

ENFORCE THE ACT

ORDERS REGARDING THE ELKINS ENACTMENT.

ISSUED BY ATTORNEY GENERAL

A Circular Letter to All United States District Attorneys — Eighty-five of Them Directed to at Once Get Busy Doing Their Duty.

WASHINGTON—Attorney General Moody sent a circular letter to all the United States district attorneys, eight-five in number, directing them vigilantly to enforce the provisions of the Elkins act against rebates and discriminations of all kinds by carriers. The letter follows:

To United States Attorneys: An Act entitled "To further regulate commerce among foreign nations and among the states," approved February 19, 1905, (32 Stats. 847), commonly known as the Elkins act, is directed against the rebates and other discriminatory practices by common carriers. It makes such practices misdemeanors and provides for their punishment by fines. It further provides for their prohibition by the injunctive process of the courts. There is no provision that criminal prosecution shall be by the special direction of the attorney general, but in section III, it is provided that proceedings for injunction shall be begun "whenever the attorney general shall direct." You are directed diligently to investigate all complaints which may come to you from any source, of violations of this law and upon your own initiative to make investigations if there appears to you to be reasonable ground for suspecting violations of this law. In every case in which you can secure sufficient evidence, you will submit that evidence to the grand jury, with a view of securing indictment. Whenever it is practicable it is desirable that indictments shall be returned both against shipper and the carrier. In some cases, however, it may be impossible to obtain sufficient evidence without the aid of the testimony of one of the guilty parties to the transaction. In such a case it would be wise to use such testimony, of course, affording to the witness or witnesses, immunity from prosecution.

Under the Elkins law the only penalty for its violation is a fine. I suggest to you, in all cases where the evidence would warrant it, that an indictment for conspiracy to commit an offense against the United States, based upon section 544 of the Revised Statutes, be obtained. The supreme court has held in *Clune* against United States (159 U. S., 590, 595) that a conspiracy to commit a crime itself punishable only by fine may be punished by imprisonment. In the event of obtaining a conviction upon a charge of conspiracy of this kind you are directed to present to the court the desirability of inflicting the penalty of imprisonment to the end that these unlawful practices, which have received almost universal condemnation, may be discouraged and prevented as far as existing laws will accomplish that result.

Your attention is especially directed to that part of the act which renders unlawful rebate, concession or discrimination in the transportation of any property in interstate or foreign commerce, whereby any such property shall by any device whatever be transported at a less rate than that named in the tariffs published and filed.

I desire to impress upon you the importance of using every effort to execute these directions. You will report to the department from time to time any action which you may take upon this subject. Very respectfully,

WILLIAM H. MOODY,
Attorney General.

BUFFALO BILL'S HORSES KILLED IN FRANCE

MARSEILLES, France — All the horses belonging to the wild west show of Col. William F. Cody were killed here. Although the government veterinarians had certified that glanders had been entirely eradicated from the stud, Colonel Cody and his partner, James A. Bailey decided on this radical measure in order to allay the fears of the farmers regarding the spread of the disease. The saddles, bridles and other articles of equipment, as well as the clothing of the stablemen, were burned and the railroad cars belonging to the Cody show disinfected.

Tawney Holds the Purse.
WASHINGTON—The addition of a republican members to all the important committees of the house has enabled Speaker Cannon to solve the problem of committee assignments in a manner most satisfactory to both parties in the house. Only two important chairmanships were vacant, appropriations and public buildings and grounds. In filling the former the speaker followed precedent and looked to the whole house for the available material. Tawney of Minnesota was chosen chairman of appropriations.

Smallpox Aboard the Slyph.
WASHINGTON—By the breaking out of smallpox on the naval yacht Slyph, assigned for the use of President Roosevelt and his family, the vessel is practically quarantined and the crew put under close observation by the health authorities. Only one case has developed, that of Clarence Marlow, a negro sailor. He was removed to the hospital. It has been a month or more since the president or any member of his family has been aboard the vessel and no alarm is felt on that score.

THE COMMITTEES.

Nebraska Fares Well in the Assignment.

WASHINGTON — Nebraska fares well in committee assignments of the first or important class, as committees have now come to be classed in contrast to those of less or least importance.

Western Committee Places.

Following are the committee assignments for Nebraska:

Hinshaw—Indian affairs, merchant marine and fisheries, patents.

Kennedy—Irrigation of arid lands war claims.

Kinkaid—Insular affairs, Pacific railroads.

McCarthy—Public lands, expenditure Department of Justice.

Norris — Public buildings and grounds, labor, election of president, vice president and members of congress.

Pollard—Industrial arts; expenditures and accounts.

For South Dakota:

Burke—Interstate and foreign commerce, Indian affairs.

Martin—Public lands, public buildings and grounds, expenditure in Department of Justice.

For Iowa:

Connor—Library, labor, public buildings and grounds.

Cousins—Expenditure in Treasury department, chairman; foreign affairs, naval affairs.

Dawson—Pacific railroads, naval affairs.

Birdsall—Judiciary, merchant marine and fisheries.

Hedge—Coinage weights and measures, postoffice and post roads, levees and improvement of Mississippi river.

Hepburn—Interstate and foreign commerce, chairman.

Hull—Military affairs, chairman; militia.

Hubbard—Insular affairs.

Lacey—Public lands, chairman; Indian affairs, reform in civil service.

Haugen—Agriculture, war claims.

Walter I. Smith—Appropriations.

For Wyoming:

Mondell—Irrigation of arid lands, chairman; military affairs.

Nebraskans Satisfied.

Most generally the Nebraska members are quite satisfied with the judgment of Speaker Cannon. There are a few little heart-burnings in the delegation, but "by and large the delegation has come off the committee field with honor. Two extremely interesting fights were made for major committees—Hinshaw for appropriations and Pollard for agriculture. Pollard lost out because the president had a candidate in the person of William H. Cooke, who comes from the president's own district on Long Island. Pollard put up a game fight and would probably have won, but Mr. Cooke had a letter of recommendation from the White House on file and Pollard lost. In some particulars Pollard is better situated than older members. He gets accounts and industrial arts and expositions.

WAS WORTH MILLIONS BUT WAS DESPONDENT

NEWARK, N. J.—R. D. Ballantine shot himself, dying instantly, at his mother's home here. The cause of the suicide was despondency. He was thirty-five years old and unmarried. His grandfather, Peter Ballentine, founded the firm of P. Ballentine & Sons, brewers. His father, John Ballentine, with the latter's brother, Robert, succeeded the founder and after the death of John H. his interest in the business, estimated to be worth at least \$5,000,000, reverted to his widow.

Alice Gets Her Presents.

WASHINGTON—The valuable presents and relics of Miss Alice Roosevelt's trip to the orient were placed in her possession on Friday. They arrived about five weeks ago, but were given their turn in examination and appraisal, which was concluded yesterday. A messenger from the White house paid the duty and today a big express van brought the twenty-seven boxes to the White house. The unpacking began immediately.

Shot Father and Mother.

ALHAMBRA, Ill.—Henry Linneman, aged seventeen years, shot both his father and mother, with a shot gun, wounding each seriously, as the outcome of his efforts to protect his mother from the alleged attack of his father.

MATHEWS LOSES JOB.

United States Marshal for Nebraska is Summarily Removed.

WASHINGTON—The president has summarily removed from office United States Marshal T. L. Mathews of the district of Nebraska for alleged misconduct in connection with the case of Richards and Comstock, who were recently convicted in that state of illegally fencing the public domain. The sentence of the court was that the defendants should remain in the custody of their counsel.

Message Meets Approval.

LONDON — President Roosevelt's message to congress met with approval today on the stock exchange. Americans opened active at prices varying up to a point above parity. Other markets participated in the general strength and cheerfulness. Russians were the feature, reaching 82 7/8.

MEXICO—The official statement of the physicians in attendance upon Vice President Corral, pronounce him out of danger and entered upon the period of convalescence.

ABOUT THE CANAL

SENATORS NOT SATISFIED AS MATTERS STAND.

ARE SPENDING TOO MUCH MONEY

On Salaries and Things Not Needed—None, However, Are in Favor of Stopping Work on the Great Project.

WASHINGTON—The senate spent four hours Thursday in discussing the Panama canal emergency appropriation bill and when it adjourned the bill was still under consideration. There were set speeches by Messrs. Teller, Scott and Morgan and they were followed by a general debate in which all phases of the controversy were exploited, including the question of salary, the control of the Panama railroad and the necessity for general legislation on the canal subject.

Mr. Allison, chairman of the committee on appropriations, expressed the opinion that congress should take up the question of salaries in connection with other canal legislation. He also said that the status of the Panama railroad should be made the subject of legislation.

Messrs. Teller, Scott and Morgan expressed dissatisfaction with the conditions in Panama, but all indicated a determination to support the supply measures necessary to secure the work on the canal as undertaken. Mr. Teller advocated a sea level; Mr. Scott spoke in favor of the San Blas route as preferable to all others, and Mr. Morgan expressed the opinion that before the Panama canal is completed another canal will be necessary to do the business required.

A separate bill regulating the issuance of bonds for the canal and placing them on the same basis as other government bonds was passed without debate.

During the day Mr. Elkins made a statement from the committee on interstate commerce expressing the opinion that the committee would present a report within a reasonable time.

Wyoming Land for Settlers.

Representative Mondell of Wyoming introduced two bills. One provides "that the public land laws be extended to embrace lands within the ten miles square ceded to the United States by the Shoshone and Arapahoe Indians by agreement ratified by act of congress of June 7, 1897." This tract of land lies adjacent or surrounding Thermopols hot springs. He also introduced a bill that the general provisions of the homestead laws be extended to and over the surveyed land in townships 49 and 50, ranges 105 and 108, within the Yellowstone forest reserve. There are quite a number of settlers in this portion of this reserve and the bill is designed to give them the opportunity to obtain title to their holdings. These "squatters," so termed are occupying some 12,000 acres, all under cultivation, and it is, as said, the purpose of the Mondell bill to give them the opportunity to perfect their title to the lands upon which they have settled and created homes.

MISS ALICE ROOSEVELT SOON TO MARRY

WASHINGTON—Formal announcement was made by the president and Mrs. Roosevelt, of the engagement of their daughter, Alice Lee Roosevelt, to Nicholas Longworth, representative in congress from the first district of Ohio, one of the Cincinnati districts. Coupled with the announcement of the engagement is the additional announcement that the wedding will take place about the middle of next February.

Interest Ahead of Time.

WASHINGTON—The secretary of the treasury announced today that he has authorized the payment of the interest on United States government bonds, due January 1, 1906, on December 15, 1905. Coupons due January 1 will be paid on presentation on and after December 15.

Gold Lost in the Wreck.

ROCK SPRINGS, Wyo. — Ninety thousand dollars in gold belonging to a shipper whose name the railroad and express companies will not divulge was in one of the cars in the Overland Limited which was wrecked and burned last week at Ah Say, and it cannot be found.

Burton Wants No Assignment.

WASHINGTON—Senator Burton on Saturday wired his colleague, Senator Long, notifying him that he did not desire any committee assignments pending the determination of his case which is now in the courts, and Senator Long so informed Senator Hale as chairman of the republican committee on committees. Senator Burton is at present chairman of the committee on forest reservations and a member of the committees on postoffice, public lands, pensions and claims.

Nebraska Wheat is Good.

WASHINGTON—The crop reporting board of the bureau of statistics of the Department of Agriculture finds from the reports of correspondents and agents of the bureau as follows:

The newly seeded area of winter wheat is estimated at 31,341,000 acres an increase of 6 per cent over the area sown in the fall of 1904. The condition of winter wheat on December 1 was 94.1, as compared with 82.9 in 1904, 86.6 in 1903 and a ten-year average of 91.5.

INDICT CHICAGO AND ALTON

Charge of Ten Counts for Paying Rebates.

CHICAGO—The federal grand jury returned an indictment against the Chicago & Alton Railroad company, John N. Faithorn and F. A. Wann, formerly vice-president and general freight agent, respectively of the railroad company.

The railroad company and the two ex-officers are included in an indictment, in which there are ten counts against the company, and against each of the two men. The general charge is that the railroad company, with the sanction of the two officers paid illegal rebates to the packing house firm of Schwarzhild & Sulzberger, for the purpose of procuring shipments from the concern, and also with the same object, gave free transportation to the employees of the concern.

The indictment which was returned is based on testimony given to the grand jury by B. S. Cusey, traffic manager for Schwarzhild & Sulzberger who has appeared before the jury on two separate occasions. Cusey was one of four employees of the packing house firm who were indicted some time ago for soliciting rebates. All of them plead guilty. Cusey, with two others was fined \$5,000 each, and Samuel Well, one of the vice-presidents of the company, was fined \$10,000 by Judge Humphrey.

Three specific violations of the law against the granting of rebates are mentioned in the indictment. The railroad company is charged with having refunded \$1 per car on forty-four cars of dressed beef shipped from Kansas City to various eastern points in December, 1903. A similar rebate is alleged to have been paid on twenty-three cars of dressed beef shipped from Kansas City in January, 1904.

FEDERAL CONTROL OVER INSURANCE

WASHINGTON—A novel method of seeking federal control over insurance is proposed in a bill introduced by Representative Fred Landis of Indiana. The bill cites that congress has exclusive jurisdiction over the District of Columbia, the territories and the insular possession of the United States, in consequence of which authority is given the department of commerce and labor to require full statements from all insurance companies doing business within such jurisdiction. He states that publicity is the one thing required, and that no insurance company can afford to quit business in any of the territory named, to avoid giving the supervision, therefore all companies will be included.

SIDNEY LOSES LAND OFFICE.

Business and Records Transferred to North Platte.

WASHINGTON—President Roosevelt on Friday abolished the land office at Sidney, Neb., and the affairs of this office will hereafter be conducted by Register George E. Platt and Receiver Elbridge Downs at North Platte. The land officials at Sidney who are relieved by this order are Robert D. Harris, register, and James L. McIntosh, Jr., receiver.

Statehood Bill Amended.

WASHINGTON — Senator Foraker introduced a proposed amendment to Senator Beveridge's joint statehood bill eliminating all the provisions for a state to be composed of the area embraced in the present territories of New Mexico and Arizona and also an alternative amendment requiring the acceptance of the constitution provided for such a state by a majority of the legal voters in "each of the territories."

PRESIDENT GORDON RESIGNS HIS PLACE

WASHINGTON—President Gordon, of Howard university, has tendered his resignation to the board of trustees. This action is the culmination of the recent revolt of students at the institution who objected to certain views entertained by President Gordon on the subject of the negro and which led to differences of opinion between him and certain members of the faculty. Action upon the resignation will be had at an early day.

Order Against Rebates.

HARRISBURG, Pa.—Insurance Commissioner Martin notified all life insurance companies doing business in Pennsylvania that they must file written agreements abolishing giving of rebates, dismissing agents who do so and refusing to employ such agents for three years after dismissal.

Wisconsin Refuses.

MADISON, Wis.—The state senate by a vote of 18 to 15 killed a resolution for investigation of insurance and public service corporations.

Witte Resigns.

BERLIN—A dispatch to the Tageblatt from St. Petersburg, dated yesterday and received here today by way of Eydtkuhnen, East Prussia, says Premier Witte has given his resignation to the emperor, who refused to accept it.

New Petroleum Company.

BERLIN—A new petroleum company with a capital of \$1,325,000 has been formed with the object of working 10,000 acres of oil lands in Hanover and 6,000 acres in Galicia.

KILLING OF JEWS

FIFTEEN THOUSAND MURDERED AND 20,000 INJURED.

30,000 FAMILIES DESTITUTE

Most Terrible Scenes Recorded—An Eye Witness to the Massacre at Odessa Details the Awful Butchery

DENVER, Colo.—H. H. Pellish of this city received a letter from his brother Eli in Odessa describing the massacres of Jews in that city. The letter in part follows:

"From October 17 to October 23 my family and I were hidden in the darkness of our cellar and now thank God that our lives were even spared.

There happened here the most terrible scenes. There are 30,000 families that saved absolutely nothing but the clothes which they wore, and are now huddled together in the open streets. Little children were hurled out of windows to their death and awful injuries were inflicted. Women were pierced with large knives, their stomachs and intestines cut open and were then left to die in the street by thousands.

On October 17 a manifesto came from St. Petersburg giving us a constitution. This produced a good feeling and everybody celebrated as on a holiday. People paraded the street with red flags and sang songs of freedom and speeches of freedom were made.

But, on the same night, mobs congregated on the outskirts of the city and started to beat the Jews. On the following day a crowd of marauders, with the assistance of the police, started to march through the streets with the national flag and the icons of the church and the czar's portrait. As they went they cried: "Bey szidov" (meaning, "beat the Jews.") As they sang and yelled they threw stones at the houses and destroyed homes in the center of the city. If any Jews were found in the street they were horribly tortured and murdered outright. Houses were robbed one after another and the large stores and warehouses were pillaged.

In one word it looked like a veritable and awful war. Merchandise was carried away from stores in great loads. The doors and windows of homes and buildings of all kinds were broken in and we all thought we would be killed.

On account of these deathly scenes I am too weak to give you anything like a true description. All I can tell you is that we are all sick from the happenings and our nerves cannot bear up any longer. The same story we hear from all the small towns around and the condition of the people is the same. Their homes and stores have been destroyed and the people tortured and murdered."

CONGRESSMAN NORRIS FOR RAILROAD MEN

WASHINGTON — Representative Norris of Nebraska proved himself to be a friend of railroad employes through a bill he introduced, intended to prevent their employment beyond a reasonable number of hours at a stretch. His bill provides that any railroad engaged in interstate commerce cannot require or permit any conductor, brakeman, engineer, fireman, train dispatcher or telegraph operator who has worked continuously for twelve hours, except in case of casualty or unavoidable emergency, to again go on duty or perform any work until after eight hours of rest. The violation of this law is made a misdemeanor, punishable by a fine of \$500 for each offense.

NEBRASKA BILLS IN HOUSE.

Representative Hinshaw Introduces Four of Importance.

WASHINGTON — Representative Hinshaw introduced the following bills: To provide for an appropriation of \$125,000 for the erection of a federal building at York during the month of March every year; to provide for the relief of settlers on the Otoe Indian reservation in Gage county, Neb., and Marshall county, Kas.; to provide for the payment of medical expenses of sick and enlisted men of the army while absent from duty with leave or on furlough.

Grain Rate War at an End.

CHICAGO—Executive officials of western railroads settled the grain rate war at a conference when the Chicago, Milwaukee & St. Paul agreed to cancel its through corn tariff from the Missouri river to Liverpool and all roads assented to a test 4-cent differential in favor of the gulf ports and against the Atlantic ports for six months. The St. Paul and some other lines held out for a 3-cent differential, but the gulf roads would concede only half a cent under the figure in force previous to the rate war.

Mickey Renounces Boodlers.

MARSHALLTOWN—In the course of an address on "Character Building," delivered here, Gov. J. H. Mickey of Nebraska was enthusiastically applauded when referring to the graft among men in high places of public trust. He declared that certain senators who had disgraced the nation ought to have the good sense to resign their positions. He said the had no apology to offer for injecting politics into a religious address because a man's politics should be as clean as his religion.

DOWN AND OUT.

Vice President Perkins of New York Life Resigns.

NEW YORK—Two indictments affecting the life insurance situation in New York Wednesday overshadowed the legislative committee investigation. While the committee was inquiring into the conduct of the Prudential Life Insurance company and the Metropolitan Life Insurance company, George W. Perkins resigned as first vice president and chairman of the finance committee of the New York Life Insurance company. He was succeeded as vice president by Alexander E. Orr, president of the New York City Rapid Transit commission, and as chairman of the finance committee, by John Claflin, head of the H. B. Claflin company.

CAN'T HAVE A RECOUNT.

Request of Would-Be Mayor Hearst Not Granted.

ALBANY, N. Y.—The court of appeals in a decision handed down in the New York City ballot box case sustains the contention of counsel for Mayor George B. McClellan and denies that of attorneys for William R. Hearst and his colleagues on the municipal ownership league ticket.

The court holds, as was argued by Former Chief Justice Parker and his associates, that the courts have no power under the election law to order by mandamus the opening of the ballot boxes, and a recount and canvass of ballots.

MORE MONEY NEEDED TO RUN GOVERNMENT

WASHINGTON—A statement was issued by the appropriations committees of the senate and house summarizing the estimates for appropriations to be made at the present session of congress for the fiscal year 1907. The total for all purposes aggregates \$804,296,415. These estimates are greater than the appropriations for the current year by \$19,170,155. The war department asks \$863,463 less than was appropriated last year and the rivers and harbors item, which last year amounted to \$18,181,875, is omitted entirely this year. With these exceptions, every department of the government has asked for more money than the current appropriation.

ANOTHER CRISIS IN RUSSIA.

Arrest of Workmen's Leader Likely to Precipitate a General Strike.

ST. PETERSBURG—Another crisis is at hand involving the indefinite prolongation of the strike, the probable immediate precipitation of a general strike throughout Russia, and a possible final struggle between the government and the proletariat.

This sudden change for the worse is the result of the shedding of the first blood in the telegraph strike Sunday afternoon almost simultaneously with the action of M. Durnovo, minister of the interior, in throwing down the gauntlet to the labor organization by arresting M. Krustaleff, president of the executive committee of the workmen's council, without warning.

VOTE CANAL MONEY.

Members of House Compromise on the Amount.

WASHINGTON — An appropriation of \$11,000,000 was voted toward the construction of the Panama canal. The amount was a compromise between the \$16,500,000 carried in the bill under consideration and an estimate of something over \$6,000,000 recommended by Mr. Williams the democratic leader, to carry on the work until the middle of January. Mr. Hepburn, in charge of the bill, suggested that something like \$11,000,000 would carry on the work until March.

Rate Legislation Slumbers.

WASHINGTON—Railroad rate legislation will be allowed to rest until after the holidays. Members of the house committee on interstate and foreign commerce have agreed to take up and dispose of less important measures than those affecting rates before the recess. In the senate also there is a disposition to let rate legislation slumber for the time being. The members of the interstate commerce committee in that body have decided to hold but one meeting a week before Christmas.

Would Lease Land to Settlers.

WASHINGTON — Representative Lacey of Iowa, introduced a bill permitting grazing privileges on public lands to homestead settlers and holders of small farms in semi-arid and arid regions.

WASHINGTON — Representative Smith of Council Bluffs reintroduced his bill of the last session providing for the construction of a bridge by the Central Railroad and Bridge company across the Missouri river, connecting Council Bluffs and Omaha.

Fined Ten Thousand Dollars.

KANSAS CITY—W. H. Thomas, formerly a deputy United States marshal at Springfield, Mo., was fined \$10,000 in the United States district court for having falsified his expense account with the government.

Would Restrict Immigration.

WASHINGTON — Representative Bonye of Colorado introduced a bill for the restriction of immigration, fixing a head tax of \$10 on immigrants and using this money to defray the expense of regulating immigration.