THE OMAHA DAILY BEE

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MOTIVE OF ORCHARD

Haywood's Attorney Says He Has Mania for Murder.

THEORY IS ENLARGED UPON

Prisoner Fancies There is Glory in Spectacular Crime.

FEDERATION NOT IMPLICATED

Steunenberg Slain Because of Real or Imaginary Grievance.

SAYS TESTIMONY IS FLIMSY

Claim that Simpkins Fled Because He Was Afraid that He Would Be Thrown Into Bull Pen Again.

BOISE, July 23.—Declaring Orchard was a man possessed with a lust for murder—a desire to glut a disordered brain with blood of his fellow man—Attorney Richardson, continuing his plea for the life of William D. Haywood, told the jury today that the defense was ready and willing to admit that Orchard accomplished the taking off of Governor Steunenberg in the manner described by him on the witness stand.

Orchard was painted as a man who fancied there was glory in spectacular crime. Day after day opportunity was presented to him to kill Steunenberg in comparative safety to himself, but rather than shoot a man whose giant stature, the attorney said, offered a target as "big as the side of a barn door" Orchard planted a bomb and planned the deed so that it might attract the greatest amount of attention.

Richardson asserted that Orchard had a motive against Governor Steunenberg for the real or fancied loss of his interest in the Hercules mine through being driven out of the Coeur d'Alenes.

Testimony Very Flimsy.

Of Orchard's story of many of the attempts on the lives of men said to have been marked for death by the federation, Mr. Richardson said it was the most absurb thing on the face of the earth. He declared that it would be a long time before the law would sanction a conviction on such testimony as has been adduced against Haywood and he pleaded with the jury not to put a halter about the neck of his client "at the behest of the Mine Owners' association and its representatives."

As to the disappearance of Jack Simpkins following the death of Governor Steunenberg, Attorney Richardson said he, too, would have fled to hiding under similar circumstances, although they were not an iota of evidence to connect Simpkins with the crime. Simpkins had had one experience in an Idaho bull pen and his only safety was in flight.

Resuming his argument this morning, Attorney Richardson reverted to the Bradley explosion in San Francisco briefly to call attention to the testimony of a witness who said Orchard declared "Bradley got what was coming to him and there was a chap named Steunenberg who was going to get his." The attorneys voice was quite husky today as a result of yesterday's effort.

Tracing Orchard back to Denver, where he made the second attempt on the life of Governor Peabody, Mr. Richardson declarded that absolutely no corroboration had been offered to Orchard's story of setting the bomb under the sidewalk and its failure to explode because of a coal cart driving across the wire. The attorney also declared that no sufficient explanation has been offered as to why Orchard abandoned from time to time the attempts on the lives of Governor Peabody, Judges Goddard and Gabbert, Sherman Bell and Hearne.

"Do you suppose, gentlemen of the jury," asked Mr. Richardson, "that if a murderous 'inner circle' of the Western Federation of Miners had marked these men for death and hired assassins to do their work they would have been so easily and without apparent cause deterred from carrying out their design? Do you imagine they would stop until their purpose had been accomplished?

Orchard Had Mania to Kill.

"When you consider all the testimony in this case I think you will reach with me the conclusion that this man Orchard was possessed of a mania to go out and kill. Some times his lust was greater than at others and so it was at times he was strong in his purpose and some times wavered. His testimony shows a desultory, manical method of pursuing the victims selected for death for some fancied grievance against himself or perhaps the organization to which he belonged. Why, gentlemen, even Vaughn, the insurance agent, who traveled with Orchard, slept with him and knew him as well as anybody could, tells you that Orchard's talk at times made him think the man was 'bug house.' Orchard's is the most absurd story on the face of the earth. He says there was never any fixed amount to be paid him for graver crimes—he was always invariably told not to talk too much as he could get more whenever he wanted it. In the light of this testimony what becomes of Hawley's opening statement to you that the Western Federation of Miners had a scale of prices for crime, so much being fixed for the murder of a governor, so much for a judge and so much for a common laborer."

Richardson called attention to the meagreness of Governor Peabody's testimony when he appeared as a witness and exclaimed in stentorian voice:

"Will you men of the jury put a halter about the neck of this man on such testimony as this and send him to his death at the behest of the Mine Owners' association and its representatives? It will be a long time I tell you before the law will sanction a conviction on any such evidence as has been here adduced."

Ridicules Testimony.

Richardson ridiculed Orchard's story as to being ordered "to get" David H. Moffatt, president of the First National bank of Denver. He declared that Haywood deposited all the funds of the federation in this bank and was a constant visitor there.

"Think of that men, and yet this creature, covered with the slime of his past crimes, comes here and would have you believe that Haywood was planning to commit murder on the man to whom he was entrusting the funds of the organization of which he was secretary-treasurer—upon David H. Moffatt, with whom he was on terms of almost intimate friendship. Everything conected with this matter gives the lie to Orchard's monstrous story."

Richardson next pointed out how easy it would have been for Orchard to have killed General Sherman Bell had it been so desired, and he declared that if there was any one man against whom the federation might feel resentment it was Sher-

(Continued on Second Page.)

SUMMARY OF THE BEE

Wednesday, July 24, 1907.

1907 JULY 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	31				

Nebr. State Historical Society Box 1851

THE WEATHER.

FORECAST FOR NEBRASKA—Fair.

Temperature at Omaha yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	71	1 p. m.	88
6 a. m.	70	2 p. m.	90
7 a. m.	71	3 p. m.	91
8 a. m.	73	4 p. m.	92
9 a. m.	76	5 p. m.	91
10 a. m.	78	6 p. m.	91
11 a. m.	82	7 p. m.	90
12 m.	86	8 p. m.	87
		9 p. m.	85

DOMESTIC.

Officials of the bureau of animal industry pleased with action of Omaha authorities in effort to secure healthy meats for home consumption. **Page 1**

Attorney E. F. Richardson concludes his speech in defense of W. D. Haywood by declaring that Harry Orchard has a mania for crime and was a murderer without a particle of feeling. **Page 1**

Machinists of the northwest railroads have begun a movement for a nine-hour day. **Page 1**

But few more survivors reported saved from the Columbia disaster. **Page 1**

Nebraska Railway commission hears the express case with a view of ordering a reduction of rates. **Page 3**

Rainfall in Nebraska was more than normal during the past week. **Page 3**

Secretary of War Taft is preparing report of the War department before he leaves for the Philippines. **Page 2**

Governor Folk gives "Lord" Barrington a thirty-day respite from hanging. **Page 1**

All carmen on the Rock Island system have been ordered out and a general response is being met with. **Page 1**

Mississippi prosecutor files suit in federal court asking for $1,450,000 penalties for violation of state anti-trust law. **Page 1**

FOREIGN.

Germany is opposed to Great Britain's idea at The Hague for limitation of armaments. Page 1

German military dirigible balloon remains in the air three hours at Berlin. **Page 1**

Efforts are being made to effect the capture of Raisuli by Caid Mehala. **Page 1**

New regulations governing trials in Russia are as severe as the old drum-head courts martial. **Page 1**

Russian people are indifferent as to the complexion of the newly ordered Duma. **Page 1**

LOCAL.

With two small counties missing the total increase in assessed valuation of Nebraska amounts to $14,119,379. Legality of fusion in primaries argued by the supreme court. Express companies plead they are too poor to stand a reduction in rates. **Page 3**

Cost of maintaining city and schools of Omaha for coming year will be 32 per cent higher than last year, the levy being 64½ mills. **Page 2**

Willis Allmack confesses again to witnessing murder of Han Pak, which he says Basil Mullen and Doc Pumphrey committed, and Mullen is reported to have confessed. **Page 7**

Democrats are exerting themselves and meeting with difficulty in finding suitable candidates for the fall election. **Page 7**

W. A. Paxton, whose will is filed for probate, makes his widow and son his only heirs to an estate estimated at $500,000. **Page 2**

Fame and praise of King Ak-Sar-Ben are sung in Baltimore by R. A. Cassidy, who visited the Den. **Page 5**

Society world is busy with its entertainments, despite the continued warmth of the atmosphere. **Page 5**

MOVEMENTS OF OCEAN STEAMSHIPS.

Port.	Arrived.	Sailed.
NEW YORK	Minnetonka	
HAMBURG	K. A. Victoria	
DOVER	Kroonland	
GLASGOW	Caledonia	
GLASGOW	Corean	
BOSTON	Laurentian	
CHERBOURG	Barbarossa	St. Paul.
ROTTERDAM	Arcadia	
PLYMOUTH	K. P. Wilhelm	
NAPLES	Gerty	
TRIESTE	Carpathenia	
BREMEN		Bremen.

BUSINESS MAN KILLS GIRL

Young Woman Shot While Going to Her Work in New York City.

NEW YORK, July 23.—Miss Ether Norling, 23 years of age, of Ridgeway Park, N. J., was shot and killed early today, it is alleged, by Charles Warner, her former employer, as she was entering a haberdashery store on West Forty-second street, where she was employed as a bookkeeper. Warner, it is charged by the police, fired several shots at A. R. Spicer, the manager of the store, while escaping. Warner fled t othe store of A. G. Spalding & Co., and although twenty policemen surrounded the building and searched it, no trace of Warner could be found. The police believe he was unbalanced by business reverses and other troubles. Miss Norling had reached the store when a shot was fired. Miss Norling half reeled and looked at the man who had fired.

"Its Charley Warner; he shot me," she cried.

Warner held a revolver in his hand and Spicer tried to interrupt him, when, Spicer says, Warner fired several times at him. Spicer said Warner, who is about 55 years old, had been calling for Miss Norling each evening and that she had complained that his attentions had annoyed her.

Warner later appeared at the hat store of John C. Wilson, whom he knew, and asked for a loan of $10. When Mr. Wilson turned to get the money, Warner shot him in the back and arm, inflicting wounds thought to be fatal. Warner then fled, but was intercepted by a truckman. Warner shot at him, but missed. The truckman, to save his own life, felled Warner with a cotton hook, inflicting a fatal injury. Warner was hurried to a hospital.

T. E. Thompson Ends Life.

SIOUX FALLS, S. D., July 23.—(Special.)—Coroner L. D. Miller, of this city, has received a telegram from Sheriff Sheldon of Lyman county giving information of the finding of the body of Thomas E. Thompson, formerly of Sioux Falls, hanging in a barn on the Thompson claim, near Presho, Lyman county. Thompson left Sioux Falls some time ago for the purpose of making entry of a homestead in Lyman county and had taken up his residence upon the land.

MOVE FOR NINE-HOUR DAY

Machinists on Roads of Northwest Start Campaign.

T IT EFFECTIVE SEPTEMBER 1

N... Be Sent by Union Cover-in... lines North of Union ... and West of ...icago.

CHICAGO, July 23.—A gigantic movement to establish a nine-hour work day for union machinists employed by railroads throughout the northwest, which is expected to include blacksmiths and boilermakers, and embrace a total of 30,000 men, has been launched.

The plan is being backed principailly by the Northwest Consolidated district of the Machinists' union, although the blacksmiths and boilermakers, who have powerful organizations, are looked to for active co-operation on behalf of their respective crafts. The Northwest Consolidated district embraces all railroads north of the Union Pacific lines and west of Chicago. A demand will be made upon them to make the nine-hour day effective September 1. For this purpose officials of the Machinists' union are now preparing formal notices to be served upon the railroad companies at the beginning of next month, thus giving them thirty days in which to consider the plan.

Among the railroads to be asked to establish the nine-hour day are the Great Northern, Northern Pacific, Canadian Pacific, Canadian Northern, Soo line, Minneapolis & St. Louis, Iowa Central, Wisconsin Central, Chicago & Northwestern, Chicago, St. Paul, Minneapolis & Omaha, Chicago Great Western and Chicago, Milwaukee & St. Paul.

CARMEN ARE ORDERED OUT

General Response Over Rock Island System to Order of Its Head.

ROCK ISLAND, July 23.—An order has been issued by Chief Carman F. L. Bonmus, calling a strike of the carmen's union on the entire Rock Island system. The order affects 2,400 men. According to advices received here the order has been generally obeyed. The principal shops are located at Silvis, Chicago, Horton, Kan., Shawnee, Okla., and Cedar Rapids, Ia. The issue is the reinstatement of E. A. Dunn, a union painter at Silvis, who was discharged on allegation that he removed his jumper and overalls before the whistle blew.

The officers of the union say that trains on the Rock Island road are not inspected as the law requires and they will notify the Interstate Commerce commission.

CEDAR RAPIDS, Ia., July 23.—One hundred and seventy-five carmen in the Rock Island railway shops here struck today in sympathy with the shopmen at Silvis, Ills.

NO DISEASED COWS FOUND

Tuberculosis is Not Discovered Among Herds Inspected by Dr. Ramaccioti.

Dr. Rammaciotti, city veterinarion, is busy inspecting the herds of cows owned by persons who sell milk in Omaha, including those who sell by wholesale to dairy men and who do not come into contact with the license laws of the city. So far, he says, he has not discovered any cows affected by tuberculosis, and does not expect to find many during the summer months when the cattle live out of doors at all times.

Wednesday morning Dr. Connell, city health commissioner, will visit South Omaha to get further data regarding the meat trade between the packers and the city of Omaha, before starting to prepare regulations for that trade.

DEMANDING HEAVY PENALTY

Mississippi Prosecutor Asks Nearly Million and Half from Standard Oil.

TUPELO, Miss., July 23.—George B. Mitchell, prosecuting attorney, today filed suit in circuit court here against the Standard Oil company for $1,480,000, charging it with a violation of the state anti-trust law. The petition alleges the company has violated the law in that it owns stock in the Waters-Pierce Oil company of Missouri and the Union Tank line. The suit is for $5,000 penalty for each day the company has done business in Mississippi since the anti-trust law went into effect.

DEATH RECORD.

Asa K. Maryott.

COZAD, Neb., July 23.—(Special.)—Asa K. Maryott, one of the pioneer settlers of Dawson county, and the state of Nebraska, died at his home, five miles southwest of here, yesterday. He had been in rather poor health for some time. For the last few years Mr. Maryott has been one of Dawson county's prosperous farmers, but for a number of years was a resident of Cozad. He was prominently identified with the early history of the village, and for a number of years was village marshal. He was born in Madison county, N. Y., March 11, 1836. He came to Nebraska in 1865, settling at Lyons, Burt county. He moved from there to Cozad in 1884. He leaves a wife and eight children. He was a prominent member of Cozad lodge, Knights of Pythias. The funeral was held Tuesday afternoon.

Mrs. Mary A. Moffitt.

SEWARD, Neb., July 23.—(Special.)—Mrs. Mary A. Moffitt, who with her husband were the founders of the town of Seward, died at her home in this city Sunday. Three years ago she built a house on the lots upon which originally stood the log cabin, which was their first home in 1860. Mr. and Mrs. Moffitt donated $30,000 for the building of the Seward county court house. They also gave to the city the little tract of woodland adjoining the Seward fair grounds park, for an additional park. An entrance gate costing $500 was placed there. The funeral of Mrs. Moffitt was held today from her late home. Hon. M. D. Carey spoke at the home and F. G. Simmons at the grave. In respect of the deceased all of the county offices were closed.

T. S. R. Smith.

T. S. R. Smith, father of L. A. Smith 2711 Meredith avenue, died in Cedar Rapids, Ia., Saturday. He had been making his home with his son in this city, but had gone on a visit to his son, William E. Smith of Cedar Rapids. The funeral will be held in Iowa.

Major E. Coffin.

MANILA, July 23.—Major Paymaster Eugene Coffin of the United States army, whose left arm was amputated a few days ago, died this afternoon

DEATH IS SWIFT IN RUSSIA

New Regulations Are Close Approach to Old Drumhead Courts-Martial.

ST. PETERSBURG, July 23.—The new regulations concerning a mode of procedure for the military district courts, introduced July 20, have now begun to bear fruit and the results constitute a close return to the notorious reign of the drumhead courts martial which were abolished by the late Duma.

The innovations shorten the entire course of the inquest and trial, allowing only seventy-two hours between the indictment and execution, including the appeal of the prisoner to the military court of cassation, and the decision of the court. The former regulation allowed a fortnight for this procedure. The new military courts are now obliged to hand down sentences without waiting to hear the testimony of witnesses who may be absent. They also enjoy wider jurisdiction over a wider range than former courts martial, which only operated in the provinces that had been placed under a state of extraordinary defense.

The number of executions under the new rulings show a sudden increase. At Kiev yesterday five sappers were executed and today another saper was sentenced to death. Three peasants have been executed at Moscow, another at Warsaw and at Yekaterinoslav three workmen have been put to death under decisions handed down by these new courts.

At Riga a young man named Bertland went into a clothing store, selected an overcoat and then started for the door without having paid for it. When asked to settle his bill he drew a revolver, covered the clerk and succeeded in getting away. He was later captured and sentenced to death. Another young man named Danbe was sentenced to death at Riga for the theft of $5, and two girl accomplices, aged 12 and 20 years respectively, were sentenced to exile and hard labor for life.

WILL KEEP SAILORS APART

American Tars Bear Grudge Against Japs as Result of Jamestown Incident.

BREST, July 23.—The Japanese squadron is expected to reach this port tonight. The delay in arriving is generally attributed here to a desire of the Japanese commander to make as short as possible the time that the American and Japanese warships will be together in the harbor in order to reduce the chances of any untoward incident between the sailor men. The sailors from the American cruisers Washington and Tennessee, now here, seem to hold a grudge against the Japanese on account of a fancied grievance at Jamestown, and there has been some threatening talk in the cafes frequented by the American bluejackets. Rear Admiral Charles E. Stockton, in command of the American vessels, has decided to grant no shore leave after the Japanese arrive.

The American officers are preparing to treat the Japanese visitors with great cordiality. They will be shown every courtesy and entertained at dinner on board the American flagship.

PEOPLE ARE INDIFFERENT

Russians Care Little About Composition of New Duma Ordered by Government.

ST. PETERSBURG, July 23.—The period of time allowed officially for the registration of intention to take part in the election of delegates to the third Russian Duma expires today, and the results recorded are a good indication of the present political mood of the masses. The profound indifference of the people to the workings of the "Seigneurial" Duma is clearly evidenced.

The absenteeism of democratic voters is set forth in the following:

Odessa, 48 registrations out of a total vote of 20,000; Smolensk, 178 registrations out of a total vote of 700; Tiraspol, 20 registrations out of a total vote of 500; Nizhni-Novgorod, 16 registrations; Saratov and Poltava, 10 registrations each. Penza, Tsaruitsin, Noghilev, Kamentziod and Olsk show no registrations whatever. Moscow and St. Petersburg show a registration extremely light. In St. Petersburg the term has been extended for a fortnight.

WILL SMOKE OUT RAISULI

Caid Mehala, with Twelve Hundred Men, Has Started to Effect Capture.

TANGIER, Morocco, July 23.—The mission of Sheriff Guezzan to obtain the freedom of Caid Sir Harry MacLean, who is a prisoner of the bandit Raisuli, has failed. Consequently, Caid Mehala, at the head of 1,270 men, has started for the Elknes territory, where Raisuli is in hiding with his prisoner, to bring about MacLean's release by force. Another body of men under the command of D. Bagadi has left Teutan to co-operate with Caid Mehala.

GERMAN BALLOON SUCCEEDS

Remains in Air Three Hours, Responding to Helm During Entire Trip.

BERLIN, July 23.—A military dirigible balloon made a most successful flight over Berlin today. The trip lasted three hours, which length of time in the air has been attained only once by the Lebaudys in France. The balloon was steered in every direction with the greatest ease. During the entire flight it responded to the helm.

GERMANY OPPOSES BRITAIN

Is Against Wording of English Proposition for Limiting Armaments.

THE HAGUE, July 23.—Germany will oppose the wording of the British proposition regarding the limitation of armaments. She contends it is impossible to acknowledge the urgency of disarmament when no practical scheme yet has been devised for the reduction of military burdens.

Record Tip for London.

LONDON, July 23.—The passing of Crosby Hall, a well known lunching place in the city, because the building in which it is located is to be torn down, is a lucky incident for Miss Sage, a waitress in the place. A number of city men whom she has regularly attended at luncheon subscribed a purse of $500, which they presented to the waitress. It is believed to be a record tip for London.

Khedive Visits Paris.

PARIS, July 23.—The khedive of Egypt, Abbas Hilmi, has spent two days in Paris in such strict incognito that his presence did not become known until after his departure for Switzerland last night. He will visit England before returning to Egypt.

ACTION AT OMAHA PLEASES

Agricultural Department Officials Talk on Meat Inspection.

CANNOT PROTECT LOCAL TRADE

Authority of Department Extends Only to Products Intended for Interstate and Foreign Trade.

(From a Staff Correspondent.)

WASHINGTON, July 23.—(Special Telegram.)—Efforts which are being made in and about Omaha by local authorities to aid the government in the inspection of meat products regardless of the destination of such products meets with the hearty approval of the officials o fthe agricultural department. Under existing law the government has no control over beef or other animal food products slaughtered within a state and it is only when animals destined for food are killed to be sent to an adjoining state or for export to a foreign country that the government inspector takes cognizance of the condition of the animal at the time it is to be slaughtered.

There is no protection whatever, apparently for the local consumer. An owner of beeves, sheep or goats which may be diseased and so adjudged by a government inspector at any of the large slaughter houses of the country may without let or hindrance take the diseased animals to a small independent butcher, sell them and the meat product resulting, diseased though it may be, finds a ready sale in the local markets. There is nothing to prevent, for instance, a man who may attempt to sell a bunch of diseased animals at one of the larger packing houses where government inspectors are located, after having his animals pronounced unsound and unfit for interstate consumption, from turning right about and selling the same to any local butcher who will buy them.

The government in its efforts to insure wholesome meat products from producing points to other states or for export purposes cannot prevent the sale of impure meats within the states where diseased animals may have been slaughtered.

A. D. Melvin, chief of the bureau of animal industry, said today that he was greatly pleased to learn that Omaha and vicinity had taken up the matter of an inspection of meats designed for local consumption.

Localities Must Protect Themselves.

"It is up to Omaha and the state of Nebraska generally to see to it that meat products for their own consumption are inspected by state or local officials. We have control only of such meat products as may be intended for interstate or foreign shipment. Several states have passed meat inspection laws to cover products intended only for local consumption, notable among these states being Illinois and Pennsylvania. I am glad that Nebraska is dropping into line in this respect, for only through state co-operation with the federal government can the evils of impure meat products be controlled. Should each state take up this question, co-operating with the federal authorities, it would result in practically solving the entire problem. The government is zealously watching that no impure meat products go from one state to another, or be exported, but to cover the whole thing each state should enact laws to protect its own individual citizens from unscrupulous meat dealers."

Max Baehr on Vacation.

Max J. Baehr of St. Paul, Neb., United States consul at Cienfuegos, Cuba, arrived in Washington today en route to his home in Nebraska on his annual vacation. Mr. Baehr is regarded by the state department and consular bureau as one of the very best consuls in the service. While consular officials recognize the justness of Mr. Baehr's claims to a transfer to some European consulate, they hesitate to make the transfer in view of conditions existing in Cuba, which conditions Mr. Baehr well understands, and through his diplomatic course has made friends of the leading factions of the Cuban people. Mr. Baehr expects to leave for the west tonight, having finished his business with the consular bureau in the state department and paid his respects to the acting secretary of state, Mr. Bacon.

Minor Matters at Capital.

William Hayward of Nebraska City spent several hours in Washington today on his way home from the Jamestown exposition. Mr. Hayward came over from New York, where he had taken his mother, wife and child to visit relatives in the Empire State.

Dr. Stevenson and wife of Lincoln and Fred Lionberger of Superior passed through Washington today en route to the Jamestown exposition.

The secretary of the interior has executed a contract with George A. Lane of Sanoma, S. D., for the construction of ten miles of lateral ditches in connection with the Belle Fourche irrigation project. The work involves the excavation of 40,700 cubic yards and the amount of the contract is $7,600.

A contract has also been awarded Harley Sheveling of Belle Fourche, S. D., for the construction of three miles of lateral ditches and structures, Belle-Fourche irrigation project, at $8,795.

TOY CANNON ROUTS ROBBERS

Blank Shells Frighten Looters of House at Thousand Islands Park.

THOUSAND ISLANDS PARK, N. Y., July 23.—Totally blind and with his 14-year-old son, armed with a tiny yacht cannon, as his only aid, Robert M. Jones of New York, a summer resident, routed a band of burglars. Mr. Jones discovered five men attempting to enter the house early Monday morning and, calling his son Walter, he told the boy to get the little cannon, which was used for saluting passing vessels. Blank shells were used, but the burglars fled pell mell at the sound of the first shot.

TRAINMEN MISREAD ORDERS

Freight Crew Made Mistake of Ten Minutes Causing Salem Disaster.

DETROIT, July 23.—The Pere Marquette railroad, after investigation of the wreck finds that the conductor, the engineer, fireman and rear brakeman of the freight all misread their orders, which stated that the passenger train would be at Salem at 9:25 a. m., while they read it as 9:35.

IONIA, Mich., July 23.—Eleven more of the victims of the Pere Marquette wreck were buried today. The report yesterday that Mrs. Perry Tanner had died proves untrue

PLANNING FOR AK-SAR-BEN

Board of Governors Making Effort for Most Brilliant Fall Carnival Ever.

Ellery's band will be secured for Ak-Sar-Ben's fall festival if the board of governors can make arrangements for it. So decided the board at a meeting Monday evening.

The ball committee reported its plans for having a large representation of maids of honor from cities outside of Omaha. It promised that Omaha women taking part in the coronation ball as ladies of the court, ladies in waiting and maids of honor would be notified much earlier than last year and that all appointments would be made by September 1. No Omaha woman could expect to be appointed, said the committee, unless by September 1 some male member of her immediate family had become a member of the Ak-Sar-Ben organization.

An innovation will be introduced in the shape of a ladies' float parade, which will be on Thursday afternoon, October 3. A number of women's organizations have signified their intention of taking part.

The light committee mentioned the difficulty in planning for the lighting of the streets, calling attention to the fact that the removal of telephone poles from the streets last winter would make it difficult to hang arches of lights across the streets.

Monday night, August 5, has been designated as Elkhorn Valley night. John Eisenhardt of Stanton, who was in Omaha Monday, is enthusiastic in Ak-Sar-Ben's praise and will endeavor to bring a larger representation than ever before from Stanton, Wisner, Beemer, Norfolk and other cities of the district.

South Omaha night is July 29, and the friends at the den are preparing a fine line of torture for the elect on that night.

Samson wishes to impress on his subjects the fact that the dates for his big celebration will be September 25 to October 5.

NEBRASKA WOMAN AN HEIRESS

Nellie Upson Marshall of Cambridge Claims Share in Washington Rancher's Fortune.

SPOKANE, Wash., July 23.—(Special.)—Judge William A. Huneke, in the probate department of the Spokane county superior court, has been asked to determine who is the rightful heir to the estate of C. E. Upson, a pioneer rancher in the Palouse wheat belt, south of Spokane, who died alone in his shack near Waverly, Wash., where he lived more than twenty years. There are three claimants—Nellie Upson Marshall of Cambridge, Neb., a daughter; O. L. Upson of Fulton, Mo., a brother, and Lawn and Pearl Hatcher, cousins. There is no will.

Upson was 75 years of age; he was eccentric and passed himself off as a bachelor, though a short time before his death he told several of his neighbors he had a daughter somewhere in the middle west. One of these, H. C. Minyard, was appointed administrator of the estate, consisting of a big farm in the heart of the Palouse country, personal property and several thousand dollars in gold coin buried under the floor of the shack. The administrator made inquiry and located the daughter at Cambridge, Neb., where she is living with her mother, now Mrs. Auble.

Believing herself the heiress, Mrs. Marshall filed a petition for a part distribution of the estate, and against this protest was made by the dead man's brother and the two cousins. To determine if the estate is to go to Mrs. Marshal or divided among herself and the other claimants is the question now before the court. Half a dozen attorneys have been retained and a three-cornered battle will be waged.

RAINFALL MORE THAN NORMAL

Showers Copious Over Nebraska, While Humidity Was Very General.

LINCOLN, Neb., July 23.—(Special.)—Following is the weekly weather bulletin for the week ending July 22:

The weather of the week was moderately warm, with southerly wind and sunshine about 75 per cent of the possible amount.

The daily mean temperature averaged about normal. The weekly temperature was 76 degrees to 78 degrees in the southeastern counties, and 70 degrees to 76 degrees in the northern and western. The first part of the week was moderately cool, but the latter part was quite warm and humid.

The rainfall was copious all over the state the first half of the week and the weekly amount was above the normal generally. At many places in the southeastern counties damage was done by the heavy rains; low lands were flooded and streams were over their banks. The rainfall of the past week has brought the amount from April 1st to date to nearer normal; at many places it is above the seasonal average.

C. C. GARRETT, Acting Section Director.

HEARS EXPRESS RATE CASE

Nebraska Railway Commission of Mind to Reduce Charges on Own Motion.

LINCOLN, July 23.—Because of the activity of the five express companies doing business in Nebraska in opposing the Sibley law, which reduced rates 25 per cent, the State Railway commission held an open hearing today, with the avowed intention of itself reducing the rates. The session is in accordance with the law which permits no reductions without an open hearing. The express companies represented were the Adams, United States, Pacific, Wells-Fargo and American. The Sibley law reducing rates became effective July 4, according to the attorney general, but the attorneys for the express companies assert they have until August 5 before putting the new rates into effect. Attorney General Thompson asked the supreme court for an injunction to keep the companies from disobeying the law, but the attorneys for the companies removed the cases to the federal court, at the same time asking for an injunction against the state, which was denied.

HAT MAKERS MAY STRIKE

Effort Will Be Made to Settle Differences by Manufacturers Today.

ORANGE, N. J., July 23.—An attempt to settle the differences between the hat manufacturers and their employes, said to have arisen over the use of the union label, is to be made in New York today. The executive committees of the National Fur Hat Manufacturers' association and the Union Hatters of North America will confer on the matter. If the conference fails there is likely to be a general strike of the operatives in the various union hat factories in the country.

City Salesman Ends Life.

SIOUX CITY, Ia., July 23.—(Special Telegram.)—G. H. Berkey, city salesman for the Tolerton & Warfield Grocery company, shot and killed himself in the toilet room at the grocery house this morning

MANY STILL MISSING

Nearly Hundred Persons Aboard Columbia Not Accounted For.

SEVERAL SURVIVORS in HOSPITAL

Crew Sent to San Francisco and Part of Passengers to Portland.

LINCOLN MAN REPORTED SAFE

Relatives of R. H. Ewart Receive Message from Him at Eureka.

TWO OMAHA PERSONS MISSING

Mr. and Mrs. C. A. Winslow of 2423 Manderson, Who Were Aboard the Ship, Not Heard from.

LINCOLN, Neb., July 23.—Relatives have received word that R. H. Ewart of this city has landed at Eureka. His name did not appear in the list of survivors.

SAN FRANCISCO, July 23.—The Pacific Coast Steamship company's passenger steamer Pomona arrived in San Francisco from Eureka at 10:30 this morning, bringing from the latter place one of the surviving passengers of the wrecked steamer Columbia and the thirty-two members of the Columbia's crew, who were saved out of its total complement of fifty-nine.

The passenger is Miss A. Leidell of this city.

The following is a full list of the surviving members of the Columbia's crew, with the exception of Purser J. E. Byrnes, who were brought to this city today by the Pacific coast steamer Pomona from Eureka. Mr. Byrnes remained at Eureka in the interest of the Portland-San Francisco Steamship company:

E. Agerup, second officer; R. M. S. Hawse, third officer; E. Norris, boatswain; G. McKay, carpenter; W. Curran and J. Lindstrom, quartermasters; O. Simmons, R. Gustafson, A. Larson and S. Peterson, seamen; J. Y. Jackson, chief engineer; R. J. Thomas, third assistant engineer; W. Lewis and J. G. Porter, oilers; C. Eastwood, J. Ross and J. Swift, firemen; F. Funk, steward; A. Marks, second steward; C. Roessler, chief cook; W. Tetzen, mess man; J. Carroll, C. Murphy, C. Stanley, L. S. Cate, L. Crossley, E. Peterson, C. Holland, A. Carrera, J. White, waiters.

No Bodies on Board.

The Pacific Coast company's dock at the foot of Broadway was crowded with people when the high black hull of the Pomona hove in sight around the bend in the water front. The first comment was the watchers was, "She brings no bodies," for the flag at her stern rail was flying at the masthead. The starboard rail of the Pomona was black with passengers and here and there among them as the vessel ran alongside the wharf could be discerned members of the ill-fated Columbia's crew, whom the crowd upon the dock picked out by the nondescript clothing they wore. An erroneous report had been spread that the Pomona brought a number of the Columbia's passengers and this in part accounts for the throng of eager men and women assembled upon the dock. When the gangplank was hoisted to the Pomona's deck officers of the Pacific Coast company had difficulty in restraining people from clamoring aboard.

The crowd was made to stand back and kept a lane open while the Pomona's passengers came ashore. Each was stopped at the foot of the gangplank and asked excitedly:

"Were you a passenger upon the Columbia?"

Woman Only Passenger.

With one exception the answer was "No." The exception was Miss Leidell. Clothed from head to foot in a dark brown ulster and her features hidden by a brown veil tied over her hat and under her chin, she came falteringly down the plank and made her way uncertainly through the crowd. She held her handkerchief to her face as she walked and when asked by newspaper men for a recital of her experiences, she broke into tears and turned, shaking her head.

"I don't want to say anything. I don't want to talk," she murmured.

Captain Swanson of the Pomona came down from the bridge to the gang plank head after his passengers and after the Columbia's crew had landed. Though sixty hours had elapsed since the midnight horror off the Mendocino coast, and though he had played no part in the scenes following, his emotion was such that tears filled his eyes again and again as he spoke for a brief moment or two with the newspaper men.

"I don't know that I can add anything to the accounts already given," said Captain Swanson. "I asked several officers of the Columbia crew for a statement just how the collision occurred and what followed it, but they said they were not at liberty to talk until after they had reported to the company officials here in San Francisco. Of course, I did not want to press them.

Many Are in Hospitals.

"The Pomona left Eureka at 2 o'clock yesterday afternoon with one passenger and thirty-two of the survivors of the Columbia reached Eureka from Shelter Cove. I did not have an opportunity to learn their names. Purser Byrnes of the lost ship remained at Eureka by orders of his company. He has sent many of the survivors north to Portland upon the steamer George W. Elder, which rescued eighty or ninety men and women and took them to Eureka, to which point it towed the water-logged San Pedro. Many of the survivors who remain in Eureka are being cared for in hospitals. They are suffering from exposure, shock and grief. No one who belonged to me was on board the Columbia, but I had many friends and acquaintances among the men and officers of the crew."

His voice choking and his eyes dimmed with tears, Captain Swanson turned away.

Purser Brown of the Pomona furnished a lylst of the members of the Columbia's crew brought to this city by his vessel. He showed a list of the surviving passengers taken to Eureka, exclusive of those who reached there an hour before the sailing of the Pomona, which had been personally secured and certified by Purser Byrnes. It comprised 107 names and tallied with the list reported in these dispatches last night. Mr. Brown said he was authoritatively informed at Eureka that seventeen members of the steward's department, ten men of the engineer department and ten of the deck crew, a total of thirty-seven, were saved.

Among the Columbia's survivors brought by the Pomona is E. Peterson of Brigham City, Utah. He was a waiter. The Pomona brought ten deck hands, seven engine room men and thirteen stewards and waiters, all saved from the Columbia.

Paul Hinner, a quartermaster on the Columbia, was in charge of a raft bearing four women and eleven men which