

NO LAW TO ACT ON

President, Finds No Legal Right for Interfering in Miners' Strike. BUT IS WILLING TO RECEIVE COMMITTEE. After Abandoning Plan of Visit to Antracite Region, Stopped by Shooting. Sentiment and Indignation Prevails Over Guard Wounding Small Boy. POLICEMAN ARRESTED SHOWING A PISTOL.

NEW YORK, June 6.—The Board of Trade and Transportation received a telegram from President Roosevelt today appointing them that he would accept the committee appointed by the board and appoint a committee to take steps looking toward the settlement of the anthracite coal miners' strike.

WASHINGTON, June 6.—After a conference with the members of his cabinet today President Roosevelt decided that there is no legal ground for interference by him in the settlement of the dispute between the coal operators and the striking miners.

WILKESBARRE, Pa., June 6.—The shooting affray at the Stanton colliery at South Wilkesbarre last night, in which a 15-year-old boy was seriously wounded by coal and iron policemen, has stirred up this community more than any other happening since the coal strike began nearly four weeks ago.

Although the region is quiet today, there is an ugly feeling among the thousands of strikers. The strikers have the utmost contempt for the deputies and iron police and trouble can be started at the least provocation. The condition of the boy remains critical.

The police were fortunate in getting the four men who were accused of shooting the shooting safely away from the colliery. A crowd of several thousand persons remained in the vicinity for hours after the shooting, not aware that the men had been quietly taken from the place. There was also a public meeting at the station at midnight, waiting for the prisoners, but the men were hustled into the station so quietly that the crowd could not get the men. At 8 o'clock today another coal and iron policeman was arrested for coming out of the Stanton colliery with a revolver in a threatening manner.

Companies Call on the Sheriff. Sheriff Jacobs of this county, had a particularly busy time last night. He was called upon by several companies to protect their property. Men were sent to some localities where trouble was looked for prepared to read the riot act, but this was not done.

The coal operators hereabouts deplore last night's occurrence, but they feel that the coal and iron police cannot be held responsible for what may take place. There have been many attempts made at arson. Hundreds of yards of fencing surrounding collieries have been burned by boys and young men. The coal companies' officials hold the mine workers responsible for all the disturbances. They argue that if the strikers wish to keep the peace they should prevent their sons from starting trouble.

There was no change today as far as the strike of the miners, strikers and pumpmen is concerned. President Mitchell had nothing to give out.

The sheriff called on President Mitchell today for the purpose of enlisting the aid of the national strike leader in preventing any further overt acts upon the part of the idle men and boys. Mr. Mitchell assured the sheriff that he would do all in his power to have the men keep the peace, and that striking miners would be asked to help guard company property from destruction.

All the local unions, at the request of President Mitchell, today appointed "guard" committees, whose duty it will be during the period of the strike to prevent persons from destroying property, and more especially to keep children away from the collieries. Mr. Mitchell, in speaking of the appointment of the committees, said:

It is unsafe for children or anyone else to walk along the streets or roads bordering collieries, and for that reason, particularly in the case of the children, I have ordered persons away from the mines. The city's responsible men, who have been employed by the companies, to do police duty, are not to be trusted.

NEW CABINET FOR LOUBET

PARIS, June 6.—Senator Loubet, republican and ex-vice president, who yesterday accepted the formation of a new cabinet, has been busy all day today in conferring with political friends and tonight the formation of a ministry is assured. After a meeting held at 9 o'clock tonight at the ministry of posts, which was attended by the cabinet, M. Combes was named as the cabinet which was then semi-officially announced, as follows:

M. Combes, premier and minister of public worship. Senior Valle, minister of justice. M. Delcasse, minister of foreign affairs. General Combet, minister of war. Deputy Marsoulles, who was minister of commerce in the Brisson cabinet, minister of marine. Senator Chaumie, minister of public instruction.

Deputy Pelletan, minister of public works. Deputy Demange, minister of industries. Deputy Trouillot, who was minister of colonies in the Brisson cabinet, minister of commerce. Deputy Mougout, minister of agriculture. Deputy Rouvier probably will accept the portfolio of minister of finance.

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MANY DESTRUCTIVE STORMS

Eleven Inches of Water Falls at Cortland, Neb., in a Few Hours. IOWA AND DAKOTA GET THEIR SHARES. A Damaged Railroad Tracks and Bridges Washed Out and Trains Are Delayed for Many Hours.

BEATRICE, Neb., June 6.—(Special Telegram.)—Later particulars from Cortland concerning the cloudburst are that eleven inches of water fell between 4 and 10 p. m. The Union Pacific roadbed between Princeton and Pickrell is badly damaged and over 100 yards of track washed away. Passenger train No. 43 is stalled between Cortland and Pickrell and freight No. 56 northbound is tied up at Pickrell.

ST. PAUL, Neb., June 6.—A rainfall of between three and four inches within four hours has caused a flood in this part of Central Nebraska. The town of Dannebrog, ten miles from here, was inundated by the rise of Oak creek. At 6 o'clock this evening the water stood three feet deep in the streets and was steadily rising. It was entering the first floors of stores and residences and people were moving to higher ground. The railroads are suffering, the Union Pacific having its tracks washed out and the Burlington losing a bridge between Farwell and Ashton. Much stock has been drowned.

LOW Suffers Severely. DES MOINES, June 6.—(Special.)—During practically all Thursday night and until daylight this morning there was a rainstorm prevailing all over Iowa, one of the heaviest ever known in the state. Not all sections of the state were affected alike, but from nearly every part of the state the rainfall was reported unusually large.

ALBUQUERQUE, N. M., June 6.—Dr. C. L. Herrick, from the New Mexico and Arizona geological survey, has returned to the city with a constant stream of news of the volcanic eruption in the west, after carefully examining the supposed volcano crater, fifteen miles from Gallup, gives a description of the locality and says:

Here there is a fold and fault, which is interesting because of the metamorphism which is going on. From the cracks in the sandstone overlying the volcanic ash, a constant stream of steam, sulphur dioxide and vapor. The sulfurous acid may be a constant stream of steam, sulphur dioxide and vapor. From this point eastward is a series of cracks that may be a constant stream of steam, sulphur dioxide and vapor.

SEATTLE, Wash., June 6.—Mount Rainier, Mount Rainier and Mount Augustine, in Cook inlet, Alaska, have been throwing off smoke and steam for the last several days, according to advice brought down on the steamer Bertha. Mount Rainier threw out a sprinkling of ashes that fell around Bertha ten days ago.

BUY STOCK FOR PROTECTION. Union Pacific Increases Its Holdings of Southern Pacific by Fifteen Millions. NEW YORK, June 6.—The Evening Post today says: "The Union Pacific Railroad company has increased its holdings of Southern Pacific stock from \$75,000,000 to \$90,000,000."

NEGRO LYNCHED FOR MURDER. Confesses Killing White Woman and is Strung Up by a Mob. CHARLESTON, S. C., June 6.—Jim Black, a negro, implicated in the murder of the wife of J. K. Jones, a section master of the Atlantic Coast line, was hanged near Ravenel late last night by a mob of men who secured him from a posse of officers enroute to jail.

MILES DENIES THE REPORT

Did Not Authorize Story that He Was Ordered to Washington by President. CHICAGO, June 6.—General Miles left for Washington over the Pennsylvania road at 10 p. m. He is seen in the Auditorium by the Associated Press correspondent just before he left and said: "I have been misquoted. I did not say that I had been ordered to Washington. I did not say that I would not attend the exercises at West Point."

WASHINGTON, June 6.—Secretary Root stated that General Miles has not been summoned to Washington. The general, it is said, is now enroute from Fort Riley, Kan., to West Point, in response to an invitation to attend the centennial celebration there next week.

MARK TWIN AT PILOT WHEEL. Famous Riverman-Humorist, White Countess de Rochambeau, Christens the Boat. ST. LOUIS, June 6.—Mark Twin at the pilot wheel for the last time on the Mississippi river and the Countess de Rochambeau christening the craft with the name of the world-famous Missourian, thus immortalizing the old boat were the stirring sights on the river excursion today in honor of the Louisiana Purchase exposition's distinguished French guests.

ERUPTION IS NOT DANGEROUS. Stream of Hot Air Issues from Cracks in the Mountains of New Mexico. ALBUQUERQUE, N. M., June 6.—Dr. C. L. Herrick, from the New Mexico and Arizona geological survey, has returned to the city with a constant stream of news of the volcanic eruption in the west, after carefully examining the supposed volcano crater, fifteen miles from Gallup, gives a description of the locality and says:

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STARK IS NOT A CANDIDATE

Writes a Constitution that He Has Had Enough of Public Life. NOT LOOKING FOR ANY OTHER OFFICE. Says He Cannot Stand Hard Campaigning and is Willing to Give Other Ambitious Men a Chance. (From a Staff Correspondent.)

WASHINGTON, June 6.—(Special Telegram.)—Representative Stark of the Fourth Nebraska district will not be a candidate for re-nomination to the Fifty-eighth congress. This decision was reached after mature deliberation and is no sudden determination on the part of the Hamilton county congressman to quit public life.

IT AMOUNTS TO A FORTUNE. Pittsburg Doctor Astonishes Magistrate with Size of His Bill. PITTSBURG, June 6.—The bill of Dr. W. C. Browning of Philadelphia, for \$190,000 for professional services in attending State Senator Chris L. Magee during the long illness which resulted in his death, came before Judge Over of the county orphans court today. The executor had refused to pay the bill, averring that it was exorbitant.

HORSE TRAIN IS WRECKED. Accident Kills One Man and Injures Many Men and Horses. BELLEFONTAINE, O., June 6.—A special horse train on the Cleveland, Cincinnati, Chicago & St. Louis railroad was wrecked near Mix station, killing one man, injuring several others and injuring about twenty valuable horses out of the fifty-one on the train.

KIDNAPED CHILD AT HOME. Margaret Taylor, Stolen by Aunt Four Years Ago, Given an Ovation. CINCINNATI, O., June 6.—Margaret Taylor, who was kidnaped from this city over four years ago, arrived here today, accompanied by her parents and her brother, Edward, who is 13 years of age.

TURN DOWN THE FEDERATION. Western Miners Refuse to Affiliate with American Labor Organization. DENVER, June 6.—The Western Federation of Miners, in convention here today, rejected an invitation to affiliate with the American Federation of Labor, from which organization they broke away in 1896.

RUMOR KENDRICK HAS QUIT. Report Says Santa Fe Official Resigned to Accept a Position in Europe. TOPEKA, June 6.—There is a well-defined rumor here in Santa Fe that railroad circles that Third Vice President Kendrick has resigned and has accepted a position as European representative of the Westinghouse Air Brake company.

MEET NEXT TIME IN INDIANA. Travelers Select Convention Place and Choose Full Corps of Officers. PORTLAND, Ore., June 6.—The national convention of the Travelers' Protective association today selected Indianapolis as the place of meeting in 1903 and elected the following officers:

INDICT INSURANCE UNION. Illinois Attorney General Insists the Organization is a Trust. CHICAGO, June 6.—(Special Telegram.)—Attorney General Hamlin has begun action against the Western insurance union, which he charges with conspiracy.

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CONDITION OF THE WEATHER

Forecast for Nebraska—Fair in North, Showers and Cool in South. Saturday, Sunday Fair. Temperature at Omaha Yesterday: Hour, Deg. Hour, Deg. 5 a. m. 63 1 p. m. 75 8 a. m. 62 2 p. m. 76 9 a. m. 64 3 p. m. 74 8 a. m. 60 4 p. m. 70 9 a. m. 68 5 p. m. 78 10 a. m. 69 6 p. m. 76 11 a. m. 71 7 p. m. 75 12 m. 71 8 p. m. 74 9 p. m. 70

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BOARD TRIES AGAIN

Amends Answer to Mandamus Issued at Instance of Bee Building Company. RAILROAD ATTORNEYS IN CONFERENCE. After Executive Session with Members of the Board New Answer is Filed. DODGES ON QUESTION OF FRANCHISES. By Implication Says They Were Considered in Making Assessment. EARNINGS PART BASIS FOR VALUATION. Intimation that Railroads Will Contend This is an Assessment of the Value of the Franchises of the Roads.

(From a Staff Correspondent.) LINCOLN, June 6.—(Special.)—In a document filed in the supreme court this afternoon the State Board of Equalization sets forth that in fixing the railroad and telegraph valuation the state it took into consideration and did assess the value of all the properties of the various corporations, and that in making up the valuation or assessment it examined and considered the returns made by the companies, together with reliable information obtained from other sources. It is further represented that the board did not believe that under the law defining its powers and duties it had authority to value and assess corporate franchises of the companies separately and apart from their tangible property.

The showing is made in the case instituted against the board by The Bee Building company, and is in the nature of an amended answer to an alternative writ of mandamus. This amended answer requires the board to reconvene and reassess the railroad and telegraph property, and to include the franchises in the valuation, or to appear in court and show cause why it does not do so. The attorney general filed an answer to the writ last week in which he gave the court to understand that the board had declined to either value or assess the franchises of the companies. The reason given for the declaration was that the board doubted if it had authority to assess anything but the tangible property.

Result of a Conference. The action of the board in filing the amended answer to the writ of mandamus conference with representatives of the various railroad corporations. The meeting was held in the governor's office, beginning at 10:30 and lasting until nearly 1 o'clock this afternoon. The amended answer will take the place of the original document, which will either be withdrawn or allowed to die in the court files.

The railroad representatives came to plead for relief from that section of the attorney general's original answer which declared that the board should assess the franchises of the corporations. They contended that the board had considered and assessed the franchises, notwithstanding the attorney general's statement to the contrary.

What Roads Objected To. The respondents further show to the court that the board, in the case of the respondent herein, appeared before said board and requested and demanded that the board should assess the franchises of the corporations. They said and still have shown whether they had the legal authority under the sections of the constitution which value and assess the franchises of said corporations, and for the reason that said board had declined to do so, they requested and demand of the attorney general's representatives.

Those who attended the conference were Governor Savage, Auditor Weston, Treasurer Stuefer, comprising the State Board of Equalization; John N. Baldwin of Council Bluffs, representing the Union Pacific; J. E. Kelby of Omaha, representing the Burlington; Ben White of Omaha, representing the Elkhorn and Omaha roads; J. W. Orr of Atchison, representing the Missouri Pacific; Frank Ransom, representing the Union Pacific; Attorney General Stuefer, and several railroad tax commissioners. The deliberations were held closed doors.

The meeting was entirely unexpected to outsiders. Auditor Weston said he was notified by the railroads at 6 o'clock last night that they wanted a hearing this morning, but insisted that he knew nothing of it before that time. Mr. Baldwin and another attorney arrived at the state house a few minutes after 10 o'clock and went directly to the office of Auditor Weston. Mr. Kelby and already arrived in the department. The three attorneys then went to the executive department and without waiting to be announced entered the governor's private office. They were joined a few minutes later by Ben White and Treasurer Stuefer, who came in together, and later by Auditor Weston, Frank Ransom and Mr. Orr of Atchison brought up the record process. The attorney general was later summoned.

Stuefer Did Not Understand. Treasurer Stuefer said this afternoon that he was unable to say what had transpired at the meeting. "The lawyers talked over legal questions and I cannot tell you what they are, because I don't understand them," replied Mr. Stuefer in response to an inquiry.

Auditor Weston exhibited more knowledge of the proceedings, however, and declared that the board had agreed to the filing of an amended answer, which would show in detail what the board had done. "I am sure of it," he said. "The board has agreed to the filing of an amended answer, which would show in detail what the board had done. I am sure of it," he said. "The board has agreed to the filing of an amended answer, which would show in detail what the board had done. I am sure of it," he said.

Briefly stated, the action of the Board of Equalization is to amend its answer to the writ of mandamus. The new answer sets forth that the board, in fixing the valuation of railroad and telegraph property, took into consideration all returns made by the companies, together with all other information that was obtained, and gives the impression that the franchise were included in the consideration. This showing is a substitute for that