# THE OMAHA DAILY BEE.

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## CALLS IN SENATORS

**Five of the Most Influential Have Appointment with President Roosevelt.**

DECLINE TO DISCUSS OBJECT OF VISIT

**Senator Hanna Expresses Doubt About Intervention Settling Strike.**

PRESIDENT RECEIVES HIS NEIGHBORS

**Many of His Callers Have Known Him from Childhood Up.**

SERVANTS OF HIS FATHER AMONG THEM

**Chief Executive Thoroughly Enjoys the Occasion—Has Picture Taken with New York Policemen.**

NEW YORK, Sept. 15.—Much speculation was caused tonight by the presence in the city of five of the most influential members of the United States senate, all here on their way to meet President Roosevelt at Oyster Bay tomorrow. The five are Senator Hanna of Ohio, Senator Allison of Iowa, Senator Aldrich of Rhode Island, Senator Spooner of Wisconsin and Senator Platt of Connecticut. The senators declined to discuss the probability of any particular question coming up at a conference with the president tomorrow. In fact they said they know of no specific reason for the sending of the invitation to meet the chief executive at this time.

Senator Allison said: "I am going to see the president at his invitation, but he did not mention that others were to be there."

Senator Hanna disclaimed all knowledge of the president's purpose in calling the senators together. "I do not know what subjects will be discussed at tomorrow's conference," he said.

Asked whether he thought the coal strike would be one of the subjects taken up, he replied that he could see that it would.

"Do you think the differences between the operators and miners will be submitted to arbitration?" he was asked.

He answered: "I am out of touch with the strike situation and have been for some time. At the present time I see no chance that the Civic federation may be called on to arbitrate."

**Receives His Neighbors.**

OYSTER BAY, N. Y., Sept. 15.—President Roosevelt today received his friends and neighbors of Nassau county and between 6,000 and 7,000 people shook his hand. The reception was held at his country home on Sagamore Hill, and from 3 o'clock until nearly 6 he was busy shaking hands and renewing old acquaintances. He met people today whom he had not seen for thirty years and shook hands with men who had known him when he was a child.

The president thoroughly enjoyed the affair and was as fresh when it was over as when he began. He expressed his feelings to a woman in the crowd who asked him if he was getting tired.

"Not a bit," he replied. "It takes more than a trolley car to knock me out or a crowd to tire me."

The weather could not have been more delightful. The decorators did their work thoroughly, and when the sun rose this morning it shone on a village resplendent with color. Most all the public buildings and many of the private houses were adorned with flags and bunting. The most effective decorations were along the road leading from the center of the town to the road that winds up Sagamore hill. Here, at a distance of every 100 feet, were hung large American flags which formed a canopy of stars and stripes, under which the people rode on their way to Sagamore hill.

The event, which passed off so successfully, was in the hands of a general committee, of which Frank C. Travis was chairman. The crowds began to arrive early from points on Long island, and by noon the village streets were crowded. Delegations came in from places near here and several special trains added their quota to the crowd.

**Starts at 1 O'Clock.**

At 1 o'clock the members of the committees, headed by a band, started for Sagamore hill and they were followed by vehicles of all descriptions filled with Long islanders, many of whom had come a considerable distance to greet the president.

The precautions to guard the president against any possible harm were of the most thorough character. In addition to Sheriff Johnson's 300 special deputies who had been sworn in for duty today a large number of secret service men and policemen from New York in plain clothes were about the grounds. No one was allowed to go past the president with a camera or a stick of any description. Cameras, valises, canes, umbrellas and in many cases overcoats and women's wraps were taken from their owners and piled up under a tree near the porch.

It was 2:45 o'clock when the reception began. President Roosevelt stood on his porch and shook hands with all. After passing him the visitors passed off the porch along a road leading to the side of the house, where lemonade was served, and thence by another road out of the grounds.

On the porch with the president were Mrs. Roosevelt, Mrs. William Roosevelt, Miss Christine Roosevelt, Miss Lorraine Roosevelt, Mrs. E. Reed Merritt, Frank E. Travis, Assistant Secretary Loeb, Father Powers and Rev. Henry Homer Washburn.

**A Cosmopolitan Throng.**

All sorts of people in all conditions of life filed by the president. White and black, poor and well-to-do, women with babes in arms and several with dogs, small boys and little girls, all got a pleasant smile and a shake of the hand. Many were in line who had known the president all his life and his delight in renewing an old acquaintance was apparent, but none gave more pleasure than the greeting of two old family servants, Maggie and Bridget Mitchell, who had been servants in his father's family. They came from New York, where they now live, to greet the president and to show him a photograph of his father, and one of himself when he was 4 years old.

The president was delighted to see the pictures and the old servants and presented the sisters to Mrs. Roosevelt.

During the reception a number of bands stationed on the lawn in front of the porch discoursed music. "Garry Owen," "There Will Be a Hot Time in the Old Town Tonight," and "America," seemed to be the favorites, as they were repeated a number of times.

The Hicksville Battery at the foot of the hill also did its share to make the affair a success and fired a continuous salute.

A pleasing incident occurred toward the close of the reception. The New York po-

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## FIRST TRIAL AT THE HAGUE

**United States and Mexico Take Initiative in Submitting Pius Case for Arbitration.**

THE HAGUE, Sept. 15.—The hearing of the claim of the United States against Mexico, growing out of the pious fund of California, commenced here today before the International Court of Arbitration.

At the opening of the court the foreign minister, Dr. R. Melvil Baron von Linden, reviewed the history of the court, which, he said, had been ready for business since January, 1901, but lacked litigants. He heartily congratulated the [illegible] -sea republics on taking the init[illegible] hoped the outcome and experience [illegible] would contribute to the maintena[illegible]ce of the world.

Dr. Matzen, president of the [illegible] thanked the minister for his friendly [illegible]ings, and said he hoped the court would become the center of international right. The president then opened the first session of the arbitration court, expressing the hope that the work of the tribunal would harmonize with the sublime idea, which led to its establishment, and said a glorious result was anticipated from the arbitration court, namely, to facilitate the peaceful settlement of disputes between states on the basis of respect for right.

The American and Mexican representatives expressed their thanks for the welcome and said they had full confidence in the impartiality and equity of the court. In declaring in advance their intention to abide by its decision the Mexican representatives hoped that both great and small powers would follow the lead of the two great North American republics.

## ENGLAND MAY HAVE BIG TRUST

**Daily Mail Affirms that After Much Secret Negotiating Rail Makers Are Together.**

LONDON, Sept. 16.—The Daily Mail this morning declares that after many months of secret negotiations there has been formed an association of the leading British steel rail manufacturers for the purpose of controlling prices and regulating the output. The firms alleged to have entered the association include the Barrow Hematite Steel company, limited; Bolklow, Boughan & Co., limited; Guest, Keen & Co. of Dowlais and Cardiff, Crawshay Bros. of Merthyr Tydvil, the Moss-Bay Hematite Iron and Steel company, limited; Charles Emmett & Co., limited; the Northeastern Steel company, limited, and the Rhymney Iron company, with an aggregate of capital roughly estimated at £60,000,000, not counting large debenture issues.

In view of repeated rumors and reiterated denials the announcement of the Daily Mail in spite of its apparent circumstantiality of detail, must be guardedly accepted. As an instance of the need of such an association the paper quotes a representative of a prominent engineering firm of New York as saying that since February he has placed orders in Europe for 500,000 tons of steel rails for America, of which 50,000 tons were placed in England, 300,000 in Germany and 150,000 in Belgium. The greater part of these orders would have been placed in England but for the fact that the mills here could not accept them. The Daily Mail says the representative in question added that in 1902 the purchases of steel rails in Europe for America would amount to 1,000,000 tons, the major part of which would go to Germany unless England woke up.

## KING LEOPOLD IS UNDECIDED

**Belgium Monarch Cannot Announce Date for Visiting United States and Rumors Are False.**

BAGNERES DE LUCHON, France, Sept. 15.—Dr. Therras, physician to King Leopold of Belgium, says the situation with regard to the king's visit to the United States is the same as it was February 22, when it was announced on the authority of an official of King Leopold's household that, while his majesty had on several occasions, expressed a desire to visit the United States he had never reached the point of suggesting any date for the trip.

"King Leopold's desire to visit America has not changed," says Dr. Therras, "but absolutely nothing has been decided and in view of the health of Queen Marie Henriette, it is impossible to reach any decision in the matter. The announcements from Brussels and Paris that King Leopold would visit the United States in February or March of next year are therefore unauthorized.

## CALL ON NEBRASKANS TO AID

**Peter Jansen Goes to Canada to Persuade Countrymen to Abandon Foolish Ideas.**

WINNIPEG, Sept. 15.—Peter Jansen of Jansen, Neb., former representative to the Paris exposition and a native Russian, has gone to the Yorkton district to co-operate with the immigration officials in trying to induce the Doukhobors, who came from Russia, to give up the fantastical ideas which have possessed them of late. Published reports of the crazy and unaccountable actions of the Doukhobors have brought him from Nebraska, and he will try to dissuade them from chasing away their cattle and leaving themselves destitute of food during the coming winter.

## BOXERS ARE AGAIN ACTIVE

**Some of Them Enter Cheng Tu Fu and Start Trouble—Militia Now on Guard.**

LONDON, Sept. 16.—A dispatch to the Standard from Shanghai says that a force of armed Boxers entered Cheng Tu Fu, capital of Szechur province, September 15. Some of them were killed or captured in the streets of the city and the shops there are closed. The military authorities are patrolling Cheng Tu Fu and the situation there is reported to be serious.

## PRESIDENT SARATOFF TAKEN

**Authorities Finally Corner the Elusive Chief and Macedonian Committee in Belgrade.**

LONDON, Sept. 16.—Cabling from Vienna, the correspondent of the Daily Chronicle says a telegram has been received from Belgrade announcing the arrest of M. Saratoff, president of the revolutionary Macedonian committee, who has been in hiding for some time.

**British Steamer Founders.**

COLOMBO, Ceylon, Sept. 15.—It is now learned that the British steamer Nithsdale, news of the grounding of which on a reef south of Cardiva island, in the Indian ocean, September 8, was received here Friday last, has foundered. Part of its crew has been brought to this port. The captain and thirteen men are believed to have been drowned.

## EXPLOSION IN A COAL MINE

**Gas and Powder Combine to Work Havoc Near North Fork, West Virginia.**

SEVENTEEN MEN IMPRISONED IN WORKINGS

**Fire Follows After and There is No Hope of Saving the Lives of Any of the Unfortunate Men.**

NORTH FORK, W. Va., Sept. 15.—A gas and powder explosion occurred here today in the Big Four mine of the Algoma Coal and Coke company, as the result of which [illegible]mes Lester, an engineer; John Reckie, [illegible]ngarian miner, and fifteen colored [illegible]s are known to be imprisoned in the [illegible]e.

There is hardly one chance of the men being recovered alive, as they are beyond the point where the explosion occurred. The gas and smoke is so thick that all rescuing parties have been driven back. H. Franken, a mining boss, and George Pieri, a Hungarian miner, succeeded in crawling over the fallen coal and slate after the explosion to the lights of the rescue party, and were taken out alive, though badly burned and suffocated.

The explosion is said to have been caused by an accumulation of gas catching on fire from the lamp of a miner, and this in turn fired six kegs of blasting powder, stored back in the mine.

The explosion knocked down all the brattices for a quarter of a mile back toward the mine entrance, thus cutting off all of the air from the men imprisoned behind the debris. There had been a small gas explosion in this mine on Saturday last and Mine Superintendent A. J. Stuart had personally cautioned the men who worked in the mine not to attempt to work again until the air had been tested by a safety lamp.

The rescuing party, headed by Mine Inspector Cooper, attempted to rescue, but were driven back by the want of air.

It is now learned that the coal is burning and that there is no hope of extinguishing the flames until a new air passage can be built to the point of the explosion.

## TEN DELEGATES ON CARPET

**Grand Jury Still Grinding Away on St. Louis Sensation, with Nothing New Developed.**

ST. LOUIS, Sept. 15.—The examination of the present members of the house of delegates, in relation to the city lighting bill and the defeat of the street railway bill, will be continued tomorrow before the grand jury. Ten delegates were before that body today and each was detained but a short time.

It was expected that Circuit Attorney Folk, who is prosecuting in the alleged bribery cases, would go to Jefferson City today to appear for the state in the hearing of arguments for and against the issuance of writs of habeas corpus for the release of the five ex-delegates now in jail here, but by reason of the statutory provision allowing his time after service of court papers he was not compelled to go and Assistant Circuit Attorney Maloney represented him. The proceedings consisted only of formally deferring the hearing until next Saturday. Until then at least the habeas corpus petition by which Judge Chester hoped to secure the release from jail of the five men charged with bribery and perjury can have no effect.

Charles A. Gutke, one of the five former members of the house of delegates, confined in the city jail on charges of bribery and perjury, was informed today of the death of his 11-year-old son, who had been sick for some time. The father broke down and wept at the news, but declined to go home and see the remains in the custody of a deputy sheriff when Judge Douglass later gave him permission to do so

Delegate Edmund Bersch, out on bonds aggregating $45,000, volunteered to go to jail in place of Gutke for a few days, in order that the latter might be at home until after the funeral of his son. Judge Douglas gave his consent to the substitution, the bonds of Bersch being transferred for the time being to Gutke.

Judge Douglas later decided to accept Ed Butler and Henry E. Yermann on Gutke's bond, and therefore Bersch will not be called upon to make the sacrifice.

## MASONIC TEMPLE IS IMMUNE

**Judge Dunn Restrains Collection of Last Year's Taxes On It by Issuing Injunction.**

CHICAGO, Sept. 15.—Judge Dunne today issued an injunction restraining the collection of the taxes for 1901, amounting to over $26,000, on the Masonic temple. The injunction will put a stop to the sale of the big office building for taxes. The taxes in question, according to affidavits of the Temple association officers, have been paid. Charges, however, have been made that a gang of tax fixers forged the receipt held by the association with a view to defrauding the county of taxes. Several men have already been indicted for the conspiracy.

The People's Gas, Light and Coke company today filed an appeal bond for $600,000 in the 75-cent gas ordinance case, which was dismissed by Judge Grosscup July 30 for want of jurisdiction. An assignment of error was filed and the appeal allowed by Judge Kohlsaat in the federal court. Notice was served on the city. This appeal is another step taken by the gas company to frustrate the endeavors of the city to force the corporation to serve its patrons with gas at 75 cents per 1,000 feet, instead of $1 net, as at the present time. The city maintains a right to regulate the price of gas under an ordinance passed some time ago. The company, on the other hand, insists it has the power to set its own price. The case has been dragging in the courts for several months.

## SOUTHERNERS BAR THE NEGRO

**Radical Faction Secures Control of a Republican Executive Committee Down in Alabama.**

BIRMINGHAM, Ala., Sept. 15.—The republican executive committee has refused the admittance of negro delegates to the state convention, which meets tomorrow. This action was the result of several hours' strenuous struggle today between those of the new regime known as the "Lily Whites" and those not in favor of barring out the negroes.

The elimination of the negro was accomplished through the passage of a resolution, on a vote of 17 to 10, adopting the report of the subcommittee which was appointed at the meeting of the full committee on Saturday, and which had considered all contests and passed on all credentials presented by the delegates. When this report was read today not a single negro's name appeared on it, although many negroes had presented credentials.

## MONEY MARKET STILL TIGHT

**Rate Touches Twenty Per Cent, with Small Signs at Present of Easier Conditions.**

NEW YORK, Sept. 15.—The money market today gave small sign of easier conditions. From the time it opened until the close, rates in the call loan market were high, touching 20 per cent early in the afternoon. On the stock exchange, the trading was dull all day, and at times almost stopped.

Money on the stock exchange opened at 15 per cent bid today, the first loan being at that figure, after which it reacted for a few minutes to 12 per cent, followed by a gradual return to the earlier figure.

LONDON, Sept. 15.—The financial situation in New York creates general public interest here and practically monopolizes attention in financial circles.

The Standard says: "A small parcel of gold has been secured in Paris for shipment to New York, but not, however, as an exchange operation. The bulk of the large amount of gold on the open market in London has been bought up at 77s 9½d per ounce in anticipation of a further decline in New York exchange and New York's necessity of importing gold. The money market regarded the proposals brought forward by Secretary Shaw regarding the money pressure in New York as inadequate, consequently there was no slackening of the discount rates."

Long special articles in the London press this morning give details of the money situation in New York. The Daily Chronicle commences its financial article by saying: "So far nothing has been done in the way of buying gold for export to the United States. Some inquiries from that quarter were made yesterday, but nothing resulted, although one or two parcels of bullion were bought on speculation. We are not greatly appalled at the prospect of large gold exports, because New York speculators have first of all to find money wherewith to pay for them. Our market is sharply divided in opinion as to whether gold in large amounts will be immediately required. The arguments pro and con are anything but convincing, in view of the fact that the amounts of money already borrowed by Wall street operators in the London, Paris and Berlin markets to enable them to sustain their insane gambles are so large that many persons believe that the surplus for the present season shipments of the products of the United States will not suffice to liquidate this indebtedness. Further moneys will consequently have to be borrowed in order to pay for the imported bullion. That doubtless can be done and possibly the surplus from excess of exports over imports would suffice to liquidate such a fresh debt and a portion of the old debt. The operation, however, would be surrounded with difficulties and we dono t think shipments of gold to New York can assume large proportions under any circumstances. Our market, however, is undeniably a trifle nervous."

## PEARY IS ON HIS WAY HOME

**Secretary of Arctic Club Receives Dispatch from Explorer, Dated at Labrador.**

NEW YORK, Sept. 15.—Herbert L. Bridgeman, secretary of the Peary Arctic club, received a dispatch today from Lieutenant R. E. Peary, the Arctic explorer, dated Chateau Bay, Labrador. Lieutenant Peary says he is on his way home on relief ship Windward and that all on board are well.

Beyond the dispatch of today Mr. Bridgeman has no information as to the movements of the explorer, who sailed with his expedition to the north pole July 4, 1898. Mr. Bridgeman left Lieutenant Peary at Cape Sabin, August 29, 1901. The relief ship Windward left New York in June last to find the Peary expedition and has evidently been successful.

Mr. Bridgman left New York on the midnight train for Boston, whence he will go to Sydney to meet the explorer on his arrival there. Dr. Dederich's message also said that the doctor had left his quarters with the Eskimos at Etah and had gone to Peary's winter headquarters to offer his services if needed.

In his message to his wife Dr. Dederich touches on one point that is of the greatest interest as throwing light on his relations with Lieutenant Peary. It will be recalled that when Erick, the Peary relief ship of last year, returned last autumn, leaving the explorer to make a dash for the pole this summer, it was said that Dr. Dederich, who had for three years been Peary's surgeon, had been left alone at Etah and would have to depend upon his own unaided resources to exist during the long, dark winter.

It was at first intimated that Dr. Dederich had been marooned as a result of a disagreement with Peary, but this was emphatically denied later by the officers of the Peary Arctic club. Dr. Dederich's wife was entirely satisfied in her own mind that her husband's reason for remaining was because of his fine sense of honor and his devotion to Peary despite the difference that had arisen between them.

## FIGHT ON EXCURSION TRAIN

**Negroes Create Disturbance and the Conductor is Utterly Powerless to Interfere.**

DOVER, Del., Sept. 15.—A free-for-all fight among thirty or more negroes on the excursion train of the Queen Anne railroad from Rebotha, Del., to Queenstown, Md., occurred as the train was leaving Rebotha. One colored man was shot and killed. At Hickman, Del., terror reigned to such an extent that Fred Clifton, the conductor, had no control over the crowd, who threatened his life if he interfered. Windows were smashed and several persons were seriously injured.

The sheriff of Caroline county was telegraphed to meet the train at Hickman and make arrests, but he had not arrived when the train left. The sheriff at Centerville, Md., was sent for, who, with several deputies, took a special car over the Queen and rode to Queenstown, where several arrests were made. The white passengers on the train fled to the baggage room for protection.

## TWO VICTIMS OF GAS FUMES

**Young Men at Ann Arbor Unfamiliar with Its Use Found Dead in Their Room.**

ANN ARBOR, Mich., Sep. 15.—Two young men, L. W. Bruski and Joseph Kierzek, of Posen, Mich., were found dead on the floor of a room in the Newman house here today. From letters in the pockets of the men it is evident that Kierzek had come to Ann Arbor to have his eyes treated.

The men said when they retired that they were not accustomed to using gas light. It is supposed that they got up in the night for some purpose and turned on the gas, thinking this would produce light. When found the bodies were lying on the floor, where the men had evidently been overcome while trying to reach the door.

## CALDWELL INQUEST BEGINS

**Testimony Shows that Blows Were Not Dealt by Strikers.**

PERKINS AND CHADWICK ARE RELEASED

**Dr. Lavender Says Death Was Caused by Concussion of Brain, Probably Result of Kick in Back of Head.**

The inquest over the body of Earl Caldwell, the Union Pacific machinist who was the victim of the Cass street tragedy early Sunday morning, began at 2 o'clock yesterday afternoon in Coroner Brailey's rooms at Twentieth and Cuming streets, and the testimony of the three witnesses examined confirms the essential features of the story published in The Bee. The examination was continued until 9 o'clock this morning.

George L. Perkins and Raymond Chadwick, aged 20 and 17, respectively, former apprentices in the Union Pacific shops, who were among the strikers arrested in connection with this case, and Dr. W. R. Lavender, who conducted the autopsy over the body of Caldwell Sunday, were the witnesses examined. Perkins and Chadwick were released from custody after the hearing and the seven other prisoners, all of whom were present at the inquest, were returned to their cells in the county jail to await the completion of the inquest.

County Attorney Shields conducted the examination for the state and at his side sat Edson Rich, the Union Pacific attorney, who took a leading part in the examination of the witnesses. Ed P. Smith represented the Union Pacific strikers' interests. The jury selected for the occasion was composed of these gentlemen: Steven Hansen, H. S. Mann, George R. Rathburn, E. N. Stanberg, C. M. Blachman and St. A. D. Balcombe. M. W. Ball, the companion of Caldwell, who survived the tragedy, was present. He showed the effects of having been badly assaulted.

**Two Witnesses Agree.**

George L. Perkins was the first witness placed on the stand. Young Perkins told an apparently straight story, which was corroborated, in nearly every detail, by the statement made by Chadwick later. Neither of the boys was thought at the outset to have had any part whatever in the assaulting of Caldwell or Ball.

On the essential point as to who began the fight which ended in the death of young Caldwell, these two youthful witnesses agreed absolutely. They both stated emphatically and without hesitation that John Spellman precipitated the affair by striking the first blow, which landed on Caldwell's left jaw and knocked him to the ground. John Spellman is not a striker, but an employe on the contract work on the Union Pacific's new shops.

As to who was responsible for the blow that caused Caldwell's death neither of the witnesses could tell, but they both stated that John Spellman did not stop after hitting Caldwell once, but followed this blow up and fell or jumped on his victim whom he had knocked into a ditch at the edge of the sidewalk. Whether in the mixup with Caldwell in the ditch Spellman dealt the blow that killed him, Chadwick nor Perkins could not say.

Both the witnesses implicated Jack McKenna, the other employe on the contract work of the Union Pacific, and the pal of John Spellman, as the man who started the attack on Ball. McKenna, it was brought out, had never been a striker nor an employe of the shop.

**Pospisil Not There.**

Young Perkins stated that he had been regularly assigned for picket duty Saturday night and was to stay at his post all night. He said that he, John and Mike Spellman, (the latter is John Spellman's father), Jack McKenna and Raymond Chadwick were standing together when Ball and Caldwell, the Union Pacific employes, came along on their way to the shops. He declared that Charles Popisil, the "tall man" whom Ball assured the police was one of Caldwell's assailants, was not present when Ball and Caldwell made their appearance or when the fight occurred. He said that Pospisil did not arrive until about ten minutes after the affair and therefore had absolutely nothing to do with it.

Perkins likewise stated that John Kerrigan, another striker positively identified by Ball as being a participant in the fight, was not present when the affar occurred and did not show up for some time afterward. Chadwick corroborated these statements, both as to Pospisil and Kerrigan.

Perkins did not see anyone else hit Caldwell except John Spellman and did not see Ball attacked by anyone but McKenna. He saw Mike Spellman standing there with a small piece of a broomstick in his hand, but did not see him take a hand in the fight. Close cross-examination failed to bring out any statement from either Perkins or Chadwick that old man Spellman or anybody else but young Spellman hit Caldwell. Neither of the boys saw any weapon used during the entire fight.

**Mike Spellman Talked.**

Perkins admitted that he heard Mike Spellman say after the assault upon Caldwell and Ball: "Well, I got one good whack at him with my club, anyway." He was unable to say whether it was Caldwell or Ball to whom the elder Spellman referred.

It was brought out very clearly by the testimony of both Perkins and Chadwick that Jack McKenna and John Spellman had been drinking heavily during the night and that they had shared their bottle with Mike Spellman. They both were under the impression that John Spellman and McKenna were drunk, but were confident that Mike Spellman was not.

Both the young men were questioned very closely by the attorneys on each side as to what instructions they had received on that and other nights from their lodge officers who assigned them to picket duty. They both were clear-cut and emphatic in their replies that they were always instructed to talk to all the nonunion workmen they could find and try to persuade them to leave the shops, but under all circumstances to refrain from violence in any form. They say they were working under Mike Spellman, who was lieutenant of the picket force to which they belonged, and that on that very night Mike Spellman had admonished them to be careful of their conduct and by no means strike anyone. The young men said they had been doing picket duty ever since the strike began and that they had never violated the orders given them.

**Doctor Describes Injuries.**

Dr. Lavender gave a minute and scientific description of the injuries which caused Caldwell's death. The fatal blow, he said, was dealt in the back of the head, near the base of the brain, on the occipital bone, near the right parietal, and produced a slight fracture of the skull about half an inch in length. The blow produced a hem-

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## CONDITION OF THE WEATHER

Forecast for Nebraska—Partly Cloudy Tuesday, Wednesday Fair.

Temperature at Omaha Yesterday:

| Hour. | Deg. | Hour. | Deg. |
|---|---|---|---|
| 5 a. m. | 58 | 1 p. m. | 75 |
| 6 a. m. | 58 | 2 p. m. | 77 |
| 7 a. m. | 58 | 3 p. m. | 77 |
| 8 a. m. | 59 | 4 p. m. | 78 |
| 9 a. m. | 63 | 5 p. m. | 76 |
| 10 a. m. | 69 | 6 p. m. | 74 |
| 11 a. m. | 71 | 7 p. m. | 72 |
| 12 m. | 73 | 8 p. m. | 70 |
| | | 9 p. m. | 68 |

## TEMPORARY STEPS GIVE WAY

**Five Hundred People Are Precipitated in a Heap to the Ground.**

ST. PAUL, Minn., Sept. 15.—While 1,000 people were struggling to get into the new Sons of Zion synagogue to witness the dedicatory exercises, the temporary steps leading to the entrance suddenly gave way and 500 people fell in a heap. Men and women screamed and fought to get out of the mass and it was only by prompt effort that a panic was averted.

The police platoon, which led the procession to the church, broke rank and rushed into the crowd, preventing frantic men, women and children from crushing one another in the scramble to get out. When quiet had been restored it was found, except for a few who were bruised and cut, no one had been fatally injured.

Mrs. Isaac Goldstimme was badly bruised about the body and face.

Della Rosenblaum, a 10-year-old girl, was caught in the crash and bruised badly. Sam Roisner, a 9-year-old boy, had his foot crushed between the breaking timbers. Several others received cuts and bruises and other minor injuries.

Senator Moses E. Clapp, Mayor Robert A. Smith, Congressman F. C. Stevens and several prominent rabbis of the church had just stepped off the steps to the walk when the crash came and so escaped injury. They were the first to assist those who had been caught in the falling timbers and helped to restore order in the frightened crowd.

## JUSTICE HORACE GRAY DEAD

**Retired Supreme Court Jurist Passes Away at Summer Home in Massachusetts.**

LYNN, Mass., Sept. 15.—Justice Horace Gray, who recently retired from the United States supreme bench, died at his residence in Nahant this morning of paralysis.

He had been in poor health for some time. Since his retirement he has been staying at his summer home.

Judge Gray was born in Boston, March 24, 1828, and was graduated from Harvard college in the class of 1843 and from the law school in 1849. He was admitted to the bar in 1851.

Hew as reporter of the supreme judicial court of Massachusetts from 1854 until 1861. He was appointed associate justice of that court in 1864 and chief justice in 1873.

President Arthur commissioned him as associate justice of the supreme court of the United States December 19, 1881.

## MORE DELAY IN CARTER CASE

**Judge Kohlsaat Extends Time for Closing Testimony to Last of January.**

CHICAGO, Sept. 15.—Another delay in the hearing of the Oberlin M. Carter case in the United States circuit court was made necessary today by an order of Judge Kohlsaat extending the time for closing testimony until January 29. Before the proofs are completed it is expected that Captain Carter himself will be temporarily released from Fort Leavenworth prison long enough to present his sworn testimony. This is the case in which the federal government is seeking to recover a large amount of funds which Captain Carter and his relatives had and which are said to be part of the proceeds of an illegal deal with Contractors Gaynor and Greene.

## MERGER CASE AGAIN OPENS

**Government Investigation of Northern Securities Technically Begins in New York.**

NEW YORK, Sept. 15.—The government investigation of the acquirement of the stock of the Great Northern and Northern Pacific companies by the Northern Securities company technically began in this city today.

The commissioner appointed by the United States court for Minnesota, F. G. Ingersoll, will hold the first hearing here tomorrow. The defense met Mr. Ingersoll and the solicitor general, J. T. Richards, in conference today and agreed to adjourn until tomorrow. The solicitor general will conduct the case for the United States.

## REPORTS ON FUNERAL RIOT

**Mayor Low's Committee Considers Insulting Spectators Responsible for Interruption of Obsequies.**

NEW YORK, Sept. 15.—The committee appointed some time ago by Mayor Low to investigate the riot at the funeral of Chief Rabbi Joseph Jacob on July 30, reported today that the primary responsibility rested on persons in the establishment in front of which the riot occurred, in that these persons insulted the funeral procession. Police headquarters is censured for not providing more protection to the large procession.

## FOR ROBBING UNION PACIFIC

**Edgar H. Neff is Sentenced to Serve at Least Two Years, Having Confessed Embezzlement.**

DENVER, Colo., Sept. 15.—Edgar H. Neff pleaded guilty in the criminal court today to the embezzlement of $8,526 from the Union Pacific Railway company and was sentenced to serve two to five years at hard labor in the penitentiary. Neff was cashier in Denver for the freight house of the Union Pacific.

**Movements of Ocean Vessels Sept. 15.**

At New York—Arrived—Hohenzollern, from Bremen and Southampton; Moltke, from Hamburg; Minnetonka, from London; Tauric, from Liverpool.

At San Francisco—Arrived—Ventura, from Sydney.

At Gibraltar—Arrived—Trave, from New York.

At Bremen—Arrived—Kaiser Friederich der Grosse, from New York.

At Cherbourg—Sailed—Bremen, from Bremen, for New York.

At Glasgow—Arrived—Astoria, from New York, via Moville.

At Plymouth—Arrived—Kaiser Wilhelm der Grosse, from New York.

At Southampton—Arrived—Koenigen Louise, from New York.

At Glasgow—Arrived—Carthagenian, from New York.

At Liverpool—Arrived—Celtic, from New York.

## COURT ENJOINS MEN

**Judge McPherson of Iowa Signs Order Drawn by Railroad Lawyers.**

INJUNCTION IS SWEEPING IN ITS TERMS

**Seeks to Prevent Maintenance of Picket Lines by the Strikers.**

ALSO DRAWS LINE ON UNION BULLETINS

**Labor Leaders Declare Court Strikes at Their Personal Liberty.**

THEY WILL CONTEST LEGALITY OF ORDER

**President McNeil of Boiler Makers and Vice President Conlon of Machinists Comment on Action of Court.**

Upon application of John N. Baldwin, attorney for the Union Pacific, Judge Smith McPherson of Iowa, acting as judge of the United States district court in and for Nebraska in place of Judge Munger, who was absent from the city, yesterday issued an order restraining the strikers and their sympathizers from in any way interfering with the company and its employes.

United States Marshal Mathews served the first copies of the restraining order at 1:30 in the afternoon on these strikers and strike leaders at the Midland hotel: P. J. Conlon, first vice president of the International Association of Machinists; George Mulberry, third vice president of the same organization; George W. Smith, A. S. Mildred and George L. Hurst, members of the local executive committee of machinists; J. J. Dinan and F. B. Roberts.

Vice President Conlon immediately arranged for a meeting of as many strikers as possible at Labor temple at 4 o'clock so that Marshal Mathews could serve his injunctions without having to spend several days looking up each man. Accordingly a large number of the men mentioned in the injunction congregated at Labor temple and accepted service.

Mr. Mathews said: "Mr. Conlon and his associates have been very kind in facilitating my work in this way. They met me very cordially in the first place and have materially lessened my task by bringing the men together."

**Feeling of Indignation.**

There is a general feeling of indignation among the strikers over the context of the injunction, which they are confident is the product of John N. Baldwin's brain. They regard it entirely too sweeping and do not believe it can be enforced.

"We will violate certain provisions of this injunction," said Messrs. Mulberry and Conlon to a reporter for The Bee. "There are provisions which strike at our personal liberties, and we will not amicably submit to them. We are not desirous of breaking any law, but we do insist on having our rights. The ninth provision seeks to deprive us of our privilege of free speech and the use of a free press which the constitution of this country places at our disposal, and against it we feel a bitter antagonism. It seeks to prevent us from sending our daily bulletins to our members in other places, but you may say that our bulletin today goes out just the same as if no injunction had been served. We are therefore, in the sight of this injunction, in contempt of court and are subject to arrest, but we believe we are within the range of common law."

**Substance of Petition.**

The petition upon which the restraining order was issued was filed after 10 o'clock and within half an hour the order was signed by the judge. In the petition the complainant, the Union Pacific Railroad company, alleges that a large number of the employes of the company a few months ago quit its employ and since that time have been on what is commonly known as a strike; that they have congregated at and around the shops and premises of the company in such numbers as to require the presence of a large number of guards to protect the property of the company; that the defendants are destroying the property of the company and doing acts of violence against the employes; that the company has a contract with the United States government for carrying the mails, and that the action of the strikers has been such as to make it practically impossible for the company to secure men to take the places of those who quit work, which they could do if it were not for that action, and that by reason of their failure to secure men to repair their property they may lose the contract for carrying the mails and suffer great loss through the destruction of property; that the strikers have defied the law and the properly constituted authorities of the city of Omaha; that the loss to the company by reason of the action of the strikers may amount to many thousands of dollars, which the defendants are not able to make good at an action at law. The petition was printed, showing that the action of the company had been contemplated for some time.

**Order is Sweeping.**

The order, which was also printed, with blanks left for the signature of the judge and the date of its issue, is directed against 145 persons by name and "all others aiding and abetting said defendants and who shall have knowledge of the writ or upon whom it may be served, and each and all of them are hereby counseled and directed to refrain:

From in any manner interfering with the free use and occupation by the Union Pacific Railroad company of all its property and premises of every kind and character and from in any manner interfering with any of its officers, employes or agents either by way of threats, personal violance or any other forcible or violent means caulculated to prevent or intended to prevent such employes, agents or officers from entering the employ of said Union Pacific Railroad company or from continuing in the employ of said company or which are intended to induce such officers, agents or employes to leave the service of said company.

From interfering with, intimidating by violence, molestation or threatening in any manner the agents, officers or employes of said Union Pacific Railroad company and by means of such interference, intimidation or threats endeavoring to induce such officers, employes or agents to leave the service of said company.

From congregating, assembling or loitering about or in the neighborhood of the premises of said Union Pacific Railroad company with intent to interfere with its employes or with the prosecution of their work and from interfering with or terrorizing or intimidating the employes of said company with the purpose and intent to cause them to leave the service of said company or to prevent or interfere with any such employes in going upon, about or off said company's property and premises.

**Must Not Go on Premises.**

From going upon the premises and property of said Union Pacific Railroad company at Omaha and from interfering with the free access of the employes of said company to their places of work and to their return to their homes.

From congregating or assembling at or near the gates or entrances to the premises of said railroad company and the defendants are commanded to disperse and