craig, the local shipbuilder Both lists are really for Taft, but the Craig list is opposed to the re-election of Walter

committee Hot Congressional Fight. ZANESVILLE, O., Feb. 11 .- There is no opposition to the Taft ticket here and no primaries for state delegates will be held today. The congressional primaries, however, were rather bitterly contested. General R. R. Brown, past commander-inchief of the Grand Army of the Republic, and Probate Judge I. G. Jennings are candidates for congress and are expected to be about evenly divided in the delega-

presumably for Taft in this contest. ST. PAUL REPUBLICANS FOR TAFT Resolutions in His Favor Adopted at

Harmony Meeting. ST. PAUL, Minn., Feb. 11.-At a har were adopted endorsing the policies and The cause of the fight is said to have administration of President Roosevelt and been because Prince de Sagan was paying favoring instructed delegates from Minnesota to the national convention for the nomination of William H. Taft for the presidency. The political leaders decided to work for harmony and the candidates pledged themselves that if they were defeated for nomination they would work for the election of the successful nominees.

MANAGERS ORDERED TO JAIL Judge Wallace Will Compel Kansas City Theatrical Men to

Give Bonds. KANSAS CITY, Feb. II.-Because they refused to give bond in answer to indictments for requiring or permitting others court ordered the following named theatrical managers sent to jail: O. D. Woodward of the Auditorium, F. H. Brigham of the Gilliss, J. F. Donnegan of the Century and Martin Lehman of the Orpheum. managers to leave the court room. When were carefully kept secret. Marshal Heslip heard of this he conferred with Judge Wallace and immediately deputory bonds. The four managers have been ndicted seventy-one times and their bonds aggregate \$14,200. Judge McCune in the circuit court this

upon application of the theatrical men's attorney. SLEET STORM LOSS HEAVY

Atlanta and Vicinity Slowly Recover ing from Effects of Freezing Rata.

phone and telegraph lines, is heavy.

Big Companies of the East Prefer Western Real Estate to Bond Securities.

State agents of the National Life In urance company of Vermont met in the office of Charles E. Ady, state agent for Nebraska, Tuesday to confer on matters of mportance to western underwriters. Will am G. Henderson, state agent of Missour and M. J. Dillon of Sioux City, state agent for Iowa were present. After the conference it was said that some changes of im portance and of an interstate nature would be made, but nothing would be announced TALK OF SWITCH FOR HAMMOND at this time

The National of Vermont resumed make ing mortgage loans on Omaha city property and Nebraska farms a few days ago, and ance money than ever would be put out o real estate during the coming year, bonds being particularly unpopular with insur ance companies at the present time,

"The Equitable Life Assurance association has all the money loaned that wishes to losn on Manhattan island and hereafter it will be the policy of this com pany to loan money in the leading western cities, in the section of the country which is producing the money for premiums mittee; that later the board, under direc- Thus spake Paul Morton, president of the tion from the secretary of state, and not Equitable Life Assurance association at a because it had altered its opinion, recog- meeting of the agents held in Chicago Sat- the Nebraska delegation today it is ap

In writing to a leading Omaha business his remarks and that Omaha could have all the selection of either Rose or Hammond The supreme court in affirming decisions the money it wanted to borrow with suit- Both sides are in doubt as to where Hinommon pleas court of Cuyahoga county, money the west may borrow provided sufnumber of first mortgages on inside prop-

erty. The officers of the company wish to make it clear that this money don't have but that it may be secured direct from the at which time he will meet with some of the leading real estate men and make going into the fight, as it would necessiclearer the company's position.

REV. JOHN K. FOWLER DEAD LaCrosse Minister Who Was Considered for Pastor by Omaha Church Passes Away.

LACROSSE, Wis., Feb. 11.-Rev. Dr. John K. Fowler, pastor of the First for Taft when it assembles on March 3, Presbyterian church, former moderator and declare that there is no chance of any of the Presbyterian synod of Wisconsin set at rest today in a letter received by anti-Taft men being chosen as delegates and one of the most prominent clergymen Senator Brown from Mr. Rose, which says: to the national convention at Chicago. The of his denomination in the northwest, died polls closed at 7 p. m. The vote was gen- today of peritonitis, aged 55. Dr. Fowler Washington in the interest of my candihas held some of the most important.

Dr. Fowler was known to a large number of persons in Omaha. He was in the city a few weeks ago and came near me to be in Washington before the 22d being called to the pastorate of Lowe or 23d. Besides I believe it would accencontest for district committee men stirred Avenue Presbyterian church. In fact a tuate the feeling in the state over the majority of the members at a congregational meeting did vote to call him. Dr. for the sole purpose of appealing person-Fowler preached twice at the church on ally to our delegation." for conice of delegates to the republican a recent occasion and made a most favor-state convention was held in Ross county able impression on many who heard him.

> severe shock. Henry B. Payne of Payne, Bostwick & he was a student at Monmouth college. President Wadsworth of Bellevue cola church and Dr. Wadsworth president of Occidental college. Dr. Fowler was known also to many of the local Presbyterians. Dr. Fowler passed through Omaha re-

cently, 'returning from Boulder, Colo., where he preached and to which place he might have been called. On that occawith his friend, Mr. Payne, "I thought then he looked very poorly." said Mr. Payne yesterday evening on learning of his death, "I am terribly

have had its effect upon his health."

M'DONALD ACQUITTED Mr. Burkett has fathered. Alleged Slayer of Webster Guerin is Found Not Guilty by

Jury. CHICAGO, Feb. 11 .- Mrs. Dora McDonald, who has been on trial here since January 30 on the charge of murdering Webster Guerin, was acquitted by the jury in the criminal court tonight. The verdict was reached after six and a half hours deliberation, the jury having retired at 1 o'clock

this afternoon The defendant, who is the widow of George C. McDonald, the former millionaire gambling king and political leader in Chicago, received the verdict without apparent emotion. During the trial she had requently collapsed and on several occasions the case has been interrupted in order that she might receive medical at-

tention. Tonight, however, she was the least goved of any of the persons concerned in the defense; her attendant being so overcome that Mrs. McDonald was compelled to work on Sunday, Judge Wallace in the to exchange roles with her and try to ulet the woman.

Members of the jury took an oath before eporting their finding not to reveal the history of their deliberations. The first ballot, they said, stood eight to four for The chief deputy marshal permitted the acquittal, but subsequent developments

After Mrs. McDonald had been discharged she was take nto a hotel by relatives. It ties were sent out to arrest and bring was announced lates that she will retire in the managers, who it is stated will be to a sanitarium. Despite her nervous and sent to jail unless they furnish satisfac- physical condition during the trial and the nonths following the tragedy no hint of insanity was offered as a defense at the trial

afternoon issued writs of habeas corpus UNION PRINTERS ARE FINED

New York Men Have Jall Sentences Added for Violation of Injunction.

NEW YORK, Feb. 11.-President Patrick H. McCormick of the local typographical union, known as the "Big Six," and G. O. W. Jackson and Vincent aCstello, union ATLANTA. Ga., Feb. 11.-Atlanta and organizer, today were fined \$250 each and vicinity are slowly recovering from the ef- sentenced to twenty days' imprisonment head, the new senator from Alabama, for fects of the sleet storm which yesterday for disobedience of an injunction obtained and last night isolated the city. Street by the tyopethae of New oYrk in 1966. cars are not running. The storm abated Thomas eBnnett and William S. Anderson loday, leaving ruin for miles about the city. ware fined \$100 on the same charge. Sen- of Indiana and Underwood of Alabama. The property damage, particularly to tele- tence was imposed by Justice iBschoff in the supreme court.

SHOWDOWN IN SIGHT

Opinion Revenue Collectorship Will Be Settled Saturday.

HAMMOND FORCES CONFIDENT

Hinshaw Said to Be the Uncertain Vote in the Delegation.

Public Printer is the Latest Place

Suggested for Fremont Man.

ROSE NOT COMING TO CAPITAL Senator Burkett Secures Amendment to Postoffice Bill Increasing Clerk Allowance for Third-

Class Offices.

(From a Staff Correspondent.) WASHINGTON, Feb. 11 .- (Special Tele gram.)-From talks had with members o parent there is a deep-rooted conviction that Saturday will see the termination of shaw will be found, but betting is 10 to

that he will vote for Hammond and bring about his election. Nebraskans outside the delegation were about the capitol today suggesting the ap pointment of Ross Hammond as publiprinter, a position now being filled by Deputy Public Printer Captain Brian since

The uncertainty, however, of the Necompany. J. W. Mooyer, loan agent of the braska delegation being able to land such company is expected in Omaha next week a place for Hammond, it is thought, would seriously deter the Fremont editor from tate his withdrawal from the collectorship race. Hammond firmly believes in his star and he had emphatically stated he did not propose to relinquish what to him seems a certainly for an uncertainty. While the suggestion that the delegation go to the front for Hammond for public printer was pretty generally talked no great amount of weight was attached to the suggestion. The speculation as to the coming of Mr. Rose to Washington during the week was "Replying to your call for me to go to dacy for the collectorship. I have to say charges in his church in Wisconsin and that Attorney General Thompson is expecting me to go with him to Washington to take part in the argument before the supreme court in the mandamus case February M, and it is out of the question for controversy if I were to make the trip

More Money for Postal Officers. Senator When advised over telephone friends of ment to the postoffice appropriation bill Dr. Fowler expressed keenest sorrow at appropriating \$2,000,000 for clerk hire in his death, saying the news was a most third-class postoffices. Resolutions have been passed by a number of bodies throughout Nebraska favorable to this appropria-Co. knew Dr. Fowler as his paster when tion, which, it is urged, is absolutely needed in third-class postoffices. The maximum allowance for clerk hire in a third-class lege and Dr. Fowler were close personal postoffice is \$500, while the minimum of friends, having been associated in Los clerk hire in a second-class postoffice is Angeles, where Dr. Fowler was pastor of \$1,300, and the work done by the clerks in second and third-class offices is very

nearly the same

From third-class offices many rural routes diverge and along these routes farmers who are dealing with mail order houses are in the habit of sending their remittances by money orders, so that the clerk sion he visited for a few hours in Omaha is kept busy in the postoffice writing money orders. Under the rules of the Postoffice department, weekly, monthly and quarterly statements are to be made out so that the postmaster and his clerk shocked and grieved. He was a splendid in a third-class office are kept continuously man and an excellent preacher. One of at work from early morning until late at the saddest features of his death is that night looking after the business of the ofhe had been so solicitous over the health fice and it has become a notorious fact tion. Jennings is a Taft candidate. General of his daughter, and now he is gone. I that third-class postmasters with the small Brown is an "original Foraker man," but am satisfied he felt disheartened over his allowance for clerk hire given them by daughter's ill health and I think this must congress cannot do the work devolving upon them. The postmaster general earnestly recommends this appropriation which

> South Dakota Politics. State Senator F. M. Byrne of Faulkton. S. D., is in Washington with his son, who goes into a preparatory schoool at Annapolis for the purpose of reviewing his studies necessary to an examination for midshipman, which young Byrne will take in June of this year.

Senator Byrne, speaking of the political situation in South Dakota, said that the Crawford-Gamble wing of the republican party, and known in the state as the insurgent wing, was gaining in strength and that a direct primary for United States senator would eliminate Senator Kittredge and elect Governor Crawford,

Minor Matters at Capital. Senator Burkett today presented to the president Mr. and Mrs. Arthur English of Omaha, who are on their way to New York from where they sail Saturday on a tour ground the world.

Major Duniel E. McCarthy, quartermaster, will proceed to Omaha for duty as chief quartermaster, Department of the Missouri, reliaving Major Thomas Swobe, quartermaster, from temporary duty in charge of the office of chief quartermaster. The application of E. T. Dufur, Nathan Schee, J. P. Lambert, J. G. Rounds and A. Bailey to organize the First National bank of Diagonal, Ia., with \$25,000 capital, has been approved by the comptroller of the

currency. Rural carriers appointed for Iowa routes: Algona, route 5, S. J. Ramsey, carrier; Edith E. Ramsey, substitute, Lone Rock, route, 2, Hugh M. Carr, carrier; Wilbur

Heater, substitute. PROCEEDINGS OF THE HOUSE Appropriation for Inland Waterway

Commission Voted Down. WASHINGTON, Feb. 11.-Interest in the occedings of the house of representatives today attached to a mild criticism of the president by Mr. Tawney, chairman of the committee on appropriations, for having, as Mr. Tawney charged, appointed the inland waterways commission without authority of law. The debate was on the urgent deficiency bill and grew out of a senate amendment to pay John H. Bank his services on the commission. The right of the president to appoint such commissions was upheld by Messrs. Crumpacker

(Continued on Second Page.)