THE OMAHA DAILY BEE

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LANE COMING WEST

Interstate Commerce Commissioner Will Study Railway Situation.

CAR SUPPLY HIS CHIEF INQUIRY

New Legislation May Follow His Investigation on Subject.

WORK TO START AT CHICAGO

General Officers of Companies to Be Questioned by Official.

COAL SITUATION TO BE STUDIED

Effort Will Be Made to Cause Railway Managers to Provide Cars Enough to Move Freight.

CHICAGO, Sept. 2.—A special to the Record-Herald from Washington says:

Interstate Commerce Commissioner Franklin K Lane will leave Washington tomorrow for a protracted tour of the west, which is likely to bear very important results. In addition to looking into the matter of how thoroughly certainbig railroad systems have been living up to the anti-rebate provisions of the rate law, Mr. Lane will devote particular attention to the car shortage situation with a view to preventing a recurrence of the deplorable conditions that existed last winter.

Perhaps the car shortage feature ought to be given prominence in connection with Mr. Lane's errand, as his investigations, together with the earnestness of the railroads in keeping their promises to furnish better service to shippers may have a great deal to do with indicating the need of further legislation affecting transportation at the coming session of congress. The commissioner undoubtedly will use his influence to have the carriers meet the demands of the western country and prevent if possible agitation to force more drastic legislation than already has been enacted.

Exhaustive Study to Be Made.

Mr. Lane will reach Chicago Wednesday afternoon and will spend Thursday in the latter city discussing conditions with general officers of some of the lines centering there. He then will go to St. Paul, for a conference with officers of the Northern Pacific and Great Northern roads, intending to talk personally with James J. Hill if the latter be at home. From St. Paul he will go to Spokane, Seattle and Portland, and thence down the Pacific coast looking minutely into affairs embracing the Harriman lines—the Union and Southern Pacific. The whole trip will consume five or six weeks, the car shortage situation affecting cotton and lumber in the south being looked into on the return journey.

Agents of the Interstate Commerce commission quietly have been investigating the observance of the new law provisions by the railroads of the far west, and Commissioner Lane will meet them and get their reports.

"I am going to look into the car shortage matter as thoroughly as possible," said Commissioner Lane today. "Anything I can do to inform the railroads of conditions so that they can meet the demand of shippers I will do. The government already has set an example to the people by ordering its fuel supply for next winter early, and if a coal famine is to be prevented the coming season the example must be heeded.

The Coal Situation.

"Conditions have been partially met already by the wholesale dealers at Duluth, who have put in large supplies of coal by boat. But the coal must be shipped from there to the west by rail. The railroads have complained that dealers have not put in their orders early enough, and that they have not unloaded fast enough. Still the railroads have promised more cars, and to what extent they have fulfilled their promises remains to be seen.

"Last year the railroads were taken unawares with regard to the equipment that would be needed to move the crops. This year the early expectation was that the crop movement would call for less attention, but it developed that the wheat crop after all is large and there is danger in consequence of car shortage unless special care be taken.

"It is important that coal be ordered not only before cold weather sets in, but before the crop movement begins, the latter part of October and November. The railroads have been building new track, establishing new division points and extending their yards and switching facilities. I don't know to what extent this has been done, as the railroads have complained of inability to get steel and lumber and rolling stock, and it has been hard, so they claim, to get money to carry out all contemplated improvements.

Suggestions to Managers.

"The commission cannot direct railroad officials how to manage their roads, but it may be possible to make suggestions that will help both the roads and the shippers by reducing the chances of car shortage to a minimum.

"Unless the railroads are able to give the shippers better treatment than they have in the past, sometimes, there is almost sure to result agitation for legislation that will give the commission greater power than it now has. Much of the restrictive railroad legislation in the individual states that has been enacted recently is due to the reflex action of grievances complained of by shippers.

"In the south a continuance of car shortage conditions affecting lumber and cotton will force a demand for reciprocal demurrage laws and laws prescribing the number of miles a car must be hauled every twenty-four hours."

WIRELESS AIDS POOL ROOMS

Outfit Used to Secure Results from Sheepshead Track Seized by Authorities.

NEW YORK, Sept. 3.—A wireless outfit, which the police believe was used for transmitting racing news to the pool rooms of New York city, was seized in a cottage near the Sheepshead Bay race track yesterday. Two men were arrested in the department. The fact that the race track managers withhold racing news for a stated period, in order to make it of little value to poolrooms, has led to many ingenious schemes to get the coveted information. The wireless method was the latest. A cottage overlooking the track was hired and experts, with the aid of a powerful telescope, collected such information as was desired. As the telephone and telegraph wires in the track's vicinity were closely guarded, the wireless system was resorted to by the pool room agents to get the news through to the city

SUMMARY OF THE BEE

[illegible]sday, September 4, 1907.

18[illegible] SEPTEMBER 1907

SUN	MON	TUE	WED	THU	FRI.	SAT
1	[illegible]	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	30					

THE WEATHER.

FORECAST FOR NEBRASKA AND IOWA—Fair Wednesday; [illegible] change [illegible]day.

Temperature at Omaha yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	55	[illegible]	16
6 a. m.	57	[illegible]	77
7 a. m.	56	[illegible]	78
8 a. m.	59	[illegible]	79
9 a. m.	65	[illegible]	79
10 a. m.	70	[illegible]	74
11 a. m.	72	[illegible]	72
12 m.	76	[illegible]	69
[illegible]	[illegible]	[illegible]	65

DOMESTIC.

Interstate Commerce Commissioner F. K. Lane expects to leave on an extended trip when he will observe conditions with respect to car shortage and railroad management. **Page 1**

Judge Landis gives District Attorney Sims until September 24 to make further showing in the Alton railroad rebate inquiry. **Page 1**

Wireless plant was found by which pool sellers secured results of the races at the Sheepshead track. **Page 1**

The Standard Oil company case, hearing on which will take place in New York Thursday, will be a fight for the life of the company. **Page 1**

President Roosevelt changes his plans and will reach Washington on September 25 previous to his western trip. **Page 1**

In United States court at St. Paul, the preliminary phases of the fight over the 2-cent fare law and the rate reduction acts is taking place. **Page 1**

Senator Newlands addresses the national irrigation congress at Sacramento upon national phases of the transportation problem both by rail and water. **Page 1**

Government will build five new torpedo boat destroyers. **Page 1**

FOREIGN.

Engineer on Canadian Pacific excursion train took curve at high rate of speed near Orangeville, Ont., and six were killed and many injured. **Page 1**

German military authorities discover important army secrets in the hands of a traveler. **Page 1**

Serious fighting takes place near Casablance between the native troops and Moors. **Page 1**

Rioting at Antwerp takes on serious phase and police discharge revolvers into crowd. **Page 1**

American manufacturers on tour of Germany find progress in industries there has been amazing. **Page 1**

NEBRASKA.

State fair is drawing about the same attendance as last year. J. W. Deweese, attorney for the Burlington road for many years, is dead. **Page 3**

Nebraska railroads ask for more time in which to prepare a showing with respect to the recent order of the railway commission lowering grain rates. **Page 3**

Prof. Charles Woodbury, instructor in the Lincoln high school, was drowned at Lawrence, Kan. **Page 3**

LOCAL

Government inspectors are in Omaha looking for the sign required by law over the doors of renovated butter factories. **Page 5**

Two men were killed by trains in Omaha within twenty-four hours. **Page 7**

Sam Grace, business agent of the Union Pacific machinists, denies the story recently circulated that a strike among machinists is contemplated. **Page [illegible]**

Herbert Harriman of Omaha, cousin of E. H. Harriman, is engaged to Miss Elizabeth Shirley of Kentucky, who jilted Tod Shevlin, the Yale foot ball man. **Page 5**

MOVEMENTS OF OCEAN VESSELS

Port.	Arrivals.	Departures.
NEW YORK	Kroonland.	
NEW YORK	Oscar II.	
PLYMOUTH	K. W. der Grosse.	
GLASGOW	Columbia.	
ROTTERDAM	Statendam.	
LONDON	Minnetonka.	

OLD OFFICERS RE-ELECTED

Rural Letetr Carriers' Association Closes Successful Meet at Grand Island.

GRAND ISLAND, Neb., Sept. 3.—(Special.)—The second annual meeting of the Rural Letter Carriers' association of Nebraska came to a close last evening at the court house, a very successful meeting having been held. The morning session was taken up by preliminary organization, addresses of welcome, etc. The visitors were entertained at dinner as the guests of the city by the ladies of the Trinity Methodist Episcopal church. F. H. Cunningham, past president, addressed the assembly on "The Good of the Order," urging them all to get all rural carriers in the state into the organization and that there be a county organization in every county. The present officers were reelected: S. P. Howland of Juniata, president; Mr. Helmick of Waco, secretary; Mr. Talbot of Table Rock, vice president, and C. B. Barber of Stromsburg, treasurer. Mr. Talbot was elected delegate to the national convention, with Mrs. Ruth Kenyon of York as alternate. York was chosen as the place to hold the next convention.

The delegate to the national convention was instructed to vote against old line insurance for the rural carriers. Resolutions felicitating the organization upon the improvement of the service and expressing thanks to the department at Washington instrumental in securing an increase in salary and thanking the senators of Nebraska for their assistance, also thanking the local authorities for their kind welcome and entertainment, were passed.

BAR TICKET TAKING LEAD

Lancaster Republicans Interested Most in Outcome of District Judgeship Fight.

(From a Staff Correspondent.)

LINCOLN, Neb., Sept. 3.—(Special Telegram.)—There is little excitement in Lincoln over the primary, the chief element of interest occuring over the bar ticket, friends of opposing candidates being at the polls and making an effort to secure support for their candidates. At 9 o'clock, in one of the best populated precincts, twenty-nine ballots were cast, being an indication of the vote over the city.

Charter Oak Races Postponed.

HARTFORD, Conn., Sept. 3.—The grand circuit races at Charter Oak park have been postponed until Wednesday. Heavy rains during the night and lack of sunshine today left the track in such a condition that it was deemed inadvisable to start the horses this afternoon.

ALTON INQUIRY POSTPONED

Judge Landis Grants Request of District Attorney Sims.

NEW TURN IN THE REBATE CASE

Situation Arose Compelling Adjournment of Session of the Grand Jury for Three Weeks.

CHICAGO, Sept. 3.—Judge Landis in the United States district court today ordered a postponement of the grand jury investigation of the rebating charges against the Chicago & Alton railroad growing out of the recent trial and conviction of the Standard Oil company until September 24.

It was generally believed that when court opened today a letter would be presented from Attorney General Bonaparte settling the question of whether the Department of Justice intended to prosecute any action against the Chicago & Alton. The company had claimed immunity, asserting that it was promised by former District Attorney Morrison that if it aided the government in good faith in the prosecution of the Standard Oil company it would be exempt. No such letter was, however, presented in court either by Judge Landis or by District Attorney Sims, the successor of District Attorney Morrison.

District Attorney's Remarks.

When the court opened today District Attorney Sims said:

"I am here, if the court please, in the matter of the grand jury investigation, and in that matter I have to ask the court—or I wish to make a motion for postponement. In compliance with the suggestion of the court made at the time of the convening of the present grand jury, the facts and circumstances in connection with the matter under investigation had been submitted to the department and I expected to be able to report to the court this morning its views and findings. Very recently, however, a situation has arisen, which, in my judgment, makes it highly desirable that I have time to submit to the department certain facts and circumstances in addition to these already submitted.

"For these reasons I request that further action in the matter be postponed for three or four weeks. I regret the necessity for asking the court for this postponement, but it seems to me in view of what I know in connection with the case to be unavoidable."

"Is the grand jury present?" asked Judge Landis.

"Not now, your honor."

"How much time do you want?"

"I think not less than three weeks. It seems to me highly desirable that when the matter is again called that we be able to take definite action on it. Three weeks from today will be the 24th."

"You may inform the grand jury," said Judge Landis, "that they are at liberty to take a recess until 10 o'clock on the morning of September 24th."

After leaving the court room District Attorney Sims declared that he intended to submit certain facts to the attorney general and said that they had arisen within a few hours.

He said that he would go to Washington within a short time to present personally to the attorney general his reasons for asking the postponement.

BUILD TORPEDO DESTROYERS

Bids Opened at Navy Department for Five Vessels of This Class.

WASHINGTON, Sept. 3.—Bids were opened at the Navy department today for construction of five torpedo boat destroyers under the terms of the naval appropriation acts of 1906 and 1907. The limit of cost was fixed at $800,000 for each vessel, no bidder was authorized to receive contracts for more than two.

In response the designs of these new vessels appear to be reactionary, for the maximum speed required is placed at twenty-eight knots per hour, whereas some of the boats constructed several years ago were obliged to show a trial speed of over thirty knots. But the new boats are expected to be much more serviceable craft than the early types. They represent several years' experience in the hardest kind of torpedo boat drills and cruises for our own little flotillas have made world's records in long distance voyages, and their commanders invariably reported in favor of structural strength, stability and coal endurance, as against the high speed. So the efforts in this case has been to plan a type of boat that will have great seagoing power on a limited displacement of 700 tons.

TWO HUNDRED PEOPLE HURT

Engineer Took Mountain Curve at High Speed, Killing Six Outright.

ORANGEVILLE, Ont., Sept. 3.—A Canadian Pacific railway special train carrying over 300 passengers bound for the Toronto exhibition was wrecked this morning at Horse Shoe Falls, nine miles south of here. Six people were killed and over 250 injured.

The train left Orangeville at 9:15, one hour late. Half an hour later the locomotive jumped the rails on the down grade of the horseshoe curve of the Caledon mountain. Five crowded cars were piled up on top of the locomotive.

At Orangeville every seat was filled and people were standing in the aisles. All the cars were jammed together in the fierce shock. Not less than 300 passengers were in the cars that left the rails. Of these at least 250 were injured, many of them fatally, and six were killed outright.

The only explanation of the disaster so far is that the engineer was trying to make up time and took the horseshoe curve at a high speed.

AUGUST TRADE IS LARGE

Government Has Surplus of Over Three Million Dollars for August.

WASHINGTON, Sept. 3.—The statement of the government receipts and expenditures shows that for the month of August, 1907, the total receipts were $58,226,281, and the expenditures $54,637,790, which leaves a surplus of $3,588,491.

The monthly circulation statement shows that at the close of business August 31 last the total circulation of national bank notes was $604,066,321, which is an increase for the year of $34,204,018, and an increase for the month of $660,435. The circulation based on United States bonds amounted to $556,945,917, an increase for the year of $32,506,727, and an increase for the month of $1,922,637. The amount of the circulation secured by lawful money was $47,119,404, an increase for the year of $1,697,291 and a decrease for the month of $1,262,197

GERMANY'S GREAT PROGRESS

American Manufacturers Find Much Advancement Made in Machinery.

BERLIN, Sept. 3.—Lieutenant Godfrey L. Carden of the United States revenue cutter service, who has been investigating the principal industrial centers of Belgium, Switzerland and Germany with a party of American manufacturers and professors, proceeded to Magdeburg today. Among the party are H. W. Leschen of A. Leschen & Sons of St. Louis, Clifford Egan of J. A. Fay, Egan & Co. of Cincinnati, L. H. Weber of Kansas City, Prof. Clifford Coggins of the University of Colorado and Prof Raynor Allen of the Massachusetts institute of technology.

The two principal conclusions reached are the extraordinary prosperity and extreme industrial advancement of Germany. All of the thirty-five works visited were crowded, some of them having orders for years ahead. At Mulhausen, the Americans found gas engines being constructed up to 3,000 horsepower. Gas engines in America, Lieutenant Carden said, are regarded as being in an experimental stage, but all over Europe gas engines had passed from experimental to fully practical use.

The Americans found that the Germans made great use of waste steam in manners unknown in America. Lieutenant Carden, who visited 350 German works in 1903 as a machinery expert for the St. Louis exposition, was able to contrast what he saw during his present visit with what he saw four years ago. He said that the workshop efficiency here had increased almost up to 100 per cent, the manufacturers everywhere having applied American methods of getting the highest capacity out of tools and machines. He found, however, that the Germans employ fewer American

The feeling among the manufacturers of machine tools, most of those now in use having been made in Germany, although the highest class American tools are still imported.

the party was that the United States experiences difficulty in beating Germany and that the American superiority in systems of work and machinery of a few years ago has well nigh been overcome.

From Magdeburg the American party will go to Hanover, where it will break up, sailing for home on various steamers.

MOORS DISPERSED BY FRENCH

Serious Engagement Unfavorable to Tribesmen Takes Place Near Casablanca.

PARIS, Sept. 3.—Admiral Philibert, cabling yesterday, reports that a serious engagement occurred on Sunday near Casablanca, when a large force of Moors of the Taddert and Mzab tribes was dispersed by the French troops. The French cruisers Gloire and Gueydon participated in the action, firing sixty shells. Four French soldiers were wounded. The fanatics showed extreme recklessness, but eventually retired under repeated, sweeping charges of the French and the terrific bombardment of the artillery.

The fighting was started by the Arabs attacking a reconnoitering party which General Drude had sent out, and which were reinforced by nine companies of infantry and two batteries of artillery, and spahis, Africans, hussars and irregular Algerian cavalry. The loss of the Moors is not known.

Tedala, which the French cruiser Gueydon bombarded, was used as a supply center by the Moors.

LIPTON WENT THROUGH STORM

His Party Had Lively Experience Off Southsea When Squall Endangered Boat.

LONDON, Sept. 3.—Sir Thomas Lipton and a party of guests have arrived at Southampton on the steam yacht Erin. Lipton left Belfast last Thursday for Dublin, and his nonarrival at the latter port had given rise to rumors that he had steamed for the United States. Sir Thomas and his guests had a lively experience off Southsea. They had boarded the schooner yacht Ceylon and were at luncheon when a storm arose, which caused the boat to heel dangerously. Dishes, chairs, etc., were thrown about and smashed. The party returned to the Erin as soon as the squall abated.

RIOTING SERIOUS IN ANTWERP

Police Fire Upon Disturbers and Many Persons Are Badly Wounded as Result.

ANTWERP, Sept. 3.—The violence of the locked out dock laborers and of those who went on strike in sympathy with them increased to serious proportions today, when at least a dozen persons, including strikebreakers and members of the crews of the steamers, were attacked and badly wounded. The police charged repeatedly, firing their revolvers at the rioters, who dispersed only to reassemble. Troops are ordered to mobilize tomorrow and gatherings of more than five persons are forbidden.

FLOOD DAMAGE IN JAPAN

Heavy Loss of Life and Property Resulted from Recent High Water.

TOKIO, Sept. 3.—The following is an official statement of the loss of life and damage caused by the recent floods: Killed, 348; injured, 70; missing, 173; buildings destroyed, 1,337; partially destroyed, 1,376; washed away, 3,142; flooded, 173,339; embankments broken, 1,570; bridges washed away, 976.

Rice and other crops suffered heavily in the flooded districts, but it is believed that the rice crop of the whole country will be slightly above the average.

ARMY SECRETS DISCOVERED

German Military Authorities Find Military Instructions on Person of Traveler.

BERLIN, Sept. 3.—The military authorities are making a searching investigation to discover further ramifications of the Coblentz treason case, which came to light through the discovery on the person of a traveler at Herdiesthall on the Belgian frontier of copies of secret instructions regarding artillery fire as practiced in the German army, which are confided only to the chief officers under stringent safeguards. Two further arrests were made.

American Money Demanded.

HAVANA Sept. 3.—Building construction in the capital is at a standstill because of a strike of masons, who have demanded the payment of their wages in American money. This strike may be the beginning of a general move for American money, expected since the cigarmakers strike.

VOTE RUNS FAIRLY HEAVY

Balloting in Primaries Light Early, but Picks Up.

HARMONY SLATE PROBABLY WON

Indications Are That Most of Men on Ticket, If Not All, Will Get the Republican Nominations.

The balloting in the local primary election was carried on under most favorable conditions yesterday. The vote started out light during the early hours of the day, but became heavier toward evening and continued in all the precincts up to the closing hour. The fact that the polls were open to 9 p. m. makes it impossible to give any definite figures for this early mail edition, although indications are that most of the candidates on the harmony ticket, if not all of them, won out for the republican nominations.

The polls opened in most of the precincts at 8 o'clock. In some voting places trouble was had in securing judges and clerks and bystanders had to be sworn in to take the places of absentees. This trouble delayed the opening in a few of the precincts, but owing to the light vote did not interfere seriously with the balloting.

Butler Has Little Trouble.

City Clerk Butler had little trouble with his registrars except in the Third of the First ward. Dominick Cogan refused to act as registrar and Butler sent a policeman out to his house at 5 o'clock Tuesday morning to escort him to the city hall to qualify. When the officer got there Cogan had fled and he was nowhere to be found. A substitute was found and qualified. In several precincts the registrars also acted as judges and clerks of election.

Some minor clashes betwen workers occurred in a few of the precincts. In the Fourth of the Eleventh ward M. G. McLeod tore down and destroyed all the harmony ballots that had been posted near the polls. In the Fifth of the Fifth ward Donahoe workers removed all the sample ballots that did not contain the name of their candidate. In some of the precincts of the Seventh ward M. J. Groevy entered objection to the posting of ballots and cards in the neighborhood of the polls.

It was reported early in the forenoon that some of the precinct boards were allowing unregistered voters to register and vote on their new registration. Inquiry failed to disclose any precincts in which this was being done and the old registration lists were in general use. Voters were allowed to register for the fall election as primary day is the first day of registration, but this did not give them a right to vote at the primary unless they had previously registered.

Cut All for Bob Smith.

Early in the day reports of the last desperate effort in behalf of Bob Smith began to spread over the city. From various voting precincts came the reports that Fontanelles and personal boosters of Smith were out with the appeal to vote for Bob Smith no matter who else got a vote. To foster this scheme little cards were distributed bearing this injunction or appeal. These cards were kept in circulation.

This action has had the effect of riling other members of the Fontanelle club as well as creating consternation among the Iqual Righters, who had supposed somebody beside Smith would get some of this support. These elements claim it only shows the despair which the Smith men feel for the safety of their candidate, but that doesn't seem to mollify the feeling of the others.

Officers Woodridge and J. B. Wilson of the police force raided the saloon of Emil Gall at Ninth and Douglas about 3 o'clock Tuesday afternoon and found twelve men in the place, most of them drinking. The entire crowd, including Gall and his bartender, Henry Gall, was arrested and taken to the police station, charged with violating the election day lid.

LATINS STILL DISSATISFIED

American Proposal Relative to Collection of Debts is Practically Approved.

THE HAGUE, Sept. 3.—The latest suggestion of the American delegation to the peace conference made to the Latin-American countries regarding the proposition to establish a permanent international high court of justice at The Hague, is that the conference select fifteen to twenty-five electors, who shall elect the judges.

Even this does not find favor with the Latin-Americans, Senor Esteva, head of the Mexican delegation, and Dr. Ruy Barboza, the leader of the delegates from Brazil, showing special opposition to it. Senor Esteva thinks the project does not sufficiently guarantee the rights and sovereignty of the countries represented.

General Porter's proposal for the collection of contractural debts, which is a modification of the first American proposition on the subject, and principally intended to do away with the reservations made when the first proposal was put to a vote, was today practically unanimously approved by the committee of examination.

OMAHA AFTER THE EAGLES

Convention at Norfolk May Come to Nebraska Year After Next.

NORFOLK, Va., Sept. 3.—The ninth annual convention of the grand aerie, Fraternal Order of Eagles, convened here today with an attendance of upwards of 1,000 delegates from every state and from Canada, and a total gathering of more than 15,000 visitors. Responses to addresses of welcome by Governor Swanson and Mayor Riddick of Norfolk were made by Theodore A. Bell of California and Del Carey Smith of Spokane, Wash.

Grand Worthy Vice President Theodore A. Bell of California and S. B. Wadsworth of Council Bluffs, Ia., are candidates for president.

Seattle will secure the 1908 convention and Omaha is being boomed for the 1909 convention.

NEGRO'S DEAD BODY FOUND

Believed to Be Sequel of Attempt Made to Assault a Woman.

BIRMINGHAM, Ala., Sept. 3.—The finding of the dead body of Jerry Johnson, colored, with five bullets holes piercing it is believed to be the sequel of an attempt yesterday to assault Mrs. W. W. Ellard at North Brimingham. The body of the negro was found in an alley at Lewisburg. The coroner's jury returned a verdict that he died from wounds inflicted by unknown parties.

STANDARD FIGHTS FOR LIFE

Testimony at New York in Missouri Case Involving Existence of Oil Company.

NEW YORK, Sept. 3.—The taking of testimony in this city in the suit brought by the United States government at St. Louis last December to dissolve the Standard Oil company, under the provisions of the Sherman anti-trust law, was postponed today until Thursday at the request of counsel for the defendant company. It was announced that the adjournment of the hearing would really facilitate matters, inasmuch as the opposing attorneys are in consultation over various matters which could best be handled in their preliminary stages at least out of court.

The attorneys for the government were ready to proceed when former Judge Franklin Ferriss of St. Louis, the special examiner appointed by the federal court, took the bench in the United States district court room today, but offered no opposition to the order of postponement requested by the defense. The principal feature of the brief session today was the making public of a partial list of witnesses, which indicated the importance and the wide scope of the testimony expected to be taken here. Heading the list is W. G. Rockefeller, a director in most of the seventy affiliated oil companies, named as defendants in the government's suit, and E. C. Benedict, banker, and the life-long friend of former President Cleveland. Mr. Benedict was present today in answer to a subpoena, while attorneys for the Standard Oil company entered an appearance for Mr. Rockefeller.

That the testimony desired by the government will have to do largely with alleged rebates and discriminations in freight rates is indicated by the number of prominent railroad officials included in the list of witnesses. Among these are Jefferson Justice, assistant controller of the Pennsylvania railroad; R. W. Downing, ex-controller of the Pennsylvania lines; W. T. McCulloch, auditor of freight receipts of the New York Central, and W. A. Harris, counsel of the New York Central. Wade Hampton, general auditor of the Standard Oil company of New Jersey, is under subpoena, as are C. M. Pratt and F. Q. Barstow, directors of the defendant companies; John P. Logan, formerly an officer of the Standard Oil company; W. P. Howe, P. S. Trainor and Charles T. White, all associated with the defendant companies.

The government's interests this morning were in the hands of Frank B. Kellogg of St. Paul, Charles B. Morrison of Chicago and J. H. Graves of the Department of Justice at Washington. When the taking of testimony is begun, on Thursday, it is said that fifteen or twenty special attorneys may be present for the defendants.

Aside from the seventy alleged Standard Oil corporations named by the government, the individual defendants are John D. Rockefeller, William G. Rockefeller, Henry H. Rogers, John D. Archbold, Henry M. Flagler, Oliver H. Payne and Charles M. Pratt.

RATE HEARING IN MINNESOTA

Judge Lochren, at St. Paul, Will Determine Right for Preliminary Injunction.

ST. PAUL, Minn., Sept. 3.—Judge William Lochren in the United States district court today began hearing the argument in the matter of the application of the stockholders of the railroads operating in Minnesota for a temporary injunction restraining the state from attempting to enforce the commodity rates contained in a law passed by the legislature last winter, and the 2-cent passenger rate law, and also the merchandise rates ordered by the railroad commission last year.

The hearing today is an application for a temporary injunction pending the final judgment. Some time ago Attorney General E. T. Young entered a motion for the dismissal of the suit as against him on the ground that the suit was in fact against the state and hence was in violation of the constitutional provision exempting the state from being sued without its consent. This motion Judge Lochren denied and the case now comes up on the question of the issuance of the preliminary injunction. On this hearing it devolves upon the complainants to make out a prima facie case. Affidavits were presented for the purpose of showing the court that the merits of the case are such that they have a reasonable probability of winning in the end. The hearing now is on the sufficiency of the prima facie showing to entitle them to the preliminary injunction. The question of the right of the state to regulate rates on traffic is purely within the state involved in these cases is the same question which is now being fought out in the courts in other states.

MARSHAL AND TRAMP SHOT

Doctor on Way to Attend Injured Officer Fatally Wounds Assailant.

PACIFIC, Mo., Sept. 3.—Great excitement was caused here today by the shooting of Acting Marshal A. Kopf when he was attempting to arrest Charles Anderson, a tramp, and the shooting of Anderson by Dr. A. L. McNay. Anderson and three other tramp companions got into a quarrel. Acting Marshal Kopf approached the tramps to stop the disorder and Anderson suddenly shot the officer and fled. Dr. McNay was hurriedly summoned to attend Kopf, who was probably mortally wounded. While driving to the spot Dr. McNay was intercepted by Anderson, who ordered him to give him the rig to escape. Dr. McNay shot Anderson, who will probably die.

"MAN WITH WRY NECK" DEAD

Peculiar Character in Brooklyn Kills Himself Without Giving Reason for Deed.

NEW YORK, Sept. 3.—James A. Lewis, a civil engineer known locally as the "man with the wry neck," shot and killed himself yesterday in his room in Brooklyn. He gave himself his peculiar nickname in a strange personal which he had published in a daily paper last June. Lewis was an enigma to all who met him, never speaking of his family or antecedents except to hint that his father had been murdered and his mother and himself maligned by the agents of some secret society, whose enmity his father had incurred. It is believed that the man was insane.

PRESIDENT CHANGES PLANS

Will Leave Oyster Bay for Washington on September 25 Instead of Later.

OYSTER BAY, Sept. 3.—It was announced today that President Roosevelt will leave for Washington on September 25, instead of September 29, and have a day in Washington before starting on his western and southern trip

NEWLANDS ON WATER

Senator from Nevada Points Out Importance of Rivers of Country.

TRANSPORTATION IS INVOLVED

All Phases of Waterways Comes Before Federal Commission.

NATIONAL BOARD IS SUGGESTED

Senator Would Have Scientists Co-Operate in Public Work.

COMPREHENSIVE PLAN ESSENTIAL

Speaker Says Problems Can Best Be Solved by Gradual Action of Board, Congress Supplying Cash.

SACRAMENTO, Cal., Sept. 3.—This was irrigation and conservation day at the National irrigation congress. A number of men prominent in the great work of the congress were the speakers. A letter from Secretary Garfield was read regretting his inability to attend and speaking of the important work to be done. United States Senator Francis G. Newlands of Nevada, a member of the Inland Waterways commission, delivered an interesting address on the subject with which the Inland Waterways commission deals.

Senator Newlands, addressing the congress today, said that the Inland Waterways commission had only been in existence a few months. It had been engaged thus far in the work of investigation, and had not yet formulated the recommendations. What he said, therefore, must be regarded as his individual views rather than as the conclusions of the commission. After referring to the appointment of the Inland Waterways commission by President Roosevelt, Senator Newlands said that the letter of instructions from the president enjoined upon the commission the study of all questions relating to inland waterways, with a view to recommending practical legislation upon the subject. The president's purpose was to undertake now a plan of practical utilization, improvement and development which might in the coming years be worked out comprehensively and successfully.

Forest Reserves Necessary.

"Whilst the primary purpose of this inquiry," Mr. Newlands said, "is to facilitate water transportation, it is impossible to perfect the machinery of the waterways without taking into consideration the related questions of forest reservation, of irrigation of arid land, of reclamation of swamp land, of bank protection, of clarification of streams and other kindred questions.

"It is impossible," the speaker continued, "to indicate now what the form of legislation should be. Individually, I should say that some plan in which the chiefs of the great scientific services of the country could be brought together in a national board of public works, with power to make comprehensive plans, and to work them out gradually, might be the most efficient way. I cannot imagine an organization more perfect than one which would include the chief of the engineer corps of the army, the director of the geological survey, the director of our coast and geodetic survey, our Panama canal service, our reclamation service, the chiefs of our forestry service, and of the bureau of soils. Such a board would mold into unity of action these great services, each of which is now engaged in some form of study and work relating to our waterways; and there could be created a fund similar to the reclamation fund, which could be placed under their control. Their work could in a measure, be made self-compensatory, by tolls, charges for water power, and other means of revenue. Their action would cover all questions relating to the improvement of harbors and rivers, the construction of canals, the development of water power and all the related questions of irrigation reclamation, forestry, soil treatment, etc. Their action would not be spasmodic and disjointed, as has been the action of congress upon these subjects; but great and comprehensive plans could be inaugurated, which they could gradually work out within the limits of the fund created by congressional action.

Demand for National Action.

"The demand for national action as to water transportation will include national action regarding railway transportation, and will necessitate the creation by the nation of the great corporations which are to handle this great commerce.

"We cannot take a broad view of the powers of the national government as relating to carriers by water and refuse to recognize those powers as relating to carriers by rail. Transportation is a national question. The common carriers engaged in interstate and foreign commerce must be national agents. The laws creating them must be the laws of the nation. The regulations which control them must be the regulations of the nation."

An address on the "Conservation of Resources" was delivered by Gifford Pinchot, United States forester.

Talk for Free Lumber.

Later there were responses by representatives of the national organization. Following the address of Mr. Pinchot, Judge John E. Baker moved that it be the sense of the gathering that all duties on timebr be repealed and that the timber of this country be preserved to the largest extent possible by allowing other countries to ship their lumber in. Under a rule adopted early in the session, this motion was sent direct to the committee on resolutions without opportunity for discussions.

Delegate Keisel of Utah asked Pinchot what was being done by the forestery service. The reply was that the service cannot plant sufficient trees to keep up with the consumption, but that as fast as congress appropriates funds, irrigation and other water sheds are being protected.

The congress sent a telegram of thanks to President Roosevelt for the "splendid message" from him, read by Gifford Pinchot yesterday.

Major Ruppe President.

NEW YORK, Sept. 3.—Major Bernard Ruppe, president of the New Mexico State Board of Pharmacy, has been elected vice president of the National association of state boards of pharmacy now in session here. Major Ruppe is the son of the late Dr. Ruppe of New York and a representative in the house of delegates in the territorial legislature.

Women and Children Drown.

ALBUQUERQUE, N. M., Sept. 3.—News has just reached here that Mrs. Louisa Hill Carabajal, wife of a farmer and seven children, were drowned in a flood resulting from heavy rains, in Alamo creek, Sierra county, last Friday night. The flood cuased damage estimated at $60,000.