From Omaha Newsboys TWO CENTS

THE OMAHA DAILY BEE

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LOAN AS INSURANCE

France Plays Cash Against Promise to Let Colonies Alone.

JAPANESE AGGRESSION FEARED

Belief France Could Not Hold Indo-China Against Japs.

LATTER IN NEED OF A LOAN

Agreement Opens French Market for Desired Funds.

TENSION GREATLY RELIEVED

Orientals, on the Other Hand, See Opportunity to Pursue Their Plans for Industrial Development.

PARIS, June 16.—While political consideration of a high order contributed to the negotiation of the new Franco-Japanese entente, there is no longer any doubt that the substantial "quid pro quo" given by France was the promise of access to the French market for future Japanese loans. Japan did not need a French guarantee for Corea and Formosa, but a Japanese guarantee for Indo-China was worth a great deal to France and it was willing to pay the price demanded.

Japan, according to the confidential statements made by some of her highest representatives in Europe, will need something like 5,000,000,000 francs, ($1,000,000,000) within the next few years to convert its present high rate loans and to furnish the capital necessary for industrial and commercial development planned in Manchuria and Corea. While the money markets of the world are at present unfavorable to flotations, Japan has succeeded in insuring the assent of the French government to the placing of its loans here when the opportune time arrives.

It is regarded as a big achievement for Japan, but the French government is equally convinced that it is a good bargain for France. M. Pichon, the present minister for foreign affairs, had a long experience in the far east as minister at Peking, and none appreciated more than he how impossibly it would be for France to defend Indo-China against an adversary like Japan. Besides, as a matter of fact, the dread of Japanese aggression in Indo-China has haunted the Quai D'Orsay for years. France has given Japan provocation in the past. It was a party with Russia and Germany to the tripartite agreement which forced Japan to relinquish the fruits of their victory over China, obtained in the treaty of Shimonisaki and there has always existed a fear that Japan would some day take its revenge. Indeed, there are in the archives of the Quai D'Orsay proofs that at one time a plan of campaign against the French colony of Indo-China had been prepared at Tokio. Subsequent events, however, decided Japan to strike Russia instead of France.

There was a critical moment during the Tashoda incident when France and England seemed on the verge of war. France was then greatly alarmed lest Japan would seize the opportunity and strike, and hurried preparations were made to defend the Chinese colony. There was another crisis in the relations between France and Japan during the Russo-Japanese war when France stretched its neutrality to the limit in favor of its ally by allowing Rojestvensky's fleet shelter for weeks in Cameron Bay. So keenly did the French government at that time feel that it may have given just cause for reprisal, that after peace was made by the treaty of Portsmouth and Japan entered the market for a 500,000,000 yen loan, M. Rouvier, then minister of finance, deliberately braved the dissatisfaction of Russia by insisting upon the admission of part of the loan to the Paris Bourse. To those who complained that it would constitute an affront to France's ally he replied substantially, "We must think of France first. It is cheap insurance for Indo-China."

M. Pichon was possessed by the same idea when M. Kurino, the Japanese ambassador, approached him last winter relative to the latest Japanese 500,000,000 franc issue. He wanted to know if Japan was prepared to give a written promise guaranteeing Indo-China. M. Kurino replied that Japan had absolutely no aggressive intentions and offered to consult his government. That conversation was the germ of the negotiations which have resulted in the convention just consummated.

NEWS FROM RUSSIA INTERESTS

Delegates to Peace Conference Not Surprised at the Turn of Affairs.

THE HAGUE, June 16.—The dissolution of the duma and the promulgation of a new election system in Russia have created a profound impression among the delegates at the peace conference. The news reached The Hague this morning and spread rapidly, becoming instantly the topic of discussion. For the time being matters pertaining to the conference were forgotten. Although the dissolution of the duma was anticipated by those who have been closely following recent developments in St. Petersburg, the fact that such an event should occur simultaneously with the opening of the conference was generally deplored. There is general disapproval as to the wisdom of the dissolution.

The Russian delegates at the conference were not surprised at the news, having been kept fully informed as to the intentions of the home government. They deny, however, that there is any connection between the government's decision and N. Nelidoff's utterances yesterday. Extra precautions have been taken by the Dutch police to insure the personal safety of M. Nelidoff. Ever since his arrival here special detectives have been detailed to guard him, as the secret service was warned several days ago that an attempt to assassinate him would be made as he drove to the Hall of Knights yesterday.

A demonstration against the peace conference was held this afternoon in a field on the outskirts of the city, but it was not a great success. The organizers of the demonstration expected that Gustave Herve, the leader of the anti-military movement, would be present, but he did not appear, telegraphing tha he had been detained in connection with legal proceedings against him at Nantes. The speakers were confined to Dutch orators, who addressed about 2,000 persons against the idea that the various governments really had any serious intention to lighten the military burdens, which were sapping the energies of the European states. The peace conference they denounced as a comedy played to deceive the masses.

SUMMARY OF THE BEE

Monday, June 17, 1907.

1907 JUNE 1907

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	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.

Temperature at Omaha yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	72	1 p. m.	90
6 a. m.	73	2 p. m.	91
7 a. m.	74	3 p. m.	93
8 a. m.	78	4 p. m.	94
9 a. m.	87	5 "	92
10 a. m.	83	6 "	91
11 a. m.	86	7 "	90
12 m.	87	8 "	88
		9 "	84

LOCAL.

John N. Baldwin says [illegible] suit to enforce recognition of railr[illegible] passenger and freight rate law [illegible] confession of weakness, and John [illegible] out says it is to block plans of rai[illegible] 1

F. H. Newell, head of the gove[illegible] reclamation service, while in Omaha [illegible] of plan to buy from Omaha merch[illegible] and store department supplies in local Indian warehouse, of which he obtained approval ofe Secretary Garfield. Page 1

FOREIGN

New treaty between France and Japan gives latter cash to carry out its plans and France is ensured protection for its Indo-China colony. Page 1

Tokio paper states Viscount Aoki, ambassador to United States, is to be recalled. Page 1

Russia remains quiet and no violent demonstrations are made on account of the dissolution of the duma, though people display great dissatisfaction. Page 1

Delegates to the peace conference not surprised at turn of affairs in Russia. Page 1

NEBRASKA.

Senator Burkett will not attend the land convention at Denver, as he does not approve of its probable stand. Page 2

DOMESTIC.

Agricultural department rules guarantee of manufacturer is no protection to third party under pure food law. Page 1

Harry Orchard to be taken to Caldwell and arraigned on charge of killing Governor Steunenberg and case continued, which will make slight break in the Haywood trial. Page 1

QUIET PREVAILS IN RUSSIA

Public Shows Mild Displeasure at the Dissolution of the Duma.

ST. PETERSBURG, June 16.—An imperial ukase was issed today proroguing the the council of the empire until November 13.

The dissolution of the second duma was received throughout St. Petersburg with perfect tranquility, thanks to the precautionary measures, and in no place in Russia, so far as is known, were there any serious disturbances.

Demonstrations among St. Petersburg are anticipated tomorrow, but the authorities are not alarmed. They profess to be chiefly apprehensive over the possibility of rioting and racial excesses in Odessa and Kiev and other cities where party feeling runs high. An outbreak of agrarian disorders in several regions of the empire is anticipated later, when the peasantry learn confidence in the ability of the government to handle the situation prevails in advinistrative circles.

News of the dissolution reached the St. Petersburg papers too late for their last editions, but the public was quickly informed through extras and great posters set out by the police at all street corners, containing the ukase announcing the dissolution and the imperial manifesto.

Little knots of readers clustered around the whole day, attentively perusing the manifesto, the phrasing of which was ejaculated to appeal to the patriotism of the lower classes. Little enthusiasm or excitement, however, was evoked, and many of the readers, as they turned away, spat silently upon the ground as a sign of their deepest contempt.

WARSAW, June 16.—The newspapers issued extras today, spreading the news of the duma's dissolution, which has created a profound impression. The emperor's action is the subject of eager discussion, the people fearing that the new election law will exclude the Poles. The city, however, remains quiet. Domiciliary visits are of nightly occurrence and arrests of socialists and nationalists are frequent. Troops to the number of 300,000 are massed around the city.

SEBASTOPOL, June 16.—Colonel Guessekoffsky, assistant harbor commandant, was killed by a revolver shot in the vicinity of the docks today. The assassin was arrested.

RECALL IN STORE FOR AOKI

Tokio Paper Says Ambassador to United States is to Come Home.

TOKIO, June 17.—The Hochi says this morning that Viscount Aoki, Japanese ambassador to America, probably will be recalled and that he likely will be succeeded by Baron Kaneko.

BRYCE LIKES CONSTITUTION

Comments on Document to Be Submitted to Oklahoma Voters.

LAWTON, Okl., June 16.—James Bryce, the British ambassador, spent Sunday principally here as the guest of the Chamber of Commerce and at Fort Sill, near here, where he visited both Geronimo, the famous Apache warrior, and Quanah Parker, chief of the Comanches.

At Sapupla yesterday Mr. Bryce was presented with a copy of the Oklahoma constitution. When questioned later regarding the document, he said:

"I have read a copy of the constitution, but not an official copy. Judging from the copy I have read it is very good elementary law."

"Would you consider the constitution as framed too much in the nature of a legislative measure?" he was asked.

"Too much can never be put into a constitution," tersely replied the visitor.

Sixteen Days on Water.

BELLEVILLE, Ill., June 16.—Dr. R. J. Eales completed his sixteenth day of total abstinence from food today in the twenty-day fast he has imposed upon himself in support of his theory that an occasional abstinence from food is essential to health. His only nourishment is water, which he drinks copiously. Dr. Eales declares he has no desire for food. His weight has reduced seventeen pounds during his fast. He is continuing his regular practice.

MORGAN A GRAND OLD MAN

Democrat Who Stood by Party When He Believed Party Right.

ALWAYS OPPOSED TO BRYANISM

Alabama's Aged Senator an Old School Lawyer with Reverence for Constitution and Constituted Authority.

(From a Staff Correspondent.)

WASHINGTON, June 16.—(Special.)—A far-seeing statesman, an unselfish friend and one of the leading figures of his time, was John Tyler Morgan, the senior senator from Alabama, who passed out from the busy cares of life last week. In his thirty years as a senator he earned the respect and esteem of his colleagues on both sides of the chamber and no man will miss him more than his venerable associate and fellow-townsman, Edmund Winston Pettus. They were the two oldest men in the senate. Pettus is nearly 86; Morgan would have been 83 had he lived until the 20th of the present month. Next in point of age to these two splendid types of American manhood comes William Boyd Allison, who attained to the age of 78 on the 2d of March last. Next to Senator Allison in point of age is Senator Shelby M. Cullom of Illinois, who will reach 78 on the 22d of November next. Senator Henry M. Teller of Colorado is a year younger than Senator Allison or Senator Cullom, having been born in 1830, while the two former were born in 1829. Senators Frye of Maine and Proctor of Vermont will reach 76 this year, while Senator Platt will be 74 and his colleague, Chauncey M. Depew, will round out the 73d milestone.

Democrat of the Old School.

Senator Morgan was probably less of a partisan than any of his colleagues. Political consideration played little or no part in what he conceived to be his duty to his country. He was a democrat, but of a school whose exemplars is fast passing away. He voted with his party when he believed his party was right. Mr. Morgan was opposed bitterly to the principles of democracy advocated by Bryan and Hearst.

"They remind he," he would say, in telling his favorite story, "of a boy who was very ill.

"'If I can throw him into a fit,' said the doctor, 'I can save him.'

"'But why should you want to make him have a fit?' asked the boy's father.

"'Well, I'm an expert on fits,' said the doctor, 'and I know how to cure them.'

"That's the way with Bryan and Hearst," Mr. Morgan would continue. "If they can throw the country into a fit the country will be cured of Bryanism and Hearstism."

Senator Morgan's respect for his chosen profession, the law, was one of his most marked characteristics. Essentially a gentleman of the old school, he was an old-school lawyer, with reverence for the constitution and the co-ordinate powers of government, the legislative, executive and judicial departments. His steady candidate for the presidency was that magnificent specimen of the upright American judge, Associate Justice John M. Harlan of the United States supreme court, in spite of the fact that Justice Harlan has always been a republican.

"But he should be a democrat—he is a democrat in his principles," Mr. Morgan would say.

The Alabama senator's admiration for the jurist began in their association as members of the Paris tribunal of arbitration to adjust the Behring sea sealing controversy between Great Britain and the United States.

First to Use Term "Cuckoo."

Mr. Morgan is credited with originating the term "cuckoo," which has come to mean one who applauds every utterance from the White House. In the second Cleveland administration he referred in a sarcastic way to the subserviency of some of the senate democrats to the requirements of the president.

"The trumpet has sounded," he said, "the forces are marshaled, the clock has struck at the White House, and the cuckoos here all put their heads out of their boxes and responded to inform us of the time of day."

Mr. Morgan was just twenty-one when he hung out his shingle. That was sixty-two years ago. He used to tell that he started to practice law on a Tuesday and got his first case the following Saturday. "My first case," he called it. From the start he succeeded, although he never became wealthy. He had married before he was admitted to the bar. His people were whigs, but he became a democrat and thus brought about family dissension. In the civil war he enlisted as a private in the confederate army, and rose to the rank of brigadier general. There was nothing about Mr. Morgan, however, to suggest the soldier. He was always the lawyer and the legislator.

Society never saw Mr. Morgan. He lived in an old but attractive house in a part of Washington once fashionable, but now in the business section. It is John Marshall Place, a short distance from the District Courts building. Here he lived, year in and year out, the routine of his existence broken only by occasional visits to Alabama. When congress was in session he would go to the capitol early, and after the senate adjourned would return to his home to spend the rest of the day in reading, writing or study.

Huntley Project Plans.

The intense interest taken throughout the United States in the opening of the Huntley irrigation project, indicates that a large number of people will go to Montana in order to get an opportunity to draw for the 632 farms which Uncle Sam will give every qualified entryman by an impartial public drawing. The details of this drawing can be obtained from the local land office at Billings, Mont., or from the general land office at Washington, D. C. The applicant must, however, go to Montana to execute the necessary papers, which must be in the Billings office on or before June 25. Great care has been taken to subdivide the lands so that all the farms shall be as nearly as possible of the same value. The farms will contain as nearly as possible forty acres of irrigable land. The total area, however, will vary considerable on account of the two lines of railroad passing through them and the canal system which necessarily must cut some of the farms into irregular shapes. The total area of the farms will vary from forty to one hundred and sixty acres.

For this reason the reclamation service has printed a large number of township plats showing the arrangement and areas of the farm units. There are seven or these plats, each showing a township, part of which is subdivided and lies within the project. These plats will be sold at 10 cents each or 70 cents for the set, and can be secured from the director of the reclamation service at Washington, D. C., or from the local land office at Billings, Mont.

ORCHARD TO BE ARRAIGNED

Proceeding Will Make Only a Slight Break in the Haywood Trial.

BOISE, Idaho, June 16.—While the trial of William D. Haywood, charged with conspiring to secure the murder of former Governor Steunenberg, stands suspended for a day, Harry Orchard, the chief witness in the case, will be taken to Caldwell, Canon county, where the case against him for the actual murder of Steunenberg will be called and postponed until the next term of court. Judge Fremont Wood, who is presiding in the Haywood case, will hold court in Canon county tomorrow, acting for Judge Bryan, who is disqualified in the Orchard case because his partner is or was counsel for Orchard at the time of his arrest. Orchard will be taken to Caldwell on the local train leaving here at 7 o'clock tomorrow morning. He will be in charge of Warden Whitney of the Idaho penitentiary and a force of guards.

The adjournment of his case will be merely a perfunctory matter, not taking more than a few minutes. The prisoner will lat once be brought back to Boise.

The Haywood trial will be resumed at 9:30 on Tuesday morning when the state will continue the introduction of evidence in support of the Orchard story and endeavor further to link the defendant with the conspiracy to murder Steunenberg as outlined by Orchard in his confession. So far the evidence has been corroborative of Orchard's story of his many crimes in major and minor detail. The direct connection of Haywood has yet to come out in evidence. Certain evidence has linked him with Adams, whom Orchard says was his partner in a number of crimes.

It is probable that the case in direct for the state will rest by the end of the week. Counsel say that it will take at least until Friday next to conclude. Adams may be caled to the stand in a few days, but this is not certain.

A strong effort will be made to get Adams' repudiated confession before the jury, and will, of course, be fought vigorously by the defense. Lawyers who know the history of the prosecution of Adams and his confession express doubt as to the possibility of getting the confession in.

The defense has already announced that they will have between 150 and 200 witnesses. Subpoenas have not been asked for these, and it is therefore probable that it will be shown that they have come forward voluntarily to testify for Haywood. That this will be done is almost certain from the questions asked the state's witnesses to show that they were brought to Boise on subpoenas in most instances and served by the Pinkertons, and that many of them were advanced money from the Pinkerton officers. The witnesses, it is understood, will be chiefly in contradiction of Orchard by alibi as to the whereabouts of Haywood or Moyer or Pettibone, and even of Orchard himself.

Both sides were busy all day today in preparation for the continuance of the struggle. Haywood was visited at the court house by his relatives and counsel, and Orchard was brought from the penitentiary to Mr. Hawley's office during the afternoon. For some time he was in consultation with counsel for the state. Orchard may go on the stand again this week.

WESTERN MATTERS AT CAPITAL

Land Withdrawn on Account of Irrigation Project Returned to Settlement.

(From a Staff Correspondent.)

WASHINGTON, June 16.—(Special Telegram.)—The secretary of the interior has vacated his former order of February 11, 1903, insofar as the same affects the withdrawal for irrigation purposes under date of June 17, 1902, for use in connection with the North Platte project, Nebraska-Wyoming, of the following described lands in Wyoming, and by his authority such of said tracts as have not been heretofore finally restored and are not otherwise withdrawn, reserved for, or appropriated, will be subject to settlement under the public land laws August 26 next, but shall not be subject to entry for filing or selection until September 25, at the land office at Douglas, Wyo.: All of township 31 north, range 68 west; all of township 31 north, range 69 west; all of townships 31 and 32 north, range 70 west; township 31 north, range 71 west; all of sections 1 to 4, inclusive; the south half and northeast quarter of section 5, the south half of section 6, all of sections 7 to 36, inclusive, twnship 32 north, range 71 west; all of sections 1 to 4, inclusive, the north half of section 5, the northeast quarter of section 6; all of sections 9 to 16, inclusive; the east half and south half of the northwest quarter, the northwest quarter of the northwest quarter of section 17, the east half of section 20, all of sections 21 to 28 and 33 to 36, inclusive; all of townships 33 and 34 north, range 71 west; township 31 north, range 72 west; south half section 1, south half section 2, all sections 3 to 36, inclusive; all townships 33 and 34 north, ranges 72, 73, 74, 75, 76 west; township 33 north, range 77 west; all sections 1, 2, 3, 10 to 15, inclusive, 22 to 27, inclusive, 34 to 36, inclusive; township 34 north, range 77 west; all sections 1, 2, 3, 10 to 1, inclusive, 22 to 27, inclusive, 34 to 36, inclusive. Also the following will be subject to entry filing and selection September 25 at the Cheyenne land office: All of township 29 north, range 67 west; all of townships 29 and 30 north, range 68 west; all of township 30 north, range 69 west.

Rural free delivery route No. 1 has been ordered established August 16 at Hendley, Furnas county, Neb., serving 400 people and eighty families.

Ernest F. Peterson has been appointed postmaster at Sunbury, Cedar county, Ia., vice J. F. Schroeder, resigned.

FIR ERECORD.

High School Building.

FORT DODGE, Ia., June 16.—(Special Telegram.)—Fire caused by a live wire totally destroyed the magnificent Fort Dodge High School building early today. Loss, $75,000; insurance, $25,000.

STAGE IS SWEPT INTO FLOOD

Preacher and Woman Driver Have Narrow Escape from Drowning.

HEMINGFORD, Neb., June 16.—(Special)—Rev. E. H. Eggers, pastor of the German Lutheran church here, had a narrow escape from death from the rush of water in a canon road, caused by a cloudburst. He had filled his appointment at Unit, Sioux county, and was returning to Crawford on the stage, which was driven by the wife of the owner of the line, Mrs. J. Henri. The water swept the horse and conveyance down stream, precipitating the occupants into the flood. Mr. Eggers succeeded in grasping a tree near shore and Mrs. Henri lodged in a tree in the stream. After almost incredible efforts and at the risk of his life Mr. Eggers succeeded in getting the woman ashore. The horse was drowned and the rig and mail were lost.

BLOCK FOR PLANS OF ROADS

State's Rate Suit So Construed by Railway Attorneys.

ONE SAYS CONFESSES WEAKNESS

Utterance of John M. Baldwin, Who Asserts Law, if Valid, Carries Its Own Power of Enforcement.

It is a confession of weakness upon the part of the state. If the laws are valid they carry their own power of enforcement.—John N. Baldwin, general solicitor of the Union Pacific, referring to the injunction suit filed by the state in the supreme court to compel recognition by the railroads of the 2-cent passenger fare and the Aldrich freight rate laws.

I can conceive of no other purpose by the state than to anticipate the action of the railroads to protest the law. Our road never signified an intention of this kind.—John F. Stout, attorney for the Missouri Pacific.

In stating his views of the case, Mr. Baldwin took occasion to correct certain reports arising from his address before the Nebraska Railway commission recently, saying he had been misquoted and his utterances misconstrued. Both attorneys said their roads and the others of Nebraska had placed in effect the 2-cent fare as soon as the law became operative, but pointed out that the Aldrich bill did not become effective until July 5, as it carried no emergency clause.

J. E. Kelby, attorney for the Burlington, who has had this rate case matter in hand for his road, is out of the city.

Mr. Baldwin States His Views.

"The suits brought by the state on relation of the railway commission against certain of the railroads are certainly novel and unheard of in judicial procedure," said Mr. Baldwin. "It is a confession of weakness upon the part of the state. These statutes in question are clear and mandatory. If they are valid and constitutional they are easily enforced. The provisions are direct and clear. The railroads are directed to make certain charges and no more for the transportation of passengers and certain commodities. In case of violation oppressive and drastic penalties are imposed. Again, many provisions in the general statutes are made for the enforcement of these laws. A tribunal, the State Railway commission, is especially created to see to the enforcement of these laws and to investigate violations thereof and institute proceedings for the imposition of heavy fines and penalties. There are, however, clear, speedy and adequate remedies at law for the enforcement of these acts and for the protection of the rights of the people of this state. And yet these officials now appeal to the highest tribunal in the state for equitable relief. They ask for the astounding relief of injunction against the commission of offenses or acts against the peace and dignity of the state. If these laws are valid and constitutional they can be enforced and those who violate them heavily penalized. Would the state ask a mandatory injunction against an individual requiring him not to commit murder?

Has No Fear of Action.

"I have no fear of the state's action so far as the Union Pacific is concerned. If these laws are constitutional and valid, the Union Pacific will obey them. If they are not the state should not ask for the enforcement of their provisions. I had thought these questions would be calmly and judiciously determined in the proper form and forum.

"I would like to say in this connection that certain reports with reference to my remarks before the Nebraska Railway commission at Lincoln are incorrect. There has been some discussion, editorially and by special communications to the papers in the state, based upon the alleged fact that I had stated before the commission that the 'states had lost their power.' I never said anything of this kind. I never said anything akin to it. I never said anything that could be distorted into any such meaning. There was nothing in my remarks from which such an inference could possibly be drawn. I made no reference whatsoever to this legal question. My remarks were taken down by the official reporter of the commission and what I said can be definitely ascertained.

Doubt as to Power and Duties.

"I will say now, however, that in my judgment there is a serious question presented as to the relative powers and duties of the state and federal governments. There has grown up such an intimate and necessary relation between interstate and local traffic and of the rates of charges thereon in order to handle the great volume of business in this country, that the carriers have had to make these rates, state and interstate, by a consideration of all the conditions of both and have never acted upon the consideration of one of these classes taken by itself. The necessity of this, in my judgment, has been clearly demonstrated in judicial hearings and investigations. This being so, whenever a state reduces a rate locally or on the intra-state part of the traffic, it necessarily affects the whole system of state and interstate rates. A reduction in Nebraska upon either freight or passenger rates necessarily compels a change and possible reduction upon interstate rates and upon state rates in the territory covering a number of tributary states. If this be true, it necessarily affects interstate commerce, the regulation of which is exclusively committed to congress. The two classes of rates, state and interstate, are intimately related and connected together. The business of an interstate carrier, being a business which both begins and ends within one state and which passes through and over different states, it may be in its sphere of action and in all its varying ramifications and diversities beyond the constitutional capacity of the state to regulate. It may be that in this sense and because of the great and pressing exigencies of the business of the carriers in this country that in this one particular at least the jurisdiction and control of carriers will ultimately find lodgment in the federal power."

"Our road and all others have had the 2-cent passenger fare in effect since the law became operative," said John F. Stout, attorney for the Missouri Pacific railroad in reference to the suit filed by Attorney General Thompson in the supreme court to enjoin the railroads of Nebraska from enforcing any other rates than those contemplated in the 2-cent fare law for passenger and Aldrich law for freight.

"The only object I can conceive of the state is to anticipate action by certain railroads to contest the new laws. You know the Union Pacific, Burlington and Rock Island have signified their intention to file contest action and similar laws are similarly being attacked in Missouri. Well, it is this action, I apprehend, the Nebraska authorities meant to anticipate.

"I do not mean to speak with full and final authority, but I can say, so far as my advice goes, the Missouri Pacific never intended to join in an attack upon those laws."

TROUBLE FOR THE JOBBERS

Guarantee on Manufactured Products Does Not Protect Third Party.

WASHINGTON, June 16.—Trouble is brewing for jobbers and wholesale dealers in food and drug products, under the construction placed upon the pure food and drugs act by the Department of Agriculture.

Under the law the manufacture of a particular line of food or drug products may obtain from the Department of Agriculture a guaranty of the purity and wholesomeness of the products. To the manufacture whose products have been passed upon by officials of the Department of Agriculture, a serial number is issued as an identification of the products inspected and found to be manufactured and labeled in accordance with the law. Until recently it was supposed that this guaranty would hol good throughout the distribution and sale of the products, but the Department of Agriculture holds that it does not.

The law requires that the guaranty shall be from the person who sold the goods to the person charged with the offense. Thus, if A. & Company sell to B. & Company and give a guaranty the former's guaranty is not a valid defense for C. & Company against any action under the food and drugs act, as the last named purchased the goods from B. & Company.

It is the intention of the Agricultural department soon to issue a regulation regarding this matter which probably will create wide interest among jobbers and wholesale dealers all over the country. It will be necessary for them, in order fully to protect their interests, to insist upon direct guaranties from all those from whom they purchase food and drug products.

HIGH SCHOOL SENIOR BANQUET

With Toasts, Responses, Music and Address by Superintendent Evening Pleasantly Spent.

The high school senior banquet for the class of 1907 took place at the Paxton hotel Saturday night. About 200 covers were laid. The menu was an elaborate one and excellent music was discoursed throughout. Frank Hoel acted as toastmaster and the following toasts were responded to: "The Class of '07," Eleanor Jaquith; "Our Wrongs," Roger McKenzie; "Our Girls," Arthur Wakeley; "Our Boys," Eunice Howell; "The Faculty," Ruth Yoder; "The Battalion and Camp," Louis Sweet; "Our Relics," Marie Mackin; "Commencement Orations," Rosena Mandleberg; "Twenty Years Later," Will Dalzell.

Superintendent W. M. Davidson made an appropriate address which was enthusiastically received by the class. The evening will be recalled with pleasant memories by all who were present.

SECRETARY TAFT RECOVERED

Leaves Sioux Falls with Senators for a Visit to Fort Meade.

SIOUX FALLS, S. D., June 16.—Secretary of War Taft arrived here from St. Paul at 8:30 this morning. He said he had entirely recovered from his indisposition. No formal reception was planned, but several hundred people called to pay their respects to the secretary. He attended church and at 1 o'clock left for Fort Meade with Senators Gamble, Kittredge and Crawford.

DEATH RECORD.

Funeral of Engineer Savage.

BOONE, Ia., June 16.—(Special.)—The funeral of the late Engineer T. J. Savage, one of the charter members of the Brotherhood of Locomotive Engineers, who died at his home in Chicago Thursday morning, on the day that the fortieth anniversary of the founding of the order was being celebrated in Boone, was held this afternoon at 2 o'clock from the residence of his brother-in-law, Engineer George Stevens, and then from the Church of the Sacred Heart. Many friends from near and far gathered and the loads of beautiful flowers showed the esteem in which he was held. The pallbearers were all members of the brotherhood and this body had charge of the services. The church was filled and a large concourse of friends followed the remains to the Catholic cemetery. The funeral party came to Boone in General Manager Ashton's private car No. 401, and will return in this car. It was kindly loaned for this occasion by the general manager, who was an old personal friend of the dead engineer.

Pressler Trial Begins.

CHEYENNE, Wyo., June 16.—(Special.)—The taking of evidence in the Ray Pressler murder trial commenced in the district court this morning. Dr. Desmond, who attended Edwards, the murdered policeman, was the first witness. He explained the character of the wound inflicted by Pressler with a knife. His testimony was damaging for the defense, and the efforts of Pressler's attorneys to shake the doctor's testimony were unavailing. Pressler's defense will be emotional insanity and brain storm.

No Trace of Drowned Middies.

WASHINGTON, June 16.—The Navy department tonight received a dispatch from Admiral Evans, in command of the fleet in Hampton Roads, stating that the search for the bodies of the six midshipmen and four sailors who, with the fireman whose body has since been recovered, were drowned by the sinking of the Minnesota's launch last Monday night, was continued today without success. The dragging of the harbor, the dispatch said, would be resumed again tomorrow.

Get Telephone Lines in Shape.

EVANSTON, Wyo., June 16.—(Special.)—After two weeks' work the Rocky Mountain Bell Telephone company has repaired its wires which were broken and damaged by the heavy storm. The work was done by two nonunion men, the strikers refusing to assist. A large number of strikers came down from Salt Lake in an effort to call off the strike breakers, but without avail. Violence was theratened at one time, but the authorities came to the assistance of the nonunion workmen.

Convicted Banker Collapses.

PIERRE, S. D., June 16.—(Special Telegram.)—Charles C. King, the Scotland banker, who was sentenced yesterday to five years at Leavenworth prison for violation of the national banking laws, kept up a brave front until sentence was pronounced, when he broke down, and since being taken back to jail has collapsed completely and has required the services of a physician several times today. He will be kept here in jail until the case of Yellow Boy, the Indian charged with murder, is disposed of, and if he is convicted both will be taken to Leavenworth together.

NEW TRADE FOR CITY

Reclamation Supplies to Be Bought and Stored in Omaha.

NEWELL SAYS IT CAN BE DONE

Head of Government Service Secures Approval of Secretary Garfield.

INDIAN WAREHOUSE IS AVAILABLE

Director Consults with Superintendent Jordan as to Feasibility.

LARGE BUSINESS FOR JOBBERS

Tremendous Development in Nebraska and Other Western States Brings Mr. Newell Out on Important Mission.

F. H. Newell of Washington, D. C., director of the United States reclamation service arrived in Omaha Sunday morning and spent the day in the city, coming here from Chicago, and is enroute to the Pacific coast.

"The object of my visit to Omaha," said Mr. Newell, "was to have a conference with R. C. Jordan, superintendent of the Indian warehouse here, with a view of ascertaining if this warehouse could be utilized for storing supplies of all kinds for the reclamation and irrigation service of which we have need for a large quantity. We now have about 10,000 men employed in the reclamation service and about 5,000 teams in the thirteen states and territories in which the work is being prosecuted in the west. We have necessarily to buy large quantities of material of all kinds, including provision supplies, wagons, horses, harness and cheaper grades of clothing, working material and, in fact, about everything that enters into the necessary equipment for such extensive work in which we are engaged.

Can Buy Much in Omaha.

"I am of opinion much of this material can be bought in Omaha, and am free to admit the transportation facilities from Omaha are among the best in the country. I understand that great quantities of army supplies are bought here, and as the supplies needed in the reclamation service are of a similar character there is no apparent reason why we cannot buy these supplies in Omaha. Of course we shall have to buy where we can buy the cheapest, and at the same time take the question of transportation into consideration. Proposals soon will be invited for supplies of the character indicated, and I hope Omaha will be a liberal bidder. It is a matter that should invite the attention of your commercial clubs and jobbers generally.

"June 17 is the fifth anniversary of the passage of the reclamation act and, as you will remember, the funds derived from the sales of public lands which already approximate $40,000,000, are to be devoted to the reclamation service. We are now expending at the rate of $1,500,000 a month in the work.

Half by Contract.

"In this work about half of it is being done directly by the government, and the other half by contractors. At first the work was contracted for, but many of the contractors failed in the work, and it had to be taken over by the government. These failures are attributed to the material advance in the cost of materials and the eight-hour day law, which put many of the contractors out of business.

"As a result the government has taken over much of the work, and vast quantities of material must be bought and we must have places to store it for preservation and care until it is needed. The reclamation service has no store houses, and I suggested to Secretary Garfield we might utilize some of the Indian warehouses scattered throughout the country for the purpose. I was not aware at the time there was such a warehouse at Omaha. Secretary Garfield at once fell in with the idea of utilizing the Indian warehouses and said, 'why certainly, go ahead and use them. That's just the thing.' Hence the proposition is right up here to Omaha. I hunted up Mr. Jordan today, and in looking over the warehouse here, think it is admirably situated for the purpose. I am going from here to the Pacific coast.

Important Irrigation Works.

"Some of the most important of the government irrigation works are in western Nebraska in the North Platte country. The government irrigating canal is being supplied from the North Platte from the Pathfinder dam, about forty miles west of Casper, Wyo. While the dam is not yet completed, nor will it be possible to complete it for some time, yet water was turned into the canal about the middle of April and it is flowing nicely. The people up there are impatient and want everything to be done at once. There is a good volume of water in the river now and we are not depending so much upon the storage supply to be obtained from the dam as from the natural flow of the river. The dam must necessarily be completed in sections. I think the time will come when we may be able to build a canal at the south side of the North Platte to be supplied from the Pathfinder dam and have these canals connect with the Laramie river irrigation system. But that is merely a question of the future.

"The other big irrigation projects being carried on by the government are those in the Big Horn basin, the Huntley, Wyo., project and those in Colorado, Utah and Nevada. The Huntley scheme is practically completed and the drawing for these irrigated lands will take place in August. About 700 farms will be realized from the drawing out of the 10,000 chances to be offered. The successful prize drawers will be required to pay about $55 per acre for the lands in ten annual payments.

Gunnison Tunnel Big One.

"One of the heaviest undertakings in the whole irrigation scheme is the Gunnison tunnel in Colorado. This tunnel is to be 30,000 feet in length and of which about 20,000 feet are now built.

"In Utah we are building the Strawberry tunnel, 10,000 feet long, in what is known as the Spanish Fork country.

"Another great enterprise is the building of a canal from Truckee lake to the Carson Sink in Nevada, which will reclaim a large tract of country. This sink embraces part of the famous forty-mile desert known as the Sink of Humboldt and Carson, and upon which desert so many of the California forty-niners perished when enroute to California. Strange as it may seem that our investigations in that desert or sink have shown that plenty of good water is obtainable at a depth of fifteen feet. This we ascertained by driving well points. On all our surveying expeditions we carry these well points for investigating purposes, as well