

## THE O'NEILL FRONTIER

D. H. CRONIN, Publisher.

O'NEILL, NEBRASKA

Flour manufactured from Canadian wheat which has a fair chance for competition in the markets of the world is being turned out from the Fallside mill at the rate of 3,000 barrels a day. The Lincoln mill will start adding another 1,500 barrels to the daily output of the Canadian product. The Pillsbury Washburn company, which is grinding the foreign wheat, pronounces it of superior quality, and declares that the flour manufactured from it for export is a perfect product. The company started grinding with about 150 cars of the Canadian wheat on hand, since then the wheat has been arriving in enormous quantities.

An English medical missionary in Shensi, China, says that he was asked by a native to cure a blind beggar. It was a simple case of cataract and an operation restored sight. Then the missionary received another call from the same man, who calmly told him that he had destroyed the only means by which the blind man could get a living—begging. It was his duty to make it up to him by taking him into his employment and providing for him for life.

Some months ago the vicar of Rogate, Sussex, received a letter from Australia, asking him to try to find a man in his village who had had his waistcoat stolen thirty years ago. The vicar found the man and told his Australian correspondent. In due time he received a letter inclosing \$50 for the owner of the waistcoat. The vicar said that with the \$250 he had found in the waistcoat he had gained a new start in life and was now well-to-do.

The Aero club of France has just adopted a decision which is of interest for British aeronauts. Henceforth there is to be kept in the park of the club an inflating apparatus, which is to be placed at the disposal, without charge, to all aeronauts, and especially those of foreign nations who may wish to make ascents from the park. Foreign aeronauts wishing to use their airships about Paris are to be aided in every possible way.

Dr. Abdul Hikmet, a Turkish resident in Paris, has been requested by the Turkish embassy to remain in Paris twenty days to Constantinople, where an order for his execution awaits him. The doctor recently published a violently-worded pamphlet charging the sultan with responsibility for the massacre of non-Muslims in the Turkish empire. He had appealed to the French government for protection.

Professor Henry Miers, in lecturing to a London audience recently, said that there is no knowledge of the depths to which the earth's crust is to be worked. The deeper they go the richer they become. Work can be carried on now to a depth of 2,500 feet and it is thought that it might be continued to a depth of 5,000 feet or even 10,000 feet if engineering difficulties could be overcome.

In France the other day a man, called as a witness in court, demurred to taking the oath to tell the "whole truth" because it might require him to tell Masonic secrets. The grand master of Free Masonry in France has written to the court stating that there was nothing in the Masonic oath which would prevent a witness telling the whole truth. If anything the oath made him a freer man.

In Spain a bride has no girl attendants to stand at the altar with her, but instead a "madrina," or godmother. Neither does she have a wedding cake or any festive departure after the ceremony. The wedded pair go quietly to their new home where they remain until the following day, when they visit their relatives. Before leaving they pay a formal visit to their respective relatives.

Very heartily welcomed, the brothers of St. Gabriel institute, famous for their success in the education of deaf and dumb boys, has settled at Beaconsfield house, near Plymouth, England, on their expulsion from France under the associations law. They are about to commence there the education of the deaf and dumb boys, irrespective of creed.

Along the international boundary of the Canadian northwest twenty years ago was an acreage of 250,000 under crop, yielding 1,200 bushels of wheat. Now the acreage is over 4,000,000 and the annual yield 110,000,000 bushels, while population, acreage and output are augmented at a rate no other country can approach.

The body of M. Markoff, the great Siberian railway contractor, says the St. James' Gazette, has been stuffed by his widow, fitted with glass eyes and garbed in dress clothes, and it now inhabits a richly inlaid cabinet in a corner of Mme. Markoff's drawing room.

Among the patients treated at the general hospital, Birmingham, recently was a pup, which had its broken leg put into splints. The dog was entered in the patient book as Hoxey McGaine, age 7 months, of 32 George street, and got a pink ticket entitling him to return for further treatment.

The tresseau of the future crown princess of Germany will include an evening dress from every European capital. Ireland is to contribute to it, an order having been given for some of the beautiful Irish laces which now figure in all tresseaus of importance.

"Died while trying to commit suicide" was the verdict of a coroner's jury in London the other day and it was in accordance with the testimony. The excitement of getting a knife and preparing to kill herself was fatal to Maud Marshall, who had a weak heart.

There is no ground for the professed fears of the tobacco growers of this country that lower duties on Philippine tobacco will unduly injure them, as may readily be understood by those who note that about two-thirds of the country's crop is now exported.

A price has been put on the head of the American eagle in Tehama county, California. The board of supervisors offers a reward of \$1 for the head of each of the great birds on the petition of the sheep men, who have lost many lambs by eagles.

Several large new hotels are being built in Rome. The natives complain that the city is being modernized and Anglicized. Several bars, with barmaids, have recently been opened, and the Cafe de Roma now has a grill room.

The revenue stamps that had to be affixed to the documents by which the Metropolitan District Electric Railway company made over the undertaking to the Underground Electric Railway company, of London, cost \$19,500.

## BANKERS TRYING TO MAKE A SETTLEMENT

### Fair Prospect Now That O'Neill Bank Affairs May Be Straightened.

## RECEIVER MAKES REPORT

### Says that Haggerty Home and Other Property Together with Some Paper May Satisfy the Depositors.

O'Neill, Neb., Jan. 11.—It appears quite probable now that a definite and friendly settlement will soon be made between the depositors and officials of the failed Elkhorn Valley bank, along the lines of the proposition submitted by Mrs. Haggerty, which proposition was published some time ago.

O. F. Biglin, the receiver of the bank, says that all of the 183 depositors, with very few exceptions, have expressed their willingness but a wish to enter into a friendly settlement and keep the affairs of the bank out of court entirely, if the officials of the bank will turn over their private property to the depositors.

Mr. Biglin estimates that \$4,000 can be realized out of the Haggerty home, adjoining town; that the equity in another tract of land will turn in \$1,500; another piece of land in the south part of the state, \$500; the bank building and several town lots, \$5,000; the Haggerty grocery corner and five lots, \$3,500; the Haggerty pension check, \$765; McGreevy money, \$700; overdrafts of the bank, \$2,000; equity in notes up as collateral, \$2,000, which with the assets of the bank will make something over \$10,000. Mr. Biglin is further authority for the statement that the depositors will soon hold a meeting for the purpose of electing three trustees to act in conjunction with him as receiver in settling up the affairs of the bank.

He has proposed to the depositors that if the three trustees will serve free of charge he will act as receiver without charge to the depositors. There appears to be a general disposition to accept the affairs of the bank out of the hands of the lawyers and out of the courts. Nora Sullivan, one of the depositors has written the following letter addressed to the public:

"O'Neill, Neb., Jan. 4.—Much sympathy has been expressed for me for my loss in the bank failure. I want to know whether it is sincere or whether it is only a slat. Any person who is honestly sorry for me will help me to get back as much of the money as I can, and the only way is to take Haggerty's offer. Of course, the lawyers will want it put into court, so as to get it all themselves.

Nora Sullivan.

Receiver Biglin says that the depositors and himself are now in position to know the true condition of the affairs of the failed institution and that if matters take the shape as now appears it will not be long until the affairs of the bank will pass into history and that it is not probable that the loss of depositors will in the end be much in excess of \$7,000, which is not as bad as at first appeared.

## BLAIR MAN UNFORTUNATE.

### Ames Receives Word of Mother's Death as He Is Sentenced.

Kansas City, Jan. 11.—Just as A. C. Ames was sentenced to fourteen years for burglary in Ames, Iowa, a letter came telling him that his mother had died at Blair, Neb., leaving him \$2,000.

## CASE OF LAPSE OF MEMORY.

### Farmer Walks Away from Home and Forgets Himself.

Auburn, Neb., Jan. 11.—Charles Ming, a prominent farmer living near Julian, in this county, suffered a peculiar aberration of mind. On Tuesday he left his home and went toward Julian. His wife saw him going and thought it strange that he did not say anything to her about going, as this was not his custom. Night came and he did not return. The wife telephoned to Julian and learned that he had not been there. A searching party was organized and scoured the vicinity for him all night, but got no trace of him. The news of his disappearance was telephoned to all the neighboring towns, but no trace of him was obtained. The search continued all day Wednesday without effect. On Thursday the bloodhounds were secured, but they proved inefficient to get any trace of him. During the afternoon of Thursday, however, Mr. Ming came to himself in the country near Howe, about eighteen miles from his home. He was walking on the road, when it seemed to him something fell from his head on the floor. He consulted a physician and he went to a farm house to inquire where he was, and on learning this he employed the farmer to take him home. He has no remembrance of leaving home and has no idea of his whereabouts during his absence.

## STRANGER KILLS SELF.

### No One Saw Him Do It, but Circumstances Indicate Suicide.

Frederick, Neb., Jan. 10.—The body of an unidentified man was found in an out-house at the Union Pacific depot at Ames with a bullet wound in his head. The body was discovered by Frank Keating, evidently a few minutes after the man was fired, for it was still warm. The shot had been fired with the gun touching the skull and passed downward, killing him instantly. He had fallen forward in a heap on the floor. A 38-caliber revolver with one chamber empty lay beside him. Though there were several persons around the depot, no one heard the shot fired or saw the man.

In his pockets were \$11 in money, a knife and some tobacco. He was about 45 years of age and looked like a Jewish peddler. His clothing was good and he wore over-shoes. He had a short, dark, full beard, was fifty-six inches tall and weighed probably about 145 pounds. The body was brought to Denzler's undertaking rooms and has not been identified.

## STATE BANK EXAMINER.

### Appointments Are Made by the New State Board.

Lincoln, Neb., Jan. 10.—The new state banking board was organized with Auditor Searle as chairman. The following appointments were made: C. H. Beaumont, Syracuse, chief clerk; C. H. Beaumont of Madison, J. F. Halderman of Burchard, E. E. Emmett of Arapahoe and Fred Whittemore of Long Pine, examiners. Miss Maud Boyd is stenographer. The board is composed of the auditor, attorney general and state treasurer.

## VICTIM OF GAS.

### George Wiseman, a Stockman, Succumbed to Hard Coal Fumes at Emerson, Neb.

Emerson, Neb., Jan. 11.—George Wiseman, a prominent stockman, well known all over northeastern Nebraska, was found dead in his office last Friday night by Dick Peters, who called to see him.

It is supposed death was caused by suffocation from the gas of a hard coal stove in the office, where Mr. Wiseman slept. For some time he has made his office his rooming place, and last evening he was in the office when he died. O'clock and stated that he was going home. He was not seen around this morning as usual, but his death was not discovered until Mr. Peters called late in the forenoon.

Mr. Wiseman was unmarried and about 35 years of age. In his business he was prosperous and had accumulated some property. He was well known in Sioux City and other cities where he frequently went on business with other stockmen.

His several friends, as indicated by the coroner as it is considered a plain case of suffocation. When officers examined the stove in Wiseman's room they found the mica plates in the front of the stove broken out and the pipe jammed turned almost horizontal, thereby throwing the fumes into the room.

William Wiseman, brother of the deceased man, who lives in Mt. Vernon, S. D., was notified. A sister in Omaha was also notified.

## WOMAN IN BOX CAR.

### Disappears Before Trainers Can Identify Her.

Frederick, Neb., Jan. 10.—When the night freight from Lincoln on the Northwestern pulled into the yards here early yesterday morning a brakeman heard some one pounding on the closed door of a box car. He went to the door and a woman's voice asked, "What place is this?" On opening the car he was surprised to see by the light of his lantern a girl, probably about 20 years old, standing in the doorway. "I live in Fremont," she said, "and I have been in this box car since we left Lincoln." She jumped out of the car and disappeared in the yards before the trainmen could find out anything about her. She was comfortably dressed and did not have the tough appearance of the female hobo. As the car was securely fastened from the outside some one at Lincoln evidently knew of her being aboard.

## AFTER HER HUSBAND.

### Woman Arrives at Beatrice on Trail of Erring Spouse.

Beatrice, Neb., Jan. 10.—Mrs. C. G. Sauerwine arrived in the city from her home in Lincoln in search of her husband, C. G. Sauerwine, alias R. T. Malver, proprietor of the "Irish Steer" company, who was arrested here recently in company with Myrt Goe and two young women on the charge of obtaining money under false pretenses from a farmer who lives near Lincoln. Mrs. Sauerwine is a native of Iowa and has been in Lincoln for some time ago. Mrs. Sauerwine is a one-appearing woman about 20 years of age and has a child 2 years old.

## Fishing in Missouri River.

Lincoln, Neb., Jan. 11.—The committee on fish and game in both houses will have a few busy half hours with constituents from the river counties. During the campaign this was made a live issue in several localities, and some of the members pledged themselves to bring up an amendment to the fish and game law.

It seems that along the river bottoms live quite a number of squatters, numbering forty or fifty votes in some of the counties. These squatters gain a part of their livelihood by fishing. Some have been seen to take the private right of selling or trapping fish in the river, but they also want to get after them in the ponds along the river. They say that at present a large number of fish, principally carp, buffalo and catfish, get stranded out in the ponds and lagoons. Only the catfish can be successfully tempted with the hook and line. As the season passes the water dries up and the fish die.

What the squatters want is the right to seine these fish before the ponds stagnate and before they are taken out and butchered while they are fresh and a crime to leave them in there until they perish for want of pure water. In some localities, like the eastern edge of Nemaha county, this became an important issue. The game law is now under control of the Nebraska commission.

## Woman in Male Attire.

O'Neill, Neb., Jan. 10.—Two supposed women were seen at the Dewey hotel here since Christmas. During the last few days it has been whispered about that one of them had had the features for a man and that an investigation ought to be made. The authorities called on the supposed young man who admitted being a woman. She gave her name as Water, Omer T. Swigart and her home at Waterloo, Ia. Where she said she had a mother and one child. Her husband had deserted her and she found herself unable to support herself and a child. She then adopted male attire in order to secure work. Here she went under the name of Bert Lewis and had worked as a man on several of the ranches in Holt county. She has a team and wagon at a ranch south of town, but recently she had been doing kitchen work and waiting on tables. She had attended a dance and taken a young woman to supper. She is well educated and a fine looking woman. She says she will never again wear female attire. A Mr. Neve, who was with her left for Waterloo, Ia.

The officers made a thorough examination of the woman's belongings and finding nothing of a suspicious character, decided to let her go on the promise that she would leave town, which she did.

## Nebraska City's Mayor Dead.

Nebraska City, Neb., Jan. 10.—H. Bartling, mayor of the Maytag Grain company and mayor of this city, dropped dead in his place of business. Mr. Bartling was one of the pioneer residents of Otoe county, coming here in 1886, and for a number of years has been one of the most substantial business men in the city. His disease is supposed to be the cause of his death.

## MORSE CASE TAKES ON A NEW ASPECT

### Mrs. Gelshehen, Rich Widow Lately Dragged, Hurries Away to Europe.

## MR. JEROME WAS BALKED

### Reported that She Is to Meet Morse in Naples, He Having Given Up Returning to America in Order to Confer with Her.

New York, Jan. 11.—District Attorney Jerome has learned that several days after he sent his letter to Mrs. William H. Gelshehen, the wealthy widow, from whom he hoped to learn whether Charles W. Morse was the victim of the plotter in the Dodge-Morse conspiracy, Charles W. Morse, who had planned to come to this country, suddenly abandoned his trip. Morse had gone to the extent of engaging passage on the Lucania, which arrived today without him.

Within a few days of the sailing of the Lucania without him, Mrs. Gelshehen left for Europe on the Kaiser Wilhelm der Grosse. That she did sail on the steamer last Tuesday Mr. Jerome now has absolutely no doubt. Friday, while she was on the high seas, a mysterious message was called from Paris, where Morse is said to be with Mrs. Morse. It was sent to Mrs. Gelshehen's daughter, making an appointment to meet in Naples. These are the facts that give the latest phase of mystery to the strange case and the district attorney is trying to figure out in his mind exactly what it meant. Are the various persons whose names have been brought into the scandal to meet on the continent?

## Still a Baffling Case.

As perplexing as ever, the case still baffled Mr. Jerome's assistants, but they are now certain that they are reaching the point where their questions will be answered and that now, with the flight of Mrs. Gelshehen, they have a tact admission of one of their points in no doubt. It is known that Mrs. Gelshehen as a woman or mother. This theory has been that if she could get Mrs. Gelshehen before the grand jury to ask her flatly if she knew if Morse ever cherished any ambition to have her as his wife, this would be to get both Mrs. Morse back here on the first steamer. They have clearly shown that Mrs. Gelshehen does not wish to go before the grand jury, and Mr. Morse himself has indicated that there was something transpiring that would make him a passenger on the Lucania.

What it was that happened or what message he may have received that caused Morse to change his mind at the very last minute is known only by inference. At the time of the sailing of the Lucania, Charles W. Dodge, the former husband of Mrs. Morse, who was to have been used as a means by which Morse could make himself a free man, had returned from Texas, made his confession, and as the days passed it seemed that no evidence could be adduced that would serve to bolster up the confession.

## Morse Kept Posted.

In fact, skeptics were beginning to speak of the Dodge-Morse affair as a "district attorney's office fiasco." This was a very opportune moment for Mr. Morse to come home and go before the grand jury if Mr. Jerome wanted him, but twenty-four hours before the Lucania left her dock it became very apparent to those in New York in close touch with the case that something was about to happen and since Mr. Morse is a man who keeps in close touch with affairs that interest him, there can be no doubt that the cables recorded every new move made by Jerome.

Mr. Morse was under subpoena for six weeks before he left for Europe, and when he went away he told his friends that he was very tired of putting in so much of his time in the grand jury room. Nevertheless, if he was interested in the affairs of Mrs. Gelshehen any effort to learn his secrets through her was the one thing calculated to make him forget his enigma and come back. Tonight the best information about Mr. and Mrs. Morse obtainable in Paris is that he is still at the Hotel Ritz, where both formerly were, and that she is at the Elysee Palace hotel, near by. Furthermore, it could not be learned if Mr. Morse has received word of the departure of Mrs. Gelshehen, although it is taken for granted that he has.

## IS DUKE INSANE?

### District Attorney Jerome Is Looking Into Mysterious Features of His Case.

New York, Jan. 11.—Announcement is made on what seems authoritative information that the district attorney's office will take up the case of Brodie L. Duke, who yesterday was placed in a sanitarium, after having been separated from his wife, whom he married a few weeks since. For several days detectives have been working and sensations are promised.

District Attorney Jerome said he would do everything to clear the matter.

Rev. W. W. Coe, Dr. Parkhurst's first assistant, who performed the wedding ceremony, said he did so knowing nothing of Miss Webb's antecedents. Duke manifested no mental disturbance, although in the ceremony Duke gave answers in the wrong place at times.

Incidents in the affair terminated in the siege of the house of George H. Malloy, Mrs. Duke's attorney, by a woman who said she was the lawyer's client. She was refused admission and was five minutes tried to gain entrance.

The Bellevue hospital authorities have deposited with District Attorney Jerome bonds, stocks, notes and checks, said to have a face value of \$60,000, found in the pockets of Duke. The order for Duke's consignment was signed by a justice of general sessions and Dr. Wyatt. Dr. Gregory, superintendent of Bellevue hospital, said Duke was afflicted with dementia.

## Woman Said to Be Wealthy.

Chicago, Jan. 11.—In marrying Brodie L. Duke, Mrs. Duke, who resided in Chicago before the wedding, gave up a remarkable business career. Mrs. Duke, who is the daughter of Wm. H. Webb, had aided in the promotion of several industries and was president and secretary of Taylor, Webb & Co., a prominent investment company in La Salle street recently organized.

## Sugar Goes Up Again.

New York, Jan. 9.—All grades of refined sugar advanced 10 cents per hundred today.

## MAY ORDER BATTLE.

### Czar It Is Said Will Instruct Kuro-patkin to Defeat Oyama on the Shakhe.

London, Jan. 11.—It is expected at St. Petersburg that the czar will order Kuropatkin to take the offensive before Nogi's veterans can join the Japanese on the Shakhe, and to gain some success to offset the loss of Port Arthur. Such instructions will place Kuropatkin in a difficult position. The severity of the winter makes operations next to impossible.

It is known the Russian army is suffering deprivation of boots and overcoats, owing to the wholesale robberies, and a battle fought for political reasons would be with advantage strongly on the side of the Japanese.

Opinion is divided whether Rojstevsky's fleet should return on stake all upon a chance of defeating Togo. High authorities argue that if the fleet possesses any efficiency it should try conclusions immediately. Rojstevsky would be justified in destroying Togo, even at the expense or loss of his own fleet, because Russia's ancient ships in reserve to gain command of the sea if Togo's ships were sunk. Russia cannot hope for final victory unless she regain the sea. If Rojstevsky returns it must signify the war will be indefinitely prolonged. Indications give the impression that the fleet is to return. Those who know the inefficiency of Rojstevsky's squadron expect the recall.

Europe still awaits some indication what will be the effect of the fall. This came only from St. Petersburg. It is recognized that Japan's victory can make for peace only in case Russia's internal crisis makes peace imperative.

Evidence multiplies of uncompromising opposition to the war throughout Russia, intensified by fresh disclosures of robberies of war supplies and hospital necessities even more than by the news of Port Arthur. These exposures are never followed by the punishment of the thieves, but public expression has become a force which will not be reckoned with. It has found expression in new localities where the authorities refused funds for imperial purposes.

## IT PLEASES THE JAPANESE.

### Refusal of Many Russian Officers to Accept Paroles.

Tokio, Jan. 11.—The Japanese who express great admiration for General Fock and the other officers for refusing parole and standing by the men of their army, are busily preparing to receive the Russian prisoners from Port Arthur. The first batch of 10,000 are expected to arrive at Moji and Shimonoseki shortly. After disinfection they will be sent to Kure and other points. It is unlikely any prisoners will be brought to Tokio.

The Gazette announces today the Russians have delivered five survivors of the third Japanese expedition to block the entrance to Port Arthur harbor.

## NAVAL EXPERTS MEET.

### Plans for Building New Russian Navy Before Paris Council.

Paris, Jan. 11.—The international commission on the North sea incident resumed its sessions here today. Admiral Foville of France was unanimously chosen permanent president.

Vice Admiral Dombassoff, who succeeded Admiral Kaznakoff as Russian representative on the North sea commission, arrived today. It is known his service on the commission is a mere incident. His chief mission is to preside at the meeting of the naval technical commission, which is considering the rehabilitation of the Russian navy.

In the next three years for naval reconstruction, as the Russians recognize the necessity of recreating their navy without reference to Japan. Therefore, several Russian naval experts have arrived after visiting the ship yards of Germany, Holland, Austria, Italy and France. Admiral Dombassoff, chief constructor of the Russian navy, will preside at the meeting. Their visits included the ship yards in Toulon and other shipbuilding centers, where they witnessed the progress made on four new Russian torpedo boats and order a large model of the battleship Czarevitch, which is considered a favorable type for future construction.

It is understood the Russian program contemplates expenditure of \$200,000,000 in the next three years for naval rehabilitation. The meeting of the experts leads to a coincident gathering of representatives of the leading ship yards, including the American yards.

## FUTURE OF PORT ARTHUR.

### Japs Seem to Plan Keeping It for Sure This Time.

Tokio, Jan. 10.—The Japanese intend to establish a naval station at Port Arthur, Vice Admiral Y. Shibuya will probably be placed in charge of it.

The military administration will only retain a small garrison as soon as the prisoners are withdrawn and order restored. The fleet is busily engaged in clearing mines, but owing to their great number navigation will be unsafe for a long time. Only government craft will be allowed to enter the harbor. It is probable that Dalny will soon be opened up to neutrals. Japanese companies are preparing to establish weekly service to that port. It is proposed shortly to float a fourth domestic war loan under the same conditions as those under which the third was negotiated.

## Transfer of Prisoners.

General Nogi's report announces the transfer of Port Arthur prisoners completed. Saturday's transfers were:

Officers, Men,	
General Stoessel's command,	9
General Stoessel's headquarters,	11
Engineer company,	29
Telegraph corps,	4
Railroad detachment,	1
Cavalry,	61
Officers and crews of warships—	177
Retvisan,	22
Pobieda,	22
Galadna,	11
Peresviet,	15
Poltava,	16
Sevastopol,	3
Bayan,	25
Bobr,	12
Storozhovy,	4
Otvashin,	12
Gilyak,	5
Amur,	7
Naval defense headquarters,	67
Harbor office,	69
Naval brigade,	59
Torpedo brigade,	10
Field posts and telegraphs,	33
Totals,	366
Three judges and three clerks of courts were also transferred.	

## Generals Are Still Alive.

Lieutenant General Fock, Strykoff and Gorbatsky and Rear Admiral Wihmann will be brought to Japan as prisoners of war. Lieutenant General Stoessel will leave Dalny January 12 on a Japanese transport for Nagasaki. He will be accompanied by the other paroled officers. The Russians probably will remain in Japan a few days and then proceed on a French steamer to Europe, going by way of the Suez canal. General Nogi reports that the officers paroled to date number 401, and orderlies 280.

## BEEF TRUST SUIT IN SUPREME COURT

### Attorney General Moody Concludes His Argument on the Injunction Case.

## DEFENSE IS TECHNICAL

### Trust Claims Its Combination Is Strictly a State Affair, in Illinois, Not Subject to Interstate Commerce Law.

Washington, Jan. 11.—Attorney General Moody today resumed his argument on behalf of the government before the supreme court in the case commonly known as the beef trust case, begun last Friday. Attorney General Moody said none of the agreements or acts complained of related to manufacture or production, but to commerce—commerce, as distinguished from manufacture or production. He said the inquiry is narrowed down to only two questions for the determination of the court: Whether the commerce in the case is commerce among the states, and if so whether the agreements constitute a monopoly of any part of it.

Taking up the agreement alleged in the petition, Attorney General Moody said it minimized statements by which the plaintiff characterized the purpose and effect of the agreement, the following state of facts is clearly shown: Persons owning live stock and living in other states and territories than those where stock yards are situated were accustomed to send stock to the various stock yards named for the purpose of sale there. The defendants, who were severally engaged in the business of buying such live stock for the purpose of slaughtering and converting it into fresh meat, entered into an agreement with each other to refrain from bidding against each other, except colorably, in the purchase of such live stock, with the purpose and result of suppressing all competition in such purchases.

The agreement having been thus clearly alleged, he said, the question arose whether the agreement relates to interstate commerce, and proceeded to argue that proposition.

Mr. Moody's Argument Summarized.

Mr. Moody, in concluding his argument, said:

"I have discussed, separately, all the agreements and acts of the defendants, which were complained of as unlawful in the petition and enjoined by the decree of the court below. I have endeavored to show with respect to each of them that they relate to interstate commerce, and either restrained it or monopolized it, within the meaning of the law.

"I should be unwilling, however, to rest the case here. There is a larger view of the matter to be taken. It appears from the allegations in the petition considered separately. These defendants are engaged in interstate commerce. The petition shows a typical case of interstate commerce. If the business which they do, exclusive of the manufacture, is not interstate commerce, there can be no such thing outside of transportation.

It is Interstate Commerce.

"They buy their raw material, which is gathered together from all the cattle-raising states and territories of the union and sent to the great live stock markets of the country. After they have transformed that material into the finished product they sell it throughout the United States. The combination which they have entered into is designed to restrain all their business transactions, and by obtaining such unlawful advantages as would tend to create a monopoly in the necessities of life. They cannot be permitted to separate the various stages of their undertaking and so deal with them that they be regarded as interstate transactions. The court met and answered such a device as this in the case of *Montague & Co. vs. Lowery*. There it was truly claimed that the sale of mineral water in San Francisco by local dealers was considered by themselves interstate transactions. The court held a sale could not be separated from the main purpose of the combination, which was to fix and maintain uniform prices for goods which were the subject of interstate commerce."

## ON FREIGHT RATES.

### President Holds Another Conference at the White House.

Washington, Jan. 11.—President Roosevelt had another conference yesterday regarding pending legislation. He consulted Representatives Esch, of Wisconsin, and Townsend, of Michigan, both members of the house committee on interstate and foreign commerce, regarding legislation respecting freight rates. Both representatives are in favor of affirmative action on the subject at the present session. They told the president the people they represented wanted something definite done and wanted it done soon. Any legislation enacted, they urged, must be effective in curing the evils complained of, and not merely of a nominal character.

Suggested reductions in the expenditures of the navy department formed the principal topic of a talk between the president and Representative Dayton, of West Virginia, the ranking republican member of the naval affairs committee of the house. Mr. Dayton is opposing vigorously the proposed reduction, maintaining that any reduction would cripple the naval service.

## NAN IS VERY ILL.

### Miss Patterson Is in Bad Condition and Her Tonsils May Be Removed.

New York, Jan. 10.—Nan Patterson is ill with tonsillitis. Her condition is regarded as serious. The family physician says her tonsils will probably have to be removed.</