

GRAY ASKS NEW LAW

Suggests Passing Act to Prohibit Children Working at Night.

PROPOSAL RESULT OF GIRLS' EVIDENCE

Little Ones' Misery Deeply Touches Jurist's Big Heart.

HEARS FATHERS EARN LARGE SALARIES

One Makes Thousand and Another Nine Hundred in Year.

INDEPENDENT OWNER FAVORS BETTER PAY

Thinks Labor Has Right to Combine and Should Receive Bigger Percentage of Heavy Profits Made by Operators.

SCRANTON, Pa., Dec. 16.—Notwithstanding that the mine workers announced yesterday that they had closed their case with the exception of one witness, the whole of today was taken up in hearing three witnesses for the men. They were: John C. Haddock, an individual operator; the Rev. Dr. Peter Roberts, pastor of the First Baptist church, and Samuel Gompers, president of the American Federation of Labor. Mr. Haddock favored giving the mine workers better wages, and agreed with their organization. Mr. Gompers spoke as an expert on the trade union movement, and created a stir when he strongly implied that the coal companies were bringing immigrants to the coal regions.

One of the operators' lawyers asked if he knew that from personal knowledge. He offered to prove it if necessary. The miners made another attempt to get in evidence tending to show that the anthracite roads charge extortionate and discriminating freight rates, and that a monopoly exists in the anthracite mining industry which keeps the wages of men at an unreasonably low level. The commission again decided that the evidence must be limited to the scope of the inquiry, and pointed out that it did not take up this thing the men would still have to show the reasonableness of their demands.

Impressed by Little Girls.

When the strike commission met Judge Gray opened the proceedings by saying that the commissioners were impressed with the spectacle of the little girls who were before them yesterday. He said the people of the community and citizens of the commonwealth should not let the incident pass without taking some steps to have the legislature of Pennsylvania seriously consider the enactment of a law to forbid the employment of children at night.

At the suggestion of the commission the statement of the wages of the fathers of the two little girls were presented. One earned more than \$1,000 last year and the other over \$600.

Then the miners sprang another surprise by calling another individual operator. He was John C. Haddock of Wilkesbarre, president of the Plymouth Coal company.

He said he had been in the coal business thirty-five years. His company operated the Black Diamond and Dodson mines near Wilkesbarre. On March 14, when they went into the hands of receivers. On November 14 trustees took hold of the property.

Mr. Haddock then explained that the mine's ton, which runs from 2,700 to 3,200 tons, was fixed years ago so that the employer could get 2,340 tons of pure coal above the size of a pea. A pea coal and all sizes below that was waste. The waste was now being utilized. Regarding the prices of coal, Mr. Haddock said the middle man in New York was paying \$11 and \$12 a ton.

Judge Gray: "Do they pay the operators the same?"

"Possibly."

Lackawanna Tries Regulation.

Continuing, Mr. Haddock said the Lackawanna company wanted to regulate the tonnage of its company some years ago. He postponed the arrangement for a year and a half, and finally obtained the right to mine and ship coal.

He said he believed in the combination of capital and labor, and had no objection to dealing with labor unions if properly conducted. He believed the mine workers, because of the market for coal, were justified in asking for an increase in wages.

On cross-examination, Mr. Haddock said he did not know of any operator who was charging prices above the schedule list. Samuel Gompers occupied the witness stand throughout the afternoon. He gave a brief sketch of the progress and influence of organized labor and said the hours of workmen throughout the country had been materially reduced.

Trade agreements had always been advantageous both to workmen and employers.

Justice Gray asked his usual question concerning boycotts, and witness replied he would boycott any person who was unfair to his workmen, but would not boycott men who chose to do business with that employer.

The question of recognizing unions was then taken up and Mr. Gompers said employers made a mistake when they refused to recognize organized labor. The witness, he said, has no moral right to refuse to confer with a committee of his employees.

In reply to Bishop Spalding he said he would not favor incorporating a union.

Companies Import Men.

Mr. Gompers was then cross-examined by James Torrey, counsel of the Delaware & Hudson, who asked if he did not believe members of the union should be 21 years of age and able to read and write.

"Yes," responded witness with alacrity, "ten years from now, when the companies stop bringing illiterate foreigners to this country. They are brought here by the companies and the labor union must protect them and see that they get their rights."

Mr. Torrey asked him if he could prove that the coal companies were guilty of such a thing, and Mr. Gompers said he felt certain it was true, because he had seen copies of circulars distributed in southern Europe asking people to come to Pennsylvania, and stating that there was plenty of money to be earned in the mines.

Mr. Torrey asked him if steamship companies were not the authors of those circulars, to which Mr. Gompers replied that he had seen ten, twenty and thirty men huddled together in huts in the attractive coal fields, and he noted that it was not long after they arrived that they were given employment in the mines.

He offered to give the commission the

(Continued on Second Page.)

CATTLEMEN VISIT HITCHCOCK

Find the Secretary Out, but Make Arrangements to See Him Wednesday.

(From a Staff Correspondent.)

WASHINGTON, Dec. 16.—(Special Telegram.)—Bartlett Richards, secretary of Alliance and Daniel Hill of the United States Cattlemen's Association, called at the interior department today with Secretary Hitchcock relative to the enforcement of the law fencing public lands. This law, cattle owners did not, however, see the secretary, as he was at a cabinet meeting. Representatives of the cattlemen made an appointment for a conference with Mr. Hitchcock tomorrow.

Representative Burkett is hard at work endeavoring to secure the establishment of a free delivery service in Plattsmouth, Mr. Burkett has been assured that a carrier system will shortly be inaugurated in that city. It is probable that there will be two cities. It is probable that there will be two cities. It is probable that there will be two cities.

Mr. Burkett today introduced a bill to grant a pension to Victor Viguain, late colonel of the Third Nebraska. Colonel Viguain has an excellent record as a soldier of the civil war and served with credit in the United States army in the isthmus of Panama as well as in the volunteer army during the war with Spain. His friends in the First Nebraska district are anxious that he be given a pension commensurate with his services.

Charles Gerhardt was today appointed substitute letter carrier in the Deadwood, S. D., postoffice.

The comptroller of the currency has approved the Drovers' National bank of Chicago as a reserve agent for the Iowa National bank, as follows: First National of Emmet, headed by J. P. Morgan and Traer, Merchants' National of Grinnell, Louis County National of Columbus Junction and Manila National of Manila.

Lillian L. Hurlbut was today appointed postmaster at Luther, Boone county, Ia. Vice Jay M. Hurlbut, resigned.

BRYAN GOES TO MEXICO

Report Says Silver Leader Will Ask Government to Fight Gold Standard There.

MEXICO CITY, Dec. 16.—The rumor that Mexico has taken diplomatic action at Washington looking to the checking of a further fall in silver through co-operative international action is commented on as surprising. Curiosity is expressed as to the purpose of Mr. Bryan's visit to Mexico at this time.

A report credits him with having views antagonistic to the gold standard to submit to the government.

It is said today that the government has had offers of large gold loans from a French syndicate, and a British South African banking and mining group, with headquarters in London, and another group headed by J. P. Morgan. In fact, rumors are crowding one another regarding the matter.

SEEKS REFUGE IN LEGATION

Candidate for President of Hayti Becomes Alarmed for His Personal Safety.

PORT AU PRINCE, Hayti, Dec. 16.—General Saint-Pol Colin, minister of the interior and opponent of General Nord in the contest for the presidency, has sought refuge in the United States legation.

There has been much firing in the city and great excitement prevails.

All the military authorities who have been supporters of General Pierre's candidacy for the presidency also sought refuge in the consulates. General Nord is acclaimed president by the troops and seems master of the situation, notwithstanding the fact that the majority of congress is in favor of Senegue Pierre.

DEWEY TAKES HOLIDAY CRUISE

Admiral Will Visit Northern West Indies on Mayflower at Christmas.

SAN JUAN, Porto Rico, Dec. 16.—Admiral Dewey has decided to make a tour of the northern islands of the West Indies during the holidays. He will remain at San Juan until Dec. 23, when a reception and ball in his honor will be given, and will then cross the island and return here to join Mayflower, using that vessel to visit St. Thomas and other points.

The fleet was exercised in squadron formation this morning. Admiral Dewey was greatly interested in the maneuver and commented on the manner upon the way in which they handled their ships.

RUSSIA WANTS CUSTOMS

Asks China to Establish New Service Under Carr's Sole Control.

PEKIN, Dec. 16.—Russia is pressing China to assent to the establishment of customs and postal services at the principal stations of the Manchurian railroad, these stations to be under Russian supervision and independent of the Chinese maritime customs. Sir Robert Hart is opposing the scheme and the chances for his success are thought to be favorable.

An edict announces that the Chinese government proposes to acquire the China Merchants' Steam Navigation company, which is owned by Sheng, a nephew of the late Hui Hung Chang.

Court Makes Light of Offense.

MANILA, Dec. 16.—The trial by court-martial of Captain Rogers of the Twenty-seventh infantry, charged with using disrespectful language to General Davis, was concluded today. The verdict is not known, but it is doubted that the court took a serious view of the case.

English Cabinet Meets.

LONDON, Dec. 16.—Premier Balfour presided at a cabinet meeting held at the Foreign office at noon today. The Venezuelan crisis and the king's speech at the proroguing of Parliament were the principal matters considered.

Macedonian Workmen Killed.

SOPIA, Bulgaria, Dec. 16.—Advices from the frontier say that twenty-four Macedonian workmen, who were returning to their own country, have been killed by Turkish frontier guards near Dubitza.

WHY RATES ARE ADVANCED

Railway Men Seek to Justify New Grain and Provision Tariffs.

CLAIM THAT OPERATING COST HAS GROWN

Lake Shore Official Says Roads Now Spend Relatively More Than They Earn, but Admits Immense Profits.

WASHINGTON, Dec. 16.—An investigation into the advance of freight rates on grain and grain products, dressed meats and provisions from the Mississippi river, Chicago, etc., to New York and eastern points, governed by the New York rate, was begun today by the Interstate Commerce commission.

The testimony showed that \$450,000 revenue would be added to the profits of one road alone by the contemplated increase. It was claimed that the advances were justified by the increased costs of operation.

The chief witness was the traffic manager of the Lake Shore & Michigan Southern Central and also the latter's evidence, however, being qualified by the statement that his reason for increasing the rates was because the presidents of the roads had ordered it.

Mr. Grammar claimed that railroad expenditures were increased ten per cent more rapidly than the earnings; that even at the increased tariffs grain was not being hauled at a profit.

The principal items of increase in expenses were the maintenance of engines and fuel supply, and he predicted, while admitting that the present price of coal was undoubtedly artificial, that prices would not get back to the old figures for years.

At the suggestion of counsel and officials of the roads required the commission to decide to require written statements by January 10 next setting forth the alleged justification for the advance in rates. A new hearing will be held, probably in Washington at the earliest possible day.

Spend More Than They Earn.

By general agreement Mr. Grammar, traffic manager of the Lake Shore, included in his testimony a detailed statement regarding his own road and of the general situation. He contended that for a spending more money than they earned, and that this was because they were either spending too much on the properties or the earnings were too small.

A commission asked if the earnings of the Lake Shore were not sufficient, on the basis of the last ten months, to pay interest on its bonds, 10 per cent on its preferred stock and 7 per cent on its common stock, and then carry \$2,500,000 in the surplus fund.

Mr. Grammar did not reply directly and declined to state what he thought ought to be done other than to take care of itself.

Both he and Mr. Mitchell said their roads were strictly observing published tariffs, but had not done so prior to May, and acknowledged that the departure from the tariffs had caused large losses.

The outgrowth of their difficulties, Mr. Grammar continued, was a meeting of executive officials of practically every railroad in the trunk line and traffic association territories which had agreed on the advances already announced, and an increase on iron products west of Pittsburg by 10 per cent, but which this advance would be carried out would develop later.

Organized labor was getting not less than 10 per cent more than the wages of May, and the Lake Shore was paying in Chicago nearly \$1 per ton more for coal than it had to pay three months ago.

"As long as the present price of coal is only a temporary matter do you think that item justifies you in imposing an increase in your freight rates?" he was asked.

"If that were the only question," he answered, "and it was only a temporary matter, I should say no; but coal is not the only factor in the situation."

He added that the Lake Shore received a little less for grain freights than the average on all other classes of freight.

When asked regarding the cost of hauling a train loaded with grain from Chicago to Buffalo he admitted that while the railroad would receive a revenue of \$3,600, the cost of operating would amount to only \$260.

All railroad supplies had increased materially in price since 1900, but generally speaking the railroads were never more prosperous.

NEW SCHEDULES A MISTAKE

Railroads Now Regret They Only Increased Rates by Ten Per Cent.

CHICAGO, Dec. 16.—A majority of the Central Traffic association roads have come to the conclusion that a mistake was made when a 10 per cent raise in freight rates was ordered. They are of opinion that most commodities can stand a larger advance.

The traffic officials of the Chicago east-bound roads were in session all day today discussing the matter and finally referred a proposition to make further advances on January 1 to tomorrow's general meeting of the association.

This action was the result of opposition by certain roads, which claimed that the rates already agreed on were as high as warranted by existing conditions, and that a further raise might reduce the volume of traffic.

ROCKEFELLER GIVES MILLION

Increases Donations to Chicago University by Manicfest Christmas Present.

CHICAGO, Dec. 16.—Dr. Harper, president of the University of Chicago, this afternoon announced that John D. Rockefeller had given another \$1,000,000 to that institution. Gifts from other sources also were announced, swelling the total to \$1,526,000.

The president advocated pensioning retired professors and officers, but said details would have to be considered before any steps in that direction could be taken.

The resignation of Major H. A. Rust as comptroller of the university was also announced. The first official report of separate instruction was made by the president, who said the possibility of eliminating construction from co-education was definitely provided for at the founding of the university.

He insisted that separate instruction did not mean an annex for the women and declared that education on equal terms was assured.

STEEL CASE IS RESUMED

Attorney for J. Aspinwall Hodge Makes Argument Before Court of Appeals.

NEW YORK, Dec. 16.—The argument of Edward B. Whitney, attorney for J. Aspinwall Hodge, before the New Jersey court of errors and appeals to restrain the execution of the United States Steel corporation's \$250,000,000 stock conversion plan was held public today.

Mr. Whitney contends that the directors had plenty of time after the injunction issued by Vice Chancellor Emery to call a new meeting of stockholders early in December to ratify the conversion plan, but he admits that the reason this course was not pursued was that critics would not have been obtained a second time.

His reasons for this belief are that the stockholders now know what they did not know last April, namely, that instead of voting for a prompt issue of \$250,000,000 of bonds, under which they were to pay J. P. Morgan & Co. a 4 per cent commission, they were procuring only a \$100,000,000 issue, while J. P. Morgan & Co. was obtaining an option on the remaining \$150,000,000 to the detriment of the company, but to a public advantage to themselves as great as to make the \$100,000,000 commission insignificant.

According to Mr. Whitney's argument the preferred stockholders were divided by the scheme in three classes, the first consisting of J. P. Morgan & Co., to whom the bonds were offered at 95; the second of persons selected by J. P. Morgan & Co., who were to pay 94.5; and the third of other preferred stockholders, who were to pay 93.

The argument contains an attack on the valuation of \$492,566,100 put on the Carnegie company's property by the United States Steel corporation, which sum, according to Mr. Whitney, is \$344,000,000 in excess of the real value of the property.

In connection with the value of the corporation's assets, Mr. Whitney says: "All through the affidavits submitted by the defendants it is clear that their basis of valuations is the monopoly value of this company's business, considered as a growing concern, in relation to its present management and the earnings which it can make in a year of unexampled prosperity."

ESCAPE AT NIGHT BY BOAT

Kentucky Residents Flooded from Homes Seek Refuge in Flight.

LOUISVILLE, Ky., Dec. 16.—The general rainfall which has prevailed over Kentucky, Arkansas and Tennessee since Saturday has been relatively heavy here. In all Kentucky streams are over their banks, and in many localities still rising rapidly. Extensive damage is reported, particularly in the eastern counties and along the Ohio river.

Mr. Grammar did not reply directly and declined to state what he thought ought to be done other than to take care of itself.

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FARMERS TO START A TRUST

Plan to Hold Grain for Better Prices Being Agitated—Headquarters at Brainard, Nebraska.

BRAINARD, Neb., Dec. 16.—There is considerable agitation among the farmers living in this county to organize an association to buy up their grain and hold the same until the grain buyers will be compelled, because of demand, to pay a better price for it.

The title proposed is the Farmers' Trust company. The grievance is not of tangible statement, but everyone seems of the opinion that there is everything against and nothing for the farmer in the selling of grain to the buyer. It is all right when there are times made the subject of slight fluctuations of the market in a rather arbitrary manner and that they always lose a few cents, no matter whether the change in market is upward or downward.

The movement will also include live stock shipments.

There will be a meeting held at Lincoln, Neb., January 22, 1903, at 2 o'clock p. m. in University hall in the presence of and for the purpose of advancing the Farmers' Co-operative Grain and Live Stock association in extending the work of the association, and in building farmers' co-operative elevators are requested to attend and take farmers and shippers meet at the various shipping stations of Nebraska, and send representatives or delegates to the meeting. The meeting is to be held at Brainard, Nebraska, and the central association, and all speakers from Kansas will be invited to attend. Reduced rates have been granted by all railroads in the state.

The call is signed by the co-operative associations of Benedict, Thayer and Shelby, Neb.

UTAH POSTMASTER GETS TERM

Goes to Jail for Embezzling Government Funds at Ogden.

SALT LAKE CITY, Utah, Dec. 16.—Charles Meisbach, postmaster of Ogden, was found guilty by a federal jury of embezzling government funds, was today sentenced to one year and a day.

HARRIMAN STIFF NECKED

Averse to Yielding Anything to the Strikers on the Union Pacific.

PRESIDENT BURT URGES A COMPROMISE

Other Directors Side with Him and Board Has Reached No Conclusion Yet as to Course to Pursue.

NEW YORK, Dec. 16.—(Special Telegram.)—It was understood in Wall street today that Chairman E. H. Harriman had opposed the demands of the Union Pacific striking machinists, boiler makers and blacksmiths, who delivered an ultimatum to President Burt last week threatening a strike on the Southern Pacific if engines of that company continued to be loaned to the Union Pacific. Mr. Burt and several of the directors who favor meeting the labor situation half way were said today to have been unable so far to persuade Mr. Harriman to change his attitude.

They have pointed out the crippled condition of the road's equipment, due to the machinists' strike, continuing since last spring, and have advised that the differences be settled under a compromise. It is expected that no further action will be taken by the men until President Burt returns to Omaha, and it is stated by a representative of Chairman Harriman today that the rights of the employees would be carefully looked into and protected on the basis of strict justice.

BELIEVES IN COMBINATION

Burlington Official Tells Court of Advantages Derived from Merger.

ST. PAUL, Dec. 16.—Two leading officers of the Burlington were examined today in the state merger hearing. Darius G. Miller, vice president and general traffic manager, was questioned concerning his views on the proposed merger of the Burlington, freight rates, competition and lack of competition between the Great Northern, Northern Pacific and Burlington.

George B. Harris, president of the Burlington, spoke of the advantages of a combination of interests.

No other witnesses were called before the adjournment till tomorrow, when J. J. Hill of the Great Northern and Northern Securities companies is expected to appear.

Wabash Contracts Awarded.

BALTIMORE, Dec. 16.—The Western Maryland railroad has awarded contracts to the Deacon-McLean construction company of New York for the construction of the sidewater terminal of the Wabash. Vice President Landreth hopes to have the terminal and branch completed in time for the fall traffic next year.

NEW TRIAL IS ORDERED

Supreme Court Reverses Verdict in One of the St. Louis Boodle Cases.

ST. LOUIS, Dec. 16.—In an opinion handed down this afternoon the supreme court at Jefferson City reversed the verdict of the St. Louis circuit court that found Emil A. Meyensburg guilty of bribery and remanded the case for retrial.

Meyensburg, a member of the city council, was charged with accepting money from Charles N. Turner, president of the Suburban Railway company, through Philip Stock, the "legislative agent," at a time when his vote was desired to aid the passage of the suburban bill through the council.

Meyensburg admitted receiving the money, but contended that it was in payment for stock in an electrical company bought by Turner. In support of his contention Meyensburg showed that he had voted against the suburban bill on its passage. This was the first of the "boodle" cases tried.

MISSING RAIL WRECKS TRAIN

Cars Are Piled Up in Heap Near Birmingham, Alabama, and Several People Are Hurt.

BIRMINGHAM, Ala., Dec. 16.—Limited train No. 1, Cincinnati to New Orleans, on the Alabama Southwestern was wrecked two miles south of Moundville, Ala., today. The officials say the wreck was the work of train wreckers. A rail was removed near a trestle which spans a small creek. Engineer Larkin saw the missing rail too late.

The heavy locomotive left the track and bumped along on the road until the trestle was reached. It then knocked the trestle down and tumbled over into the creek. The mail, baggage and express cars and two coaches followed, the whole train being piled up in a heap in the creek.

Mail Clerks Kelly and Riggs were severely injured, as was Fireman Durr (colored). No passengers were hurt. The train had but a few passengers aboard. The two sleepers remained on the track.

BEEF TRUST CASE REVIVED

Arguments Are Renewed Before Judge Grosscup in United States Circuit Court.

CHICAGO, Dec. 16.—The noted "beef trust" case was revived today in arguments before Judge Grosscup in the United States circuit court.

In the demurrer which was filed in August the packers asserted that the bill for an injunction was "multifarious" and did not refer to an offense constituting a violation of the United States statutes with sufficient particularity.

John S. Miller, representing the packers, declared that the bill did not allege any restraint of interstate or foreign commerce and that the shipment of commodities by the packers to their agents in any state did not constitute interstate commerce.

The acts of the packers, he said, were in furtherance of trade rather than in restraint.

ERIE TRAIN GOES IN DITCH

Engineer is Reported to Be Killed and the Fireman and Several Passengers Hurt.

CLEVELAND, Dec. 16.—The eastbound limited on the Erie, which left here shortly after noon, went into a ditch at Newburg, a suburb.

John Ross, the engineer, is reported to have been killed and Fireman Landon seriously injured. Several passengers are also reported hurt.

CONDITION OF THE WEATHER

Forecast for Nebraska—Fair and Warmer Wednesday; Thursday, Fair in East, Probably Snow in West.

Table with 4 columns: Hour, Deg., Hour, Deg. Rows for 5 a.m., 8 a.m., 11 a.m., 2 p.m., 5 p.m., 8 p.m., 11 p.m.

SONS WILL MAKE AMERICANS

Patriotic Society Maps Out Plan for Nationalizing Foreign-Born.

NEW YORK, Dec. 16.—The second full meeting of the general Board of Managers and executive committee of the national society, Sons of the American Revolution, was held here this afternoon. Edwin Warfield of Baltimore, president general, occupied the chair, and beside him sat Governor Franklin Murphy of New Jersey, former president general, and Knapp of Iowa was among the state presidents in attendance.

A plan of campaign was marked out for the use of the educational committee, to which the national society has entrusted the direction of a movement for the Americanization of foreigners landing in this country.

The total membership reported for thirty-eight successful societies and the society in France was 10,852.

NEGRO FIGHTS FOR VOTE

Claims Damages and Mandamus Against Alabama Board of Registrars.

MONTGOMERY, Ala., Dec. 16.—The supreme court of Alabama has again before it for consideration legal attacks on the new state constitution, made through an organized effort on the part of the negroes.

Two suits have been filed against the Board of Registrars of Montgomery county by a negro named Giles, who asks \$5,000 damages for his failure to secure a registration.