JURY IN THE LILLIE CASE

Twelve Men Secured at the Morning Session of the Court.

REAL WORK OF TRIAL IS COMMENCED

State and Defense Make Statements of the Case and Two Witnesses Are Called at Afternoon Session.

DAVID CITY, Neb., Feb. 13.—(Special.)—After three days' work and the examination of the regular panel of twenty-four jurors and 107 talesmen, a total of 131, a jury was secured this morning to try the case of The State of Nebraska against Mrs. Lena M. Lillie, charged with murdering her husband, Harvey Lillie, on the morning of October 24, 1902.

The jurymen are all farmers and their names are as follows: John W. Winters, C. S. Carlisle, Joseph Hilger, George Buehrer, John Aden, William J. Johnson, Byron R. Beaver, John W. Thompson, Robinson McCray, Willis H. Birth, A. C. Pool, James L. Dewey, all talesmen.

Mrs. Lillie was accompanied by her father, mother, her sisters, Mrs. Grant and Mrs. Greisinger, and Sam Lillie, brother of the murdered man. Mrs. Lillie seemed in a cheerful mood this morning and from appearances is well prepared for the trying ordeal which is just commencing.

County Attorney Evans in making a statement to the jury said in part:

Statement of Case.

On the 23d day of October, 1902, there was living in the Lillie home Mr. and Mrs. Lillie, their daughter, May Lillie, a niece, Miss Dawson and Miss Ficke. That on the morning of October 24 Mr. and Mrs. Lillie occupied the southeast bedroom upstairs in the house. The bed which was occupied by them was in the southeast part of the bedroom. The head of the bed was about ten inches from the east wall of the room and the foot of the bed about twenty-two inches from the wall. Mrs. Lillie slept on the east side of the bed and Mr. Lillie on the west side. The bedroom occupied by the girls was across the hall north, the door leading into the room occupied by Miss Dawson and Miss Ficke had no door leading into the hall, but they must go through the room occupied by Edna and May Lillie; that the door from the hall into the room occupied by May and Edna was always open until this particular night, when for some reason which has not been explained, it was shut; that on the evening of October 23 Mr. and Mrs. Lillie had called on Mr. Lillie's mother and the family did not retire until a late hour.

That on the morning of October 24, between 5 and 6 o'clock, the girls were awakened by some noise; that the girls heard a second shot and there was deathly silence in the house. In two or three minutes Mrs. Lillie opened the door and cried, "Oh, Oh, Oh," and said to the girls, "Get up, Harvey is shot." At this time the moon was shining and it was getting light in the room, the girls, or one of them, lit a lamp; they went in to see Mr. Lillie, then they all went downstairs; Mrs. Lillie went to the telephone and she told the girls to run for help.

What First Caller Saw.

That Mr. Hall was the first one to arrive at the house; he asked Mrs. Lillie what had happened and she said Harvey was shot. Mr. Hall and Mrs. Lillie then went upstairs to the room where Mr. Lillie was. Mr. Hall then went out and gave the alarm and Mrs. Lillie again went to the telephone.

When Dr. Stewart arrived he and Mrs. Lillie went upstairs, and after the doctor had looked at the wound in Mr. Lillie's head Mrs. Lillie said: "Will he die, doctor? Will he die?"

At this time Mrs. Lillie opened the bureau drawer and said: "My pocketbook is gone; there was over $30 in it." She then turned around and picked up Mr. Lillie's pants and examined them. Policeman Taddiken arrived in a short time and in telling him what had happened she again wondered if they had been robbed, and again went to the bureau and examined the drawer and said: "Yes, my pocketbook is gone and there was $300 in it."

The first statement that she made that morning was that the robber and murderer stood north of the stovepipe and near the foot of the bed, the second statement she made was that the man stood south of the stovepipe and about the middle of the bed, and the next statement she made was that the man stood close to the head of the bed.

That when she saw the man pointing the pistol at her she rolled off the bed and lay on the floor until she heard the man go out of the room and downstairs; that after she rolled off the bed the man shot, the bullet going through the window.

The attorney here gave a description of the powder burn on the window curtain and glass.

What is Expected to Prove.

The testimony will show that the pistol must have been not farther than five or six inches from the window curtain; that it was impossible for a man to have stood where Mrs. Lillie says he did and fired that shot. The testimony will show that Mrs. Lillie gave a complete description of the man who did the shooting, that he was a man about the size of Harvey, a little heavier, smooth shaven, light complexion, light hair, he wore either a cap or a narrowbrim hat, and if he wore a mask it was a tight-fitting one. The testimony will show that the range of the ball was on a level, or slightly upward; that if the man stood where Mrs. Lillie says he did the range of the ball would be downward.

The testimony will show that Mr. Lillie carried life insurance to the amount of $7,000; that Mrs. Lillie had lost from $1,000 to $1,300 on the Board of Trade; that on the afternoon of October 23 Mrs. Lillie went to the City National bank and paid a note of about $50; that this same afternoon she asked the girls at her home if they would be uneasy if there was money in the house over night; that this was the first time she had ever made a remark of this kind. Mrs. Lillie is a fashionable dressmaker and had several girls sewing for her and it was to these that she made the statement, or asked the question with reference to the money being in the house.

Statement of Defense.

Matt Miller of counsel for the defendant, in making the statement to the jury, said in part:

As has been said to you heretofore, this case is based on purely circumstantial evidence and the statements made by the county attorney are not true and we believe that the evidence will prove clearly to your minds that the defendant is not guilty. I have said, and now say, that we have no defense except that we did not commit the crime, and when the time comes for us to make our defense we will take it up step by step, and our theory is that the evidence of the state is our defense; that the circumstances claimed by the state will prove conclusively that the defendant is not guilty.

The court stated to the jury that they would not be permitted to separate at any time during the trial of the case, but their convenience will be looked after, and they should not discuss the case among themselves until it had been finally submitted to them.

Calls First Witness.

Dr. S. G. Beede was the first witness. He said: "On the morning of October 24, 1902, I received a call by telephone; I went immediately to the home of Harvey Lillie; found Mr. Lillie lying on the bed in an upstairs room with a bullet hole in his head. Dr. Stewart, Bert Hall and Mrs. Lillie and others were there at the time. This was about 5:30 in the morning. Examined the head carefully to find whether or not there was more than one opening; only found one, which was on the right side of the head and was about half way between and about one and one-half inches above the eye and ear. The bed was in the southeast upstairs room. Mr. Lillie was lying on the west side of the bed, head to the south; he was lying on his back, face upward."

Witness here described the powder burn as was fully published in these columns at the time of the preliminary hearing. The examination of the witness was not concluded when court adjourned for noon.

When court convened this afternoon Dr. Beede, continuing, said in part:

"Upon my second visit to the Lillie home that day I made a further examination of the wound in Harvey Lillie's head. I made inquiry of Mrs. Lillie as to what direction the bullet had been fired from, and she said from the west side of the bed. The body of Mr. Lillie was then taken to the hospital, where he died about 2:30. I made a further examination of the wound and from the statement made by Mrs. Lillie I thought the bullet must have entered the left side of the head. At the autopsy we found that the bullet had enetered the right side of the head and passed through the substance of the brain, and was found just behind and a little above the left ear and in the substance of the brain. There was no dent in the bone on the left side of the head. I examined the point of entrance of the bullet and found burned powder, and powder was blown into the wound for one-eighth of an inch and there was clotted blood underneath the scalp for at least one inch around the wound."

By the use of a human skull witness pointed out to the jury the point of entrance of the bullet and where it was found.

The cross-examination elicited that there was a lighted lamp in the room and light was shining in at the window; that paralysis would be produced immediately after the shot was fired.

First Man on Scene.

Bert M. Hall was the next witness. He said:

"On the morning of the murder I was called by the girls of the Lillie home and went immediately to the Lillie residence. Think I was the first one there after the shooting was done. Mrs. Lillie was in the dining room, standing at the telephone. I asked her what had happened. She said someone had shot Harvey. Mrs. Lillie and I went upstairs, into the room where Mr. Lillie was lying in bed. I looked at his head and saw a wound, supposing it was a bullet hole. Mrs. Lillie said that a shot awoke her and, rising up, saw a man standing there, pointing a gun at her; that she threw herself off the bed, when he shot at her, and the man had taken $300 in money that belonged to her. I think this was before she examined the dresser. She also examined Mr. Lillie's clothing—the pants—and said if he had any money it was all gone. Mrs. Lillie said the man was standing northwest of the bed when she saw him; he stood north of the stovepipe. She indicated this by pointing. I noticed the position of Mr. Lillie's head the first time I went there that morning. He was lying with his face toward the west at an angle of about eighty degrees, I would judge. I mean by this that if he was lying with his face straight toward the west that would be 100 degrees."

When court adjourned the examination of this witness was not concluded.

Surveying for New Railroad.

BEATRICE, Neb., Feb. 13.—(Special Telegram.)—J. E. House, civil engineer, was in the city today and in company with the local officers of the Kansas City, Beatrice & Western Railroad company started across the country for Virginia to begin preliminary examination and survey for the permanent location of the line between Virginia and this city. The work of constructing the new road will begin just as soon as warm weather opens, but as yet the exact route of the road is not known. Mr. House was connected with the Union Pacific during its early history, but is now employed as civil engineer for the Missouri Pacific.

One Year for Horse Stealing.

BEATRICE, Neb., Feb. 13.—(Special Telegram.)—Otis Heffelfinger and Bill Blowers, who were arrested at Concordia, Kan., charged with stealing a team of horses from the former's father in this city, were arraigned in district court today. Heffelfinger refused to plead and his case was continued over until next week. Blowers plead guilty and was sentenced to one year in the penitentiary.

Fails to Secure Contract.

BEATRICE, Neb., Feb. 13.—(Special Telegram.)—The mandamus case of Paul Springer against The Board of Supervisors to compel them to award him the contract for doing the county binding because he was the lowest bidder, was decided in favor of the defendant by Judge Lemon today. The contract was recently let to Milburn & Scott.

No Blame on Train Crew.

ELM CREEK, Neb., Feb. 13.—(Special Telegram.)—The coroner's jury today rendered a verdict to exonerate the crew of train No. 6 which killed Raymond Brooks yesterday, but censured the company for running so fast through town. The funeral will be held tomorrow at 2 o'clock.

Regret to Lose Judge Norris.

STOCKVILLE, Neb., Feb. 13.—(Special.)—Judge G. W. Norris finished his last term of court in this county late last evening. Many expressions of regret were heard from the members of the bar, as well as by the people attending court, that his term as judge is about to expire. During the afternoon yesterday, resolutions were presented to Judge Norris by the bar of Frontier county, and at the same time the bar took occasion to show their good will toward the judge.

Judge Norris replied in a short talk, expressing his appreciation of the kindly feeling and good will which existed between himself and the members of the bar of this county.

DOANE IS WINNER AT DEBATE

Creighton Students Come Out Second Best in Discussion of Arbitration.

CRETE, Neb., Feb. 13.—(Special Telegram.)—Doane debaters won a decisive victory over representatives from Creighton here tonight. Carl B. Perry and Paul H. Harrison represented Doane, while Creighton's end of the argument was upheld by J. M. Fitzgerald and George H. Merten. The question argued was:

"Resolved, That our government should, granting that it has the constitutional right, compel the arbitration of disputes between capital and labor."

Creighton upheld the affirmative and Doane the negative. The discussion proved to be an unusually interesting one. Mr. Harrison was easily the star of the evening, while Mr. Merten did the best for Creighton. Lawyers Doyle and Miller of Lincoln and W. W. Hastings of Wilber were the judges and their decision stood two for the negative and one for the affirmative.

Take Benson Remains to Stromsburg.

FREMONT, Neb., Feb. 13.—(Special.)—E. A. Vincent of Stromsburg was in the city today and took the remains of Swan S. Benson, who was killed in the Elkhorn yards yesterday morning, to Stromsburg for burial. Benson carried $2,000 insurance in the Modern Woodmen, $1,000 in another company and an accident policy that calls for $300 in case of death. He came here from Stromsburg, where he had lived for twenty years and his funeral will be held there tomorrow under the direction of the Modern Woodmen lodge.

Sues for Heavy Damages.

FREMONT, Neb., Feb. 13.—(Special)—Mrs. Nancy Taylor of this city brought suit today against the Union Pacific Railroad company to recover the sum of $20,000. She alleges in her petition that in October, 1900, she fell off the platform of the defendant railroad, company's train at Council Bluffs, broke her hip and sustained other serious injuries from which she will never recover. The accident was caused by the platform not being kept in proper repair or properly lighted.

Doctor Declared Insane.

FREMONT, Neb., Feb. 13.—(Special.)—Dr. Pearson, a well known physician of Dodge, Neb., was today brought before the commissioners of insanity and adjudged a fit subject for confinement in an insane asylum. The doctor has been in poor health for some time and his condition is very serious. He has been practicing medicine at Dodge for many years and is very well known in the northwestern part of the county.

Lecture at York College.

YORK, Neb., Feb. 13.—(Special.)—Rev. C. S. Harrison gave a lecture before the students, faculty and friends of York college on last evening. Mr. Harrison is widely known as a horticulturist, but he speaks with the tongue of cloquence and instruction in other lines also. The subject last night was "Women of Courage," and the masterly treatment it received made the occasion a delight to all.

Entertain Beatrice Euchre Club.

BEATRICE, Neb., Feb. 13.—(Special.)—Mrs. M. A. Metzger entertained the Euchre club yesterday afternoon, quite a large number being present. Miss Tinel Bradt won first prize, a very pretty picture, and Mrs. R. A. Weston second prize, a handsome china plate. Dainty refreshments were served and a pleasant afternoon was spent.

Wood Jury Disagrees.

NEBRASKA CITY, Neb., Feb. 13.—(Special Telegram.)—The jury in the John A. Wood case reported at 5 p. m. its inability to agree and Judge Jessen discharged them. The jury stood eight to four for conviction.

Mendelssohn Club Recital.

WAHOO, Neb., Feb. 13.—(Special.)—The Wahoo Mendelssohn club gave its annual public recital at the Congregational church last evening to a crowded house. The program was an excellent one.

FORECAST OF THE WEATHER

Fair Today and Tomorrow Both in Iowa and Nebraska is the Prediction.

WASHINGTON, Feb. 13.—Forecast:

For Nebraska, Iowa and Kansas—Fair Saturday and Sunday.

For Illinois—Fair in north, snow and colder in south portions Saturday; Sunday, fair; fresh north winds.

For Colorado and Montana—Fair Saturday; Sunday, fair and warmer.

For Wyoming—Fair and continued cold Saturday; warmer Sunday.

For North Dakota—Fair Sunday, not so cold in west portion; Sunday, fair and warmer.

For Missouri—Fair Saturday, except snow and colder in southeast portion; Sunday, fair.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Feb. 13.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

	1903.	1902.	1901.	1900.
Maximum temperature....	16	26	42	17
Minimum temperature....	6	22	17	—1
Mean temperature.........	11	24	30	8
Precipitation	T	.00	.00	T

Record of temperature and precipitation at Omaha for this day and since March 1, 1902:

Normal temperature	25
Deficiency for the day	14
Total excess since March 1	397
Normal precipitation	.03 inch
Deficiency for the day	.03 inch
Precipitation since March 1	30.50 inches
Deficiency since March 1	.74 inch
Deficiency for cor. period, 1902	6.32 inches
Deficiency for cor. period, 1901	.03 inch

Reports from Stations at 7 P. M.

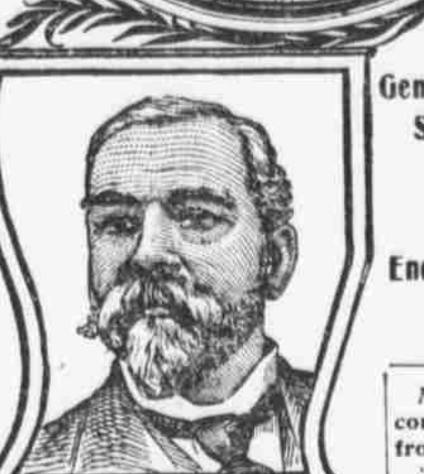
CONDITION OF THE WEATHER.	Temperature at 7 p. m.	Maximum temperature	Precipitation
Omaha, cloudy	15	16	.00
Valentine, clear	16	22	.00
North Platte, clear	14	20	.00
Cheyenne, part cloudy	—2	4	.02
Salt Lake City, clear	12	14	.00
Rapid City, clear	10	16	.00
Huron, clear	4	10	.00
Williston, cloudy	—14	—10	.00
Chicago, clear	26	30	.00
St. Louis, cloudy	34	34	.01
St. Paul, clear	8	8	.00
Davenport, part cloudy	24	24	.00
Kansas City, cloudy	24	26	.00
Havre, part cloudy	—2	—	T
Helena, part cloudy	8	10	.00
Bismarck, clear	—12	—6	.00
Galveston, cloudy	62	62	.04

— indicates below zero.
T indicates trace of precipitation.

L. A. WELSH,
Local Forecast Official.

MILITARY MEN OF PROMINENCE

Use and Indorse Pe-ru-na For Catarrhal Diseases.



Gen. Joe Wheeler, the Hero of San Juan Hill, Who Led the World-Renowned Cavalry Charge,

Endorses Pe-ru-na as an Effective Catarrh Remedy.

JOHN W. LEWIS.

Major General Joseph Wheeler commanding the cavalry forces in front of Santiago says:

"I join with Senators Sullivan, Roach and McEnery in their good opinion of Peruna. It is recommended to me by those who have used it as an excellent tonic and particularly effective as a cure for catarrh."—Joseph Wheeler.

Pe-ru-na the Soldier's Friend.

No wonder the American Soldier is a friend of Peruna when such a renowned officer as General Wheeler gives Peruna his hearty endorsement. Every one connected with the army and navy can have no reasonable doubts as to the merits of the remedy. No remedy ever yet devised has received such unstinted eulogy from so many renowned statesmen and millitary men as Peruna.

There is a natural reason for this. Peruna is a specific for catarrh, wherever located. It not only instantly cures acute catarrh, but even old cases of chronic catarrh vanish under its persistent use. The soldier is especially subject to catarrh in some form or phase. Exposed as he is to constant changes, subjected as he is to the vicissitudes of climate, wet and dry, night and day, he finds catarrh to be his most insidious and ever present foe. In field and barracks, Peruna is equally efficacious. Taken in time it will absolutely prevent catching cold. After the cold has become established Peruna will break it up quicker than any remedy known to man. Even after the cold has settled in some organ, Peruna can be relied upon to promptly dispel it.

This is why Peruna is so popular in the army and navy today. It is precisely the remedy that meets the particular ills to which this class of people are exposed. Our army and navy is the natural protection of our country; Peruna is the natural protection of the army and navy in the vicissitudes of climate and exposure.

Wm. T. Johnson, late United States Army, Tacoma Park, D. C., writes:

"Please put me down as a thorough believer in Peruna as a catarrh remedy and as a tonic good for the effects not only of that obnoxious disease, but to tone up the system that has been overtaxed or run down by continued strain, either physical or mental. It is particularly excellent as a tonic."—Wm. T. Johnson.

S. H. Simpson, late Lieutenant of United States Army, 901 16th street, N. W., Washington, D. C., writes:

"Peruna has been used for catarrhal trouble by many of my acquaintances with such beneficial results that I am satisfied of its great curative excellence and therefore give it hearty recommendation."—S. H. Simpson.

Wm. H. Hugo, late Brevet Major, U. S. A., 125 C street, N. W., Washington, D. C., writes:

"I can cheerfully join with my numerous friends in the states who have used your preparation in recommending your Peruna to any one who is in need of an invigorating tonic, and as an effective remedy for catarrh."—W. H. Hugo.

John W. Lewis, late Captain U. S. A., Late Register of Public Lands in State of Oregon, with office at Dallas, Oregon, writes from 712 4th st., N. W., Washington D. C.:

"Peruna as a sure cure for catarrh, and a most refreshing tonic, is without doubt a most remarkable success. Many of my friends have been benefited by its use, and I have confidence in its remedial excellence."—Major Lewis.

If you do not derive prompt and satisfactory results from the use of Peruna, write at once to Dr. Hartman, giving a full statement of your case, and he will be pleased to give you his valuable advice gratis.

Address Dr. Hartman, President of The Hartman Santarium, Columbus Ohio.

STATEHOOD BILL A RIDER

To Be Added as an Amendment to Postoffice Appropriation

THREE REPUBLICANS FAVOR THE PLAN

President Becoming Anxious Over the Status of the Canal and Cuban Reciprocity Treaty in the Senate.

WASHINGTON, Feb. 13.—The senate committee on postoffices and post roads today decided to amend the postoffice appropriation bill by adding as an amendment the omnibus statehood bill.

The vote on the motion to amend was 8 to 5. The members who voted for the proposition are: Elkins, Mitchell and Penrose, republicans; Clay, Culberson, Dubois, Simmons and Taliaferro, democrats. Those who voted in the negative were: Beveridge, Deboe, Dolliver, Lodge and Proctor, all republicans. Senator Mason, chairman of the committee, presided and did not vote.

President is Becoming Anxious.

Senator Cullom, chairman of the foreign relations committee, had a conference with the president today concerning the treaties that are now pending in the senate. The anxiety of the president to have both the Panama canal treaty and the Cuban treaty ratified as soon as possible is not conceded. While it is not understood that a definite decision has been reached, it can be said that it is not impossible that in case the senate should fail to act upon those treaties at this session an extra session may be called to consider them. According to the best information today, it seems likely that an extra session will not be necessary. The belief is that both the pending treaties mentioned will be ratified before the close of the present congress.

Naval Stations in China.

The selection of two stations in China for naval use by the United States is in conformity with the findings of the naval general board, which has satisfied itself that this will be a sufficient number to meet naval needs. One station is to be located at Guantanamo and one at Bahia Honda, thus giving command of one of the two great channels of commerce at either end of Cuba.

Shipment of Liquors.

The senate committee on interstate commerce today heard arguments pro and con on the house bill making liquors shipped from one state to another subject to the laws of the latter. The friends of the bill urged that the police powers of the states should apply as soon as shipments entered the state of the consignee, while the opponents urged that the proposed law is in violation of the constitution of the United States.

Considers Littlefield Bill.

The senate committee on the judiciary today further considered the question of trust legislation on the basis of the Littlefield bill, attention being again monopolized by the question as to whether all corporations should be included in the requirement to make returns. Senator Bacon offered an amendment providing that the returns required shall only be mandatory upon large corporations, but that it may be made applicable to smaller ones in the discretion of the authorities having the matter in hand.

Cabinet Considers Canal Question.

While no statement of the details of today's cabinet meeting was made, it is known that serious consideration was given to the status of the Panama canal treaty in the senate and its ratification will be urged upon its advocates in the senate.

The cabinet discussed with the president the selection of the United States commissioners under the terms of the Alaskan boundary treaty, which was ratified a few days ago. The commissioners have been chosen and they may be announced very soon.

Rathbone Wants Investigation.

The senate committee on relations with Cuba today considered an application made by J. G. Rathbone, director of posts for Cuba during the American occupation, for an investigation into the circumstances connected with his trial for irregularities made by this government. Mr. Rathbone filed a petition with the commission, in which he alleged that injustice had been done, that he was not allowed to summon witnesses who were necessary to the proper presentation of his case, and he was not permitted to make an appeal. The petition was referred to Senators Platt and Teller.

Claims to Be Amicably Settled.

The issues between San Domingo and the United States arising from claims of the latter country are in a fair way to be amicably and satisfactorily adjusted through the efforts of Minister Powell. One of the principal claims, that of the Santo Domingo Improvement company, involving the transfer to the Dominican government of a railroad property valued at several million dollars, already has been referred to arbitration by mutual consent and the State department is now informed that the other two questions of large importance, the claim of the Clyde Line Steamship company for the refundance of port dues and the Ros claim for considerable property, constructed under concessions not fulfilled by the Dominican government, will be adjusted in similar manner in a few days.

Relief for Famine Stricken.

Dr. J. C. Sorensen, surgeon-in-chief of the Northern Michigan General hospital and chairman of the National Finland Central Relief Association of the United States, arrived here today to consult with Senators Burrows and Alger of Michigan and Nelson of Minnesota regarding relief for the famine-stricken residents of Finland, particularly the securing of ocean transportation for the grain and flour which is being contributed by the farmers of that nationality in this country. The northwestern railroads, it is said, have agreed to transport these supplies over their lines free of charge between February 20 and 28. Dr. Sorensen says that 100,000 people in Finland are entirely destitute.

Elkins Bill Will Reach President.

Senator Elkins today consulted members of the committee on interstate commerce and secured an agreement to concur in the amendments to the Elkins anti-rebate bill passed by the house today, when it is received by the senate. This action will send the bill to the president.

May Buy $10 Certificates.

Secretary Shaw has sent a letter to United States Treasurer Roberts in which attention is called to the fact that the outstanding $10 refunding certificates issued under the act of February 26, 1879, now amount to only $21,120. The secretary says that owing to the small denomination of these certificates the holders have not been able to convert them into bonds and he directs the treasurer to purchase such certificates when offered at par and accrued interest, and to charge the same to the sinking fund.

Worms Dye Own Silk.

To displace the dyer and cause the silkworm to color silk naturally in any desired shade is the object of a set of most interesting experiments which form the subject of a special report to the State department from United States Consul Atwell, at Roubaix, France. He says that two French scientists have actually succeeded in producing bright red cocoons by feeding the silkworms with leaves washed over with red. Orange and blue shades also have been produced. The experiments are continuing.

Roosevelts Entertain Again.

Mrs. Roosevelt resumed her Friday evening musicales at the White House tonight. There were a large number of invited guests, who listened to an interesting program, which began at 10 and lasted until midnight. The guests included the members of the cabinet, representatives of the diplomatic corps and of congress, with the women of their families and friends from resident and New York society.

Preceding the musicale the president and Mrs. Roosevelt entertained at dinner Baron and Baroness Speck von Sternberg, Secretary and Mrs. Hay, Secretary and Mrs. Shaw, Postmaster General and Mrs. Payne, Secretary Moody, Secretary and Miss Wilson, Senator John P. Jones, Senator Kittredge, Mrs. Hobart, Mrs. George Lee, Mme. De Perez, Mr. and Mrs. MacVeagh, Mr. and Mrs. A. J. Hopkins, Mr. and Mrs. Douglas Robinson, jr., Captain and Mrs. Cowles, Mr. and Mrs. W. Austin Wadsworth, Mr. Sargent and Miss Calderon.

Philippine Railroad Charter Granted.

A franchise has been granted by the Philippine commission to the Manila Railway company to construct a railroad, forty miles long, from Guiguinto to Cabanatuan, lying northwest of Manila. Up to this time the backbone railroad from Manila straight northward to Dagupan has constituted the entire railway system of the Philippines, and this concession marks the beginning of an epoch of railway development which is expected to open up the agricultural resources of the interior.

The act is guarded carefully in the interest of the natives. The last section expressly provides that it shall not prejudice the insular government or the government of the United States in the issues pending between the railway company and those governments.

Ask Colombian Letters.

Senator Morgan's resolution calling on the secretary of the navy for the correspondence of naval officers in Colombian waters last year was reported favorably today by the senate committee on naval affairs.

Seeks to Institute Parcels Post.

Senator Wellington today introduced an amendment to the postoffice appropriation bill, making an appropriation of $100,000 to test the parcels post between Washington and nearby cities. Senator Burrows introduced an amendment to the same bill allowing pound rate postage on periodicals delivered by letter carriers in cities.

Fairbury Postmaster Appointed.

The senate today confirmed the appointment of R. W. McLucas of Fairbury as postmaster.

A number of naval promotions and a large number of army nominations that have been held in committee for many weeks were also confirmed, including all the officers nominated to be brigadier generals for retirement.

House Has Alaskan Treaty.

The president today transmitted to the house a copy of the Alaskan treaty, together with the draft of a bill appropriating $100,000 to carry out its provisions.

Taxation of Railroads

Why the Roads Prefer to Let Well Enough Alone.

At the public conference on railway taxation this week between members of the Wisconsin legislature and the presidents of the railroads operating in that state, where the law as it now stands imposes a tax of 4 per cent on gross earnings of the railroads, the most pertinent information was furnished by W. W. Baldwin, as the personal representative of the Burlington road, whose statement was as follows:

Shirk Taxes Everywhere.

"I represent the Burlington. Our interest is comparatively small in Wisconsin. We have 223 miles of a system of 8,500 miles. I think I may be able to give some information in response to an inquiry of the gentleman who sits over there (referring to Mr. Dahl) as to the actual result in those states where the ad valorem system now prevails and has prevailed for many years. The Burlington system is operated in eleven different states, and in all those states the ad valorem system prevails, except in Wisconsin and Minnesota, and I have prepared statements of the amount of taxes that we pay a mile in each of these states for the year 1900. We pay the highest rate per mile in this state. I do not include in this the state of Illinois for special reasons which I will give.

"Now, take our entire road in this state and the state of Illinois. We have about 108 miles in Illinois, and we paid last year on that line in Illinois $250 a mile in the ad valorem system. We paid in Wisconsin $290 a mile. We paid over $64,000 in taxes in Wisconsin last year. Now, it does not follow, of course, that because different rates a mile prevail in the different states, that the roads are all of the same value. But to illustrate the mixed problem that will be before you or before any tribunal that will take up the question of what we call the ad valorem system, just make a comparison of the state of Missouri, for instance, with the state of Wisconsin.

Value of St. Louis Terminals.

"Now, in Wisconsin, we have just a single track; there is no double track railroad. We have no terminal facilities in Wisconsin. The road is built, as you know, along the river banks. In the state of Missouri we have a valuable system of railroads. We have terminals in the city of St. Louis which cost recently between $6,000,000 and $7,000,000. We have three expensive bridges over the Missouri river. We have valuable terminals in Kansas City and St. Joseph and the main line of the Hannibal road crosses the state of Missouri, its trunk line road fed by the tremendous trunk from the west.

"Now, compare that property—you're talking about property and you're talking about establishing the ad valorem—we pay today under the ad valorem system in the state of Missouri $550 a mile, and upon this single track railroad in the state of Wisconsin we're paying today $290 a mile.

"Well, you say if that is so I should think you would want to go to the ad valorem system if the effect of that is going to be to reduce your taxes.

"It depends altogether, gentlemen, on how the ad valorem system is administered. It depends altogether upon that. If the ad valorem system is administered in Wisconsin upon the theory of the valuation of this line of railroad that we have in the state of Wisconsin laid down by your tax commission, if they as the tribunal are intrusted with the authority and they apply the principal of taking the stock and bond valuation of the Chicago, Burlington & Quincy and bring that whole valuation into the state of Wisconsin on the mileage basis, these taxes that we are now paying of $275 a mile will be practically doubled. It depends upon how you administer it.

Confronted With a Condition.

"If we know we could have the ad valorem system applied in the spirit and in the manner in which it is applied in Illinois, or in Iowa, or Nebraska, or Missouri, and to other property in the state of Wisconsin, so far as I am concerned I would not—speaking for the Burlington road—have any objection to the ad valorem system. But I feel as though you are confronted with a condition in this state. You must remember, gentlemen, that these ad valorem systems in Illinois have been in existence for thirty years. They are the outgrowth of experience. They have come up through the years, so that they have been every year the subject of argument and the subject of examination.

"In Iowa we have had the system since 1873—for thirty years. Missouri about the same.

"Now, you go into it under certain pressure. Disguise it as you may, under the impulse of a certain agitation each year all have been referring to it and this thing is being agitated and advocated. Remember this, gentlemen, that the agitation will not cease if you adopt the ad valorem system. The agitation has not ceased in Iowa because we have the ad valorem system. The railroads spent a good part—a number of them—a good part of last winter at Des Moines upon this very question and we have the ad valorem system.

Railroads Want the Assessors.

"And, strange to say, the arguments that were advanced by those who were the men strongest in the agitation was to drop the ad valorem system and give us the Wisconsin system. Now, that is the truth. Give us the Wisconsin system, where we will be out of the political agitation, they said. If you have the ad valorem system you must have a tribunal. The railways are bound to be interested in whom the men of that tribunal shall be. If it is elected they are going to be interested in that. If the governor is to appoint it they will also be interested to get the right kind of governor. What we want is something autocratic, something that is not the play of party politics, and is not subject to continual agitation. Don't expect that you are going to get rid of agitation upon the subject of railroad taxation by adopting the ad valorem system.

"Of course this appeals to us in a broader way than the mere Wisconsin way. What I want to say is this: That if that theory, that idea of fixing the valuation in the first place—as I understand the commission they do not propose that the Iowa plan or the Illinois plan of applying the rates which prevail in each taxing district shall apply here—but propose a theoretical way which they have arrived at, it seems to me, omitting a great deal of the property of Wisconsin, and they also propose or suggest substantially the arriving at the valuation in a theoretical way.

Franchise Values Now Escape.

"Now then, of course, if that should be done here and then that principle be extended to Nebraska and Kansas, why the result would make a great deal of difference in the matter of our taxes.

"Now, I will only take your time for one moment longer to show you why, so far as the Burlington is concerned, the application of these theories, the trial of the experiment, going from the information which has been laid before you, that if you apply these principles it will be demonstrated that railroads have been robbing the state of Wisconsin of $1,000,000 a year. If you apply those principles it will make a tremendous amount of difference to us in states like Kansas, and Wyoming, and Montana; that is, taking a valuation based upon the stock and bonds and carrying that value on a strictly mileage basis to those states, regardless of the value of the property.

"They say we have got the property there; we will tax the property; but when we go to Kansas or to Wyoming or to Wisconsin the suggestion is that we will bring that property through the stock and bond theory here and tax it on a basis of the value of the property, as obtained per mile by the stock and bonds, and that would increase our valuation in Kansas from what it is now, $1,124,000, to over $16,000,000, and would increase our taxes from $4,250 to $393,000, and in Wyoming the change would be from $32,000 to $366,000, and in Montana from $17,000 to about $192,000.

Problem Alike in All States.

"The very same principle applies that substantially is used by the commission in reaching the conclusion that the railroads in Wisconsin are not paying their fair rate of taxes, because that is all worked out in their report. The rate is worked out and the valuation is worked out, and, taking this as the condition and the probable outcome of this agitation, I simply wanted to call your attention to the fact of the results, as they appear upon the property of the Burlington road in other states.

"We are now paying—I do not know whether all of you appreciate how much—what percentage of their net earnings the railroads are paying in taxes in Wisconsin. I think they are paying about 11½ per cent in taxes of their net earnings—11½ per cent on all their net earnings in the state are being paid in taxes. We pay out of the Chicago, Burlington & Quincy this year $1,700,000 taxes on between sixteen and seventeen millions of net earnings, or pay nearly 10 per cent taxes now all over the country.

"Just pardon me with being impressed with the gravity of the situation, that this principle shall find foothold by law in Wisconsin and be carried into these other states. What do you suppose the railroads are going to be obliged to pay in the matter of taxes? There is no reason why that should not be carried in Kansas and Wyoming, and to Nebraska and elsewhere the same as in Wisconsin, and that influences you, because, if you diminish our revenues it diminishes our opportunity to make improvements and do other things we ought to do in the state of Wisconsin."

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