WILL NOT KEEP THEM CHOATE TO SUCCEED HAY PACKERS DEFEND THEIR MEAT

This Country is to Hold the Philippines Only Temporarily.

SUCH IS SENATOR FORAKER'S STATEMENT

He Implies He Has Authority for Making This Announcement.

NO NECESSITY FOR EXPANSION ALARM

Pacific Islands Are to Be Treated on the Cuban Plan.

STABLE GOVERNMENT TO BE ESTABLISHED

Ohio Man Replies to Anti-Expansionists and Makes Some Statements Which Cause Great Surprise.

WASHINGTON, Jan. 11 .- A climax was reached today in the discussion of the question of expansion which is on debate in the senate. Heretofore all the speeches, with the notable exception of that of Mr. Platt of Connecticut, have been in opposition to what is presumed to be the policy of the administration with respect to the ac-quisition of the islands. Today Mr. Foraker addressed the senate in opposition to the declaration of the Vest resolution that the United States has no constitutional power to acquire foreign territory to be maintained as colonies.

While much of his speech was devoted to a constitutional argument in support of the right of this country as a nation to acquire and govern outlying territory, he gave particular attention to the utterances that have been made in contravention of that position. especially those of Mr. Vest and Mr. Hoar. He laid down the broad proposition that to adopt the Vest resolution was to declare that our fathers had brought forth a nation that was inferior to all other nations, regardless of the generally accepted idea that one nation was the equal of another and all equally restricted.

He maintained that the right to acquire and that as we have the right to make war and to enter into treaty agreements, it follows logically that we have the power to acquire territory by conquest and to assume the responsibilities that may accrue there-

Mr. Foraker's strong assertion that the acquisition of the Philippines was temporary in character created a sensation in the chamber. He maintained, however, that we have a legal right to hold the islands perma-

nently. Hobart Again Presides.

Vice President Hobart presided over the senate today for the first time since the holiday recess, having been detained at his home by an attack of grip. Mr. Bacon of Georgia offered the follow-

ing joint resolution: 1. That the government and people of the United States have not ward the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purpose set forth in the resolution of congress making the declaration of said war, the acquisition of such small tracts of land or harborn as may be recessary for govern-

2. That in demanding and in receiving the cession of the Philippine islands it is not the purpose of the government of the United States to secure and maintain dominion over the same as a part of the territory of the United States or to incorporate the inhabi-tants thereof as citizens of the United States or hold said inhabitants as vassals or sub-

jects of this government.
3. That, whereas, at the time of the declaration of war by the United States against Spain and prior thereto, the inhab-itants of the Philippine islands were actively engaged in a war with Spain to achieve their independence, and,

Recognition of Independence. Whereas, Said purpose and the military operations thereunder have not been aban-doned, but are still being actively prosecuted thereunder, therefore, in recognition of, and in obedience to the vital principle announced in the great declaration "governments derive their just powers from the consent of the governed," the govern-ment of the United States recognizes that the people of the Philippine islands of a right ought to be free and independent, that with this view and to give effect to the same, the government of the United States has required the government of Spain to relinquish its authority and government Philippine islands and to withdraw its land

and from the waters thereof. . The United States hereby disclaims any disposition or intention to exercise sove ignty, jurisdiction or control over islands and assert their determination an independent government shall have been duly creeted therein entitled to recognition cted therein entitled to recognition as such, to transfer to the said governm upon terms which shall be reasonable and just, all rights secured under the cession by Spain and to thereupon leave the govern-ment and control of the islands to their

In beginning a discussion of the speech of Mr. Hoar, Mr. Foraker said: "I listened, as I always listen, to the speech of the senator from Massachusetts. It was a speech of great ability and power, such as he always the treaty is favorable to Chili in many delivers, but when it is reduced it amounts only to this, that the government of the United States has only the power to acquire territory for constitutional purposes and as to what those constitutional purposes are, the senator from Massachusetts, shall be the sole and exclusive judge.

Mr. Foraker's remarks brought Mr. Hoar out for a further explanation of his position. Rising and interrupting the Ohio senator, he said: "If we thought it necessary for our national defense to annex as outlying territory, and if the people of that territory objected to our acquisition, I should consider the subjugation of it as a great national crime to be repudiated and condemned and I should say the United States would better go down beneath the waters of the Pacific in honor rather than disgrace itself

by such action." Occupation is Temporary.

Mr. Foraker stated the character of the occupation of the Philippines was temporary and reiterated it. "We could not desert the people of the islands," he said, "and subject them to the risks of disorder, anarchy, misrule and mon rule while they might be still unfit for self-government But our occupation was not to be perma-

"I do not understand that any one desire anything but the ultimate independence of the people of the Philippines," said he emphatically, "neither the president nor any one in this chamber."

But what about our right if we chose t hold them permanently with no thought of

their ultimate independence?" inquired Mr "We have an unquestioned right to to so,"

replied Mr. Foraker. "I speak particularly of our legal right." Mr. Bacon of Georgia at this juncture

(Continued on Fourth Page.)

Nomination of the Great Lawyer as Ambassador to England Sent to the Senate.

WASHINGTON, Jan. 11.-The president oday sent these nominations to the senate: State-Joseph H. Choate of New York, to be ambassador extraordinary and minister plenipotentiary to Great Britain.

Treasury-J. H. Brickenstein of Colorado, to be surveyor of customs. Denver. Col. Postmaster-lowa: Joseph Howard, Forest City; William R. Orchard, Glidden; George H. Loverin, Humboldt; George O. Hardenbrook, Maxwell; Ernest D. Powell, Exira; Charles S. Terwilliger, Gardner; W. A. Quigley, Hawarden; J. F. Weir, Lansing; Guy C. Toye, Northwood. Kansı≠: George Delaney, Axtell; Dave C. Battey, Florence; Frank M. Lockard, North; W. S. Gould, Weir; Austin Brown, Cedarvale; J. H. Wooten, Mankato; James M. Morgan, Osborne

Colorado: Joseph R. Miller, Trinidad. Joseph Hodges Choate was born in 1832 in Massachusetts, and is the son of Dr. George Choate. He was graduated in 1854 from Harvard law school and was admitted in 1855 to the bar. He formed a partnership with William H. Barnes, but in 1859 became a member of the firm of Evarts, Southmayd & Choate. For the last ten years Mr. Choate has been generally acknowledged to be the leading lawyer of the New York bar. Mr. Choate's political career practically began in 1858, when he took the stump for Fremont. Since then he has been known as an ardent republican, though he has never held office. At times he has not peen in touch with the party organization. From 1873 to 1877 he was president of the Union League club of New York City.

WOOD IS AT WASHINGTON

Will Confer with Secretary Alger Over the Conditions at Cuban Ports.

WASHINGTON, Jan. 11 .- Major General eonard Wood, the military commandant of Santiago, arrived in Washington last night. He breakfasted with Secretary Alger this morning and then repaired to the White House for a consultation with the president respecting internal conditions in Cuba. The War department has been delaying

final action on the various financial problems connected with the customs service at Santiago and at other Cuban ports until General Wood's arrival, regarding him as well qualified by his prolonged stay in charge of afterritory was an inherent right of nationality fairs in Santiago province to afford sound advice for its government.

The general himself modestly declines to discuss these matters publicly. He expects to leave Washington returning to Cuba next Monday. The situation in Santiago, he said, was thoroughly satisfactory and no trouble was to be apprehended there in the near future.

He took occasion to declare earnestly that the stories of friction between himself and Major General Brooke, the military commandant of the island, were absolutely without foundation, adding that their relations were of the most pleasant character, and as far as he knew there had been no differences between them.

DAKOTA AND WYOMING BANKS

Compared with Conditions in Septem Die it is Shown that Deposits Have Strengthened.

WASHINGTON, Jan. 11 .- (Special Telegram.)-The report of the condition of the harbors as may be necessary for govern-mental purposes being not deemed incon-sistent with the same.

national banks of South Dakota at the close of business on December 7 was today made public. Compared with the previous statement in September it is noted that banks have materially strengthened individual deposits, while shrinkage is shown in loans and discounts. Individual deposits have increased from \$4,245,778 in September to \$4,-593,425 and the average reserve from 31.08 per cent to 36.22 per cent. Present gold holdings aggregate \$310,322, a gain of more than \$47,000 since September. Loans and discounts have dropped from \$3,453,722 to

The report of Wyoming banks, also made public today, shows individual deposits have dropped from \$2,803,962 in September to \$2. 48,590; average reserve, from 36.29 per cent o 34.52 per cent; gold holdings, \$201,246 to \$182,205.

ALLEN HARNESSED TO BRYAN

Senator Declares Himself Upon Peac Treaty-Vifquain May Receive the Decoration.

WASHINGTON, Jan. 11 .- (Special Telegram.)-A bill to permit Colonel Vifquain o receive the decoration of the Order of the Double Dragon from the Chinese empire passed the senate today.

Senator Allen stated today that he would ote for the ratification of the peace treaty and take care of the problems which the treaty involved afterward. This would seem to indicate that Bryan and Allen are still harnessed together.

CHILI PROFITS BY A NEW TREATY

Secures Many Advantages in Trade in Ecuador WASHINGTON, Jan. 11 .- Consul General De Leon, at Guayaquil, reports to the State department that a reciprocity treaty is proposed between Ecuador and Chili and has already been ratified by Ecuador. He says respects, in some ways at the cost of United States commerce, especially in flour, lumber

and other California products. The consul notes as a significant fact that prior to the imposition of a duty by Ecuador sugar was in a depressed condition and that since then it has become a growing and profitable industry, though the British West Indies are bankrupt.

FOR MISSOURI RIVER WORK

Sexator Kyle Files Statement Show mg Recommendations that Are Urged for Elk Point.

WASHINGTON, Jan. 11 .- (Special Telegram.)-Senator Kyle has filed a statement with the committee on rivers and harbors in the interest of improvements in the Missouri river at Elk Point, Yankton and Pierre in South Dakota. The projects are recommended by engineers. The senator asks for \$67,300 at Elk Point, \$100,000 at Yankton and a similar amount at Pierre.

WANT THEIR OLD MONEY RETIRED Porto Ricana Send a Batch of Com-

plaints to Speaker Reed. WASHINGTON, Jan. 11 .- Speaker Reed has received from Ponce, Porto Rico, a petition from the American colony on the island setting forth the dangerous fluctuations in the currency and asking the carly retirement of Porto Rican currency and the substitution of United States legal tender money; also stating that the tariff enforced by the military authorities is causing great detriment to the trade and asking that all trade between the United States and Porto Rico should be made open, free and unrestricted. The petition was presented to the house today and referred to the ways and means committee.

Supply It to Other Armies and Hear No Complaints from Them.

DENY THE USE OF INJURIOUS CHEMICALS

Volunteer Nurse Varies the Tedium by Telling of the Lack of Supplies on the Transport Seneca.

WASHINGTON, Jan. 11 .- Mr. Tilden, secretary and one of the directors of Libby. McNeil & McNeil, tinned meat packers of Chicago, testified before the War Investigation commission today as to the company's methods of selecting cattle, killing them and

preparing them for market. He said nothing was added to the meat in gether and flavor it. The company had sold the government roughly 2,000,000 pounds during the war, and had received no complaints either at home or from abroad.

His house had furnished identically the same meat to the English, French, German and Japanese governments as was furnished to the United States during the recent war. There had never been any complaints from these customers, and the surgeon general of the Japanese army had recently inspected the canning plant and expressed himself as well pleased.

Arthur Keemer, formerly European agent for Armour & Co. of Chicago, and for several years past the general superintendent of the home plant, said Armour's general methods of slaughter, inspection and cooling were practically the same as Swift and Company's.

He shipped about 7,000,000 pounds of refrigerator beef a week. The foreign trade amounted to about \$4,000,000 annually. Their export trade was exclusively English and there were few complaints from cus-tomers. He said that he could not truthfully say they had never had a single complaint, but they were rare.

The firm had supplied refrigerator beef to permanent United States army posts for fifteen years without a single complaint. Witness submitted a number of letters from army officers who had dealt officially with the firm during the recent war, all of them expressing satisfaction with the fresh meat service.

Jeannette Jennings, a newspaper woman and a volunteer worker of the Red Cross, who was at Santiago on the supply ship Texas, appeared at the afternoon session and varied the monotony of the chemical beef inquiry by telling her experience as a nurse on board the Seneca, which was described on its arrival in New York as a 'horror ship."

Witness said that contrary to the testimony of numerous army surgeons the Red Cross did render essential aid to the hospitals at Siboney and elsewhere in Cuba, and that this aid had been requested by Dr. La Garde, the surgeon in charge of the beach hospital, and gratefully acknowledged residents of Larimer.

Seneca Lacks Supplies.

Regarding the Seneca, witness was sent aboard it to care for the sick returning from Cuts. Her description of the vessel displot differ essentially from that of the correspondents and sick who were aboard the Seneca on the voyage to New York. She said that except for a single case of beef extract the vessel had not aboard it a single article for the use of the sick.

The captain was attentive and supplied many meals to the sick soldiers from the passengers' table, but he protested before starting that the vessel had not been cleaned and was in no condition to receive sick or convalescents and that it had no supplies nor even eating utensils for the sick aboard Witness seeing this condition had hastily collected as many supplies as possible from the Texas, but time did not permit getting

The ship's passengers, who were foreign attaches and correspondents, gave up their staterooms to the sick and with the hastily ollected supplies the ship managed to ge through without losing a patient. Witness spoke of the lack of surgical instruments aboard and Dr. Connor, who was conducting be examination, asked what need there was for surgical instruments beyond scis-

sors and bandages. Witness replied that one soldier, who had nearly suffocated, being shot through the lungs, had 114 ounces of liquid pumped out of his thorax as soon as they could get him nto Bellevue hospital. Others, she said, were almost as badly in need of surgica

attention. She said further that in spite of the fachat the Seneca and other transports fitted for the care of the sick and wounded were loaded to their utmost for the home voyage the Relief, which was fitted to carry sick, came home immediately afterward with

only 125 patients aboard. The next witness was Dr. A. W. Atwater, special agent of the Agricultural departnent, who was called as an expert chemist on the subject of "embalmed beef." gist of Dr. Atwater's testimony, which occupied some hours, was that he considered the ordinary canned beef of commerce, both corned and roast, excellent food and about equal nutritive value. He also considered refrigerated beef excellent food and had never heard of chemical other than salt and saltpeter being used in preserving any sort of meat to be found in the general

CANADIAN LUMBERMEN DETAINED.

Conference on Reciprocity Feature is WASHINGTON, Jan. 11 .- A number of American lumbermen, who are here to meet delegation of Canadians interested in a eduction from \$2 to \$1 per 1,000 feet in the tariff on lumber imported into the United States, met today at the Arlington hotel. The meeting adjourned until tomorrow almost immediately, however, upon the announcement that the Canadians were un-

avoidably detained. It was explained that a number of the American lumbermen had come here simply as an act of courtesy to their Canadian friends, who seemed hopeful of securing a lower rate on lumber, but that they (the American lumbermen) were strongly oposed to any reduction. The American lumbermen assert, further, that there is no anxiety among the Americans on the subject and that the history of the lumber trade shows that practically the only interests which would benefit by a reduction in the rates would be the Canadian exporters.

WORK ON RIVER AND HARBOR BILL.

Legislation for Promptly Removing Wrecks from Path of Commerce. WASHINGTON, Jan. 11 .- The river and parbor committee has begun work in executive session on the forthcoming river and harbor bill. Good progress was made, but the tentative decisions from day to day on various items will not be announced until the bill is completed. The first definite action was to consider favorably a provision for more promptness in relieving harbors of wrecks and derelicts. Under the present | Leedy is a Quaker his reply is anxiously law the secretary of war must notify the awaited.

owner of a wreck by advertisement for thirty days before any action to sell or to remove is possible. In the meantime the wreck may cause much damage and bring the traffic of a harbor to a halt. The Senor Perfecto Lacost is Chosen to Be the Maritime exchanges of New York, Boston, Philadelphia and Baltimore called attention to the need of a revision of the law and as a result the coming bill will give the secretary of war ample power to act promptly as to wrecks and derelicts when an emergency is presented.

RECEIVE NO WORD FROM OTIS

Has Ample Authority to Deal with Situation Without Asking for Instructions.

WASHINGTON, Jan. 11 .- It was said at be War department today that absolutely nothing had been heard over night from General Otis at Manila touching the state of affairs there. When inquiry was made relative to a report that there had been a meetthe cans in which it was put up except a lug yesterday near Manila of a commission little calf's foot jelly to bind the meat tonaldo it was pointed out that under the large discretionary authority conferred upon him by the department and in conformity with the president's express instructions to exhaust all peaceful means of adjusting the difficulty with the insurgents, General Otis had full authority to adopt such methods without asking express permission from the department. His course is thoroughly approved by the president up to this point. A ather interesting question is raised by the meeting of this commission as to whether it does or does not constitute a recognition of the insurgents, but the general opinion is that it does not, the matter being one of purely national concern, with which no forsign nation has a right to interfere. Meanwhile the meeting of the commission has served at least to avert the crisis which seemed impending in the Philippines and here is now fair grounds for the supposition that the statu quo will be maintained, at least until the ratification of the pending peace treaty.

FOUR RUN DOWN BY A TRAIN

Pay No Attention to the Alarm Sounded by the Engineer-Bodies Are Badly Mangled.

PITTSBURG, Jan. 11.-Four persons were un down and instantly killed by an express train near Larimer station on the Ponnsylvania railroad, twenty-five miles east f Pittsburg. Tae der 1:

MARY MILLER. THOMAS MILLER. ALBERT WILSON, WALTER BROWN.

The train dashed into the group of unfortunates at full speed and the bodies were terribly mangled. After being gathered up the remains were taken in charge by friends On account of a freight wreck near Larimon it was necessary to switch the westbound passenger trains to the eastbound track. The express was running at full speed and the engineer blew the whistle, but the alarm was unheeded as the victims evidently thought that the train would run on the westbound track as usual. They were all

MILLIONS INVOLVED IN SUIT Litigation.

CHICAGO, Jan. 11 .- Judge Dunne of the circuit court, at the hearing of the petition filed by Thomas C. Stephens, one of the stockholders of the Consolidated Copper Mining company of Eureka, Nev., granted a temporary injunction to prevent the alleged wrongful voting of some 72,123 shares of stock at the meeting today. The petition was directed against William Whalen, the originator of the company, and sets up that under a contract entered into in 1897 between Stephens, Whalen and Charles Law, the shares in question were given into the custody of Albert Barnum to e held in escrow on the understanding that they should only be voted with the consent of all three partners. The complaint still further alleges that while the petitioner was absent and alleged transfer of the shares was made by which Whalen claims to have the authority to vote them as his individual property, which he asserts they are. The courts decision orders the trustees to retain possession of the shares until the matter is fully investigated and a settlement can be made. The value of the stock involved in he dispute is estimated at nearly \$2,000,000.

MUSTERS OUT NAVAL MILITIA First Battalion in Illinois is Dis-

missed Because of Discord and

Dissension. SPRINGFIELD, Ill., Jan. 11.-The trouble etween Captain B. M. Shaffner, commandng the naval militia of Illinois, and Com mander H. Harrison of the First battalion

culminated today in an order mustering out of the service the entire First battalion. The trouble between the two officers be gan soon after the appointment of Captain shaffner, when he called upon Commander Harrison to turn over to him certain prop erty of the haval militia, which the latter

refused to di. For this Commander Harri-

son was court-martialed and punished by a reprimand aid suspension from duty and of pay for thirty days. No sooner was he reinstated, ft is aleged, than he was guilty of other acts of insubordination and opposition to his superior officers and so persistent was he that he entire lattalion, seemed to lose all interest in the organization. All efforts at peace proved fruitless and the order issued

TRANSPORTS ABOUT READY Two, if Not More, Will Sail for Manila the Latter Part of

today was the result of the controversy.

This Month. SAN FRINCISCO, Jan. 11 .- By the end

of the morth another Manila fleet will sail out of the arbor. If the Senator and Ohio come in or time they can be prepared to go out at the same time as the Scandia and Morgan Cir. They can carry two, or nearly two regiments, so the three regiments which expect to start for Manila via San Francisco, can begin their ocean journey to gether about January 25. Arrangements are being made for the Centennial to take army freight to the Philippines.

SENDS CHALLENGE TO LEEDY

Ex-Reprisentative Brown Resents the Ex-jovernor's Statements Regarding Him.

WICHITA, Jan. 11 .- Ex-Representative Brown, a liver republican of Arkansas City, has written a letter to ex-Governor Leeds calling his a coward for sending a message to the legislature denouncing Brown in his absence. Brown had accused the governor of boodling and the governor called him liar. Brotn's friends declare that the let ter contains a challenge. As ex-Governor

LUDLOW APPOINTS OFFICERS

Mayor of Havana.

GENERAL MENOCAL IS CHIEF OF POLICE

Two Members of the Forty-Ninth lows Volunteers Die, One of Injuries and the Other of

Appendicitis.

HAVANA, Jan 11 .- Senor Perfecto Lacost, who was president of the Havana junta patriotica, will be appointed alcalde, mayor, of Havana by Major General Ludlow, military governor of Havana. Senor Lacost is a wealthy planter, popular among all classes of Cubans, and a resident of

Havana. The Cuban General Mario Menocal will be chief of police and Colonel J. G. Evans of the South Carolina volunteers, former governor of South Carolina and now one of General Ludlow's staff officers, will be appointed superintendent of the department of corrections, embracing the police, the minor courts and the correctional institutions. Ex-Chief McCullagh of New York City will remain here for a time to help carry out the police plan he had devised with Colonel

Moulton. General Mario Menocal, on being invited to accept the post of chief of police, in-quired of the executive committee, repreenting the Cuban assembly, whether he ought to do so. The commission replied that it was his duty to undertake the office, as he could serve the people better as chief of police of Havana than as commander o the Fifth army corps. When the appointment is formally announced Menocal will resign his command. General Rafael Cardenas will probably be appointed deputy chief of police. Private Harry Becker, Company A, Forty

inth Iowa volunteers, died yesterday of old injuries received on board the transport Minnewaska and Private Shotwell, Company G, died of appendicitis. Sanger Insists on Order.

Francisco Valdez, a resident of Cerevantes, Matanzas province, recently complained to General Sanger, military governor of the city of Matanzas, that Domingo Gonzales, a Cuban ex-officer, had ordered him to leave

Cerevantes and not to return. General Sanger immediately addressed a communication to the mayor of Cerevantes, saying that if Gonzales made any further trouble he would be arrested and locked up

at Matanzas. General Sanger added: "You, sir, are charged with the preservation of the peace of the town of Cerevantes. Unless you are able to keep the peace it will be necessary to remove you and to appoint some one who can. All residents of the island, black or white, Spanish or Cuban, are entitled to the protection of the law in person and property. I have been shall undoubtedly perform my duties."

La Discussion describes the finding of

afty human skeletons in a well on a plantation near Manguito. The writer of the story asserts that these people were un-doubtedly thrown in while alive. He says that in some cases the finger bones are severed and the supposition is that this management of the picture to take themselves out of the pit. The body of Senor Pedro Aloyan, a prominent Cuban,

has been identified. La Discussion accuses the guerrilla chief Antonio Ries, Sergeant General Pieres and Vicenta Zalgo, a schoolmaster, of being the authors of the terrible crime. All are said to be in Havana.

La Discussion prints also a story from Matanzas of the finding there of the remains of from 100 to 200 persons in a well near the headquarters of the civil guard.

FLY THE STARS AND STRIPES

Most Important Steamship Mail Lin in Cuban Waters Accepts the New Regime.

SANTIAGO DE CUBA, Jan. 11 .- The Menendez line of steamers, the most important Cuban coastwise mail company, today transferred all its vessels from the Spanish to the American flag, celebrating the event here at a luncheon given on board the Josefita The proceedings were marked by great en-The heads of the various municipal de-

partments were present and Colonel Beacom, adjutant general, congratulated the Menendez company on the change of flags. Several toasts were proposed, the commodore of the line proposing the health of General Leonard Wood, military governor of Santiago. The toast was received with cheers In the course of his remarks the commodore said that under General Wood they all felt absolutely safe, whatever flag they unfurled, as General Wood was not a merpolitician, and he hoped that the day would come when the military governor of Santiago would be governor general of Cuba, a sentiment that was enthusiastically cheered The Jockey club will hold a three days meeting on Washington's birthday and the two days following, with horse racing, athletic sports and a foot ball match. The Cubans are anxious for the success of the

TRAIN ROBBER GIVES IT UP

venture.

Byrum Confesses to the Macomb Hold-Up and Gives Names of Those Associated with Him.

ST. LOUIS, Jan. 11.-A special to the Republic from Mansfield, Mo., says the preliminary hearing of the Macomb train robbery cases was resumed yesterday. Byrum mounted the witness stand and made a confession, in which he said:

"I live in Douglas county, Missouri, on my farm, southwest of Norwood. About two weeks before Christmas the scheme was first unfolded to me by my father-in-law, Lewis Neigh. Next I was approached by one J. C. Wright. "I was finally persuaded to become an ac complice. With us were Lewis Neigh, O.

M. Ray, Joe Shepard, William Jennings, J.

A. Fagley and J. C. Wright. We rode on

horseback to Macomb, Mo., secreting our horses and walking down the track to await the arrival of train No. 4. "Ray boarded the train at Norwood with short fare and was put off at Macomb, so as to stop the train. After we completed the holdup we mounted our horses and rode five miles to an old house on Lew Neigh's

robbery into six piles." Court then adjourned until this morning. Official information reached here today that the man Wright is none other than Kennedy, the "quail hunter of Crackerneck" of the Leeds, Mo., Missouri Pacific robbery, Kennedy will arrive tomorrow morning from Kansas City for his preliminary hearing. Fagley is still evading the officers.

farm, where we divided the proceeds of the

A special to the Star from Mansfield, Mo. says: Bryum, the self-confessed train robber, today positively identified John Kennedy, arrested in Kansas City yesterday, as the organizer and leader of the gang who last Tuesday night held up and robbed a and crushed to death.

CONDITION OF THE WEATHER

Forecast for Nebraska-Variable; Southerly Winds Temperature at Omaha yesterday: Hour. Deg. Hour. Deg. 5 a. m. 32 1 p. m. 33 6 a. m. 32 2 p. m. 33 7 a. m. 32 3 p. m. 34 4 p. m..... 5 p. m..... 8 a. m..... 32 9 a. m..... 33 6 p. m..... 7 p. m..... 10 a. m..... 33 11 a. m..... 33 12 m.... 33

9 p. m..... 34 Kansas City, Fort Scott & Memphis passenger train at Macomb, Mo. Jennings has also been identified beyond question of doubt as Bill Ryan, the famous bandit who was connected with the James gang for many years. Ryan carries scars received in some of his raids. Kennedy was brought here last night from Kansas City

8 p. m..... 34

PREACHER ADMITS HIS GUILT Charged with Murder He Astonished

for his preliminary hearing.

His Friends by Confessing to Complicity in the Crime.

LOUISVILLE, Ky., Jan. 11.-A special to the Evening Post from Munfordville, Kv. SAYS:

It now seems that the foul murder o Lydia Bracher, who died as the result of a criminal operation over a year ago, will be avenged by the strong arm of the law. Last week Prof. McClure, a well known educator of this section, was convicted of performing the operation on circumstantial evidence and was given a life sentence in the peni-

Today Rev. Gregory Doyle, who was the author of the girl's shame and who is on trial here for murder, admitted on the witness stand his part in the horrible crime, endeavoring as much as possible to lay the blame on McClure, who has been convicted. The news of this confession has created a sensation, as he was formerly one of the most prominent divines in Hart county.

HE SERVED WITH GEN. GOMEZ

Captain Edward B. Markley, Son of Fort Russell Commandant, is Dead in Santiago.

CHEYENNE, Wyo., Jan. 11.-(Special Telegram.)—Major A. C. Markley of the Twenty-fourth infantry, commandant at Fort Russell, received a cablegram from General Brooke today notifying him of the death of his son, Captain Edward B. Markley, at Santiago. Captain Markley was one of the first of the young Americans to enter the service in the Cuban war. He was appointed captain in the volunteer service early in July last, but his commission did not reach him until recently, as he was in the interior of the island serving with General Gomez, He reached Santiago recently, broken down by starvation and the bardships of the summer campaign. He improved for a short time, but finally suc-

cumbed to fever. The garrison at Fort Russell is to be doubled, a battalion of United States infantry having been ordered here.

SUNOL WRECK INVESTIGATION

ram.)—The coroner's jury has been in ses sion tonight and examined three witnesses

on the train wreck. ection of No. 2, testified only in relation to the rules on the time card. The train order and rule 19 of the time card were introduced George Hunt and H. P. They, two of the

injured passengers on No. 3, were examined at the Union Pacific hotel in relation to dentification of the charred bodies. Engineer Ell sent a message tonight from North Platte, stating that it would be impossible for him to be here for one week, as he is in bed sick. He stated that he was at the east switch at Sunol at 4:27 a. m. He did not see the headlight of second section No. 2, as the smoke was trailing back from the head of the engine. His first intimation of danger was when Engineer Reese jumped 200 or 300 feet east of the point at which the engines came together. Ell applied air brakes and reversed the engine.

The head engineer did not give him the usual whistle signal. The deposition of Engineer Ell will be taken at once at North Platte. One of the bodies found in the wreck is now supposed to be "Blank" Sellick, who was en route to Green River, Wyo., to assume the position of train dispatcher. The other man rode on a stockman's pass, des-

No verdict will be rendered by the jury for several days. SOO LINE SURPRISES THEM Inderbids the American Roads for

tination unknown.

Transporting the Third Infantry to the Atlantic Coast. ST. PAUL, Jan. 11 .- Company G. Third United States infantry, returned tonight to Fort Snelling from Walker, Minn., where it

with the Leech Lake Chippewas. The company was relieved by a detachment of the Seventh infantry. Bids for carrying the Third regiment to New York, where it will embark for Manila, going via Suez, were opened this afternoon, but all the American lines made the same bid and a decision has not yet been announced. The figure was \$19.62 and the Soc line put in a bid of \$13.14 per capita, which was something of a surprise to the other

roads. They did not look for bids from any

save lines all in the United States.

has been stationed since the recent trouble

THIEVES IN IOWA UNIVERSITY

Force an Entrance Into Main Build ing, Blow Up the Safe and Loot it of Valuables. IOWA CITY, Ia., Jan. 12.-At an early

hour this morning burglars broke into the

main building of the Iowa State university

and blew up the safe with dynamite, looted

the safe and escaped. It is not known how much they got. Two Men Killed in a Feud. MEMPHIS, Tenn., Jan. 11.—In a street itel at Boyles, near Cleveland, Miss., to-lay two men, Dr. Harris and a Mr. Allen, were killed and a Mr. Dougherty fatally injured by John Hace and Frank Williams. was a bystander. The trouble was the result of an old feud. No further particulars are obtainable, as the telegraph office is closed

Brewer Sails for Liverpool. NEW YORK, Jan. 11.-Justice Brewer of United States supreme court sailed on he White Star steamship Majestic today for Liverpool. His visit abroad is in connection the Venezuelan boundary commission.

Crushed in an Elevator. GRAND RAPIDS, Mich., Jan. 11.-A. E. Worden, head of the Worden Grocery company, wholesale dealers, was caught between an elevator and the floor in the store today

of which he is a member.

WORK PERIOD NEAR

Bills Coming Back from the Printers Will Give Legislators a Chance.

CONTEST CASES COME UP IN THE HOUSE

No Disposition to Follow the Populist Precedent of Two Years Ago.

ARE TO BE DECIDED PURELY ON MERITS

Ashby's Aspirations Promptly Disposed Of Without a Dissenting Vote.

SENATORSHIP AGITATING THE MEMBERS

Senate Takes a Shot at Colonel Stotsenberg of the First Nebraska-Requests President to Relieve Him of Command.

LINCOLN, Jan. 11 .- (Special Telegram.) The legislature is now approaching a time when some real business can be done. The delay in the printing prevents the committees from considering bills, but it is expected that a batch of those first introduced will be on the desks in both the house and senate tomorrow afternoon. The house now has on hand 172 bills and in the senate forty-seven have been introduced.

It looked for a time today as though there might be a lively tilt over the contest matter. It is known this forenoon that some time during the day the secretary of state would transmit the ballots and contest records to the house. A rumor got abroad that the friends of one of the prominent candidates for United States senator would make a move to have the recount of the votes proceeded with by means of a special committee with the idea of rushing the matter through and securing a report so that some or all of the contestants might be seated in ime to be present at the casting of the preliminary vote for senator next Tuesday. Some of the members thought they saw in this a scheme to secure two or three votes for one of the candidates and they believed that the process by which the unseating was done would be more hasty than the conditions warranted. In order to meet this emergency, if possible, a hurried meeting was held during the noon hour, in which five or six republican members participated, and it was agreed that any hasty action in the contest matter would be resisted.

When the case came before the house the contest of W. H. Ashby of Gage county was disposed of in short order, not one of the fusion members seeing fit to cast a negative vote on the motion to indefinitely postpone. The impending row over the other cases was averted by the motion to refer them to the committee on privileges and elections. This motion met with no opposition and no further trouble is expected until a report comes

from that committee. No Throwing Over the Transom.

me of the Bodies Taken from the One of the republican members who was not be the noon special wild this after-Below to Benefit to Be the noon special wild this after-What we was not special wild this after-What we was not special wild the after-What was not special will be a SIDNEY, Neb., Jan. 11.-(Special Tele- the plainest kind of evidence. Rabid partin action and the summary unseating of members in order to gain additional votes will not be tolerated. The recount of the ballots should be conducted in open daylight and the committee to do this work should be made up of a fair representation of both political parties, so that there can be no suspicion or claim of underhand work. The people of my county will not approve the unseating of members unless the evidence is plain and undisputable."

At a meeting of the republican members of the senate this afternoon the number of officers and employes was again under discussion and sixty-one places were decided upon before adjournment. That is not the maximum limit, however, and others may be added at a meeting to be held tomorrow. Thirty-three officers and employes have already been named and the list made out this afternoon provides for twenty-eight more, making a total of sixty-one. That includes President Pro Tem Talbot, which really makes the list as at present agreed upon sixty. The names of the lucky ones to fill the twenty-eight places decided upon today have not as yet been settled. The list includes ten copyists, thirteen committee clerks, two typewriters and stenographers, one copyholder, one proofreader and one custodian of the committee rooms.

The house caucus agreed upon fifty-two employes, but the number appointed or authorized by the committee has reached fifty-six. One or two more may be added, but the members say they will hold the list down to sixty, which is at least twelve less than any previous session. The senate is inclined to make a few more places and the number authorized finally by it' will probably not be less than sixty-five, which, however, is considerably smaller than the last session. Until the committees get to work and be

gin reporting back bills to the senate there is little to be accomplished in that end of the capitol. Aside from the resolution of Senator Crow, the introduction and reading of bills was the only feature of today's seasion. The recent court decisions requiring the reading of bills in full on their first and second readings has been complied with and members have long dozing spells, as the secretary goes through the list at every session. It promises to take up a great deal more of the legislature's time than has heretofore been required, but the republican members are desirous of having the measures passed at this session comply strictly

with the legal requirements. President Pro Tem Talbot occupied the chair the most of the time this morning. Referring bills to the committees was about

the only work devolving upon him. Trouble in Lancaster Delegation.

The senatorial canvass goes merrily on, the different candidates prosecuting their campaign along the lines that have been followed for the last ten days. The exclusive announcement of The Bee of the consolidation of the Lancaster county vote on D. E. Thompson was the talk all through the senatorial headquarters. This result had been something all had been expecting but yet which they were not anxious to be told. It is said that one member of the Lancaster delegation exhibits signs of "gigging" back from the agreement to vote the delegation as a unit as decided on by the majority. Pressure is being exerted to that end, but

whether successful is not disclosed. To most of the legislators the senatorial campaign is a novelty and the game one in which they are almost as interested spectators as those upon the outside. Although quite a number have had previous legisiative experience and have served in one or more legislative bodies previous to their present election, very few of the present republican legislators have ever participated

in a senatorial fight. Of those republicans who have votes in the present legislature seven served in the

legislature four years ago and were ret corded voting for Senator Thurston at that