THE OMAHA DAILY BEE.

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RACE PLAYS NO PART

Roosevelt Vigorous in Defends His Policy in Southern Appointments.

COLOR IS WEIGHED IN NEITHER BALANCE

Would as Soon Consider Creed or Birthplace in Filling Offices.

HOSTILE CRITICS MOSTLY NEW YORKERS

Men Totally Unaffected Start Outcry for Reasons Hidden.

SAYS PUBLIC SERVANTS NAMED ARE GOOD

Refers to Many Democrats and Promises to Remove All Who May Be Proved Unfit for Positions Given.

ATLANTA, Ga., March 1.—President Roosevelt has written to the editor of the Constitution defending his policy with regard to federal appointments in the south. The letter was in reply to a request from the editor that Mr. Roosevelt answer certain criticisms passed on his actions by Harry Stillwell Edwards of Macon.

The letter follows:

Dear Mr. Howell: As to federal appointments in the south, frankly, it seems to me my appointments speak for themselves and that my policy is self-explanatory. So far from feeling that they need the slightest apology or justification, my position is, that on the strength of what I have done, I have the right to claim the support of all good citizens who wish not only a high standard of federal service, but fair and equitable treatment to the south as well as to the north and a policy of consistent justice and good will toward all men.

Considers Local Prejudices.

In making appointments I have sought to consider the feeling of the people of each locality so far as I could consistently do so without sacrificing principle. The prime tests I have applied have been those of character, fitness and ability and when I have been dissatisfied with what has been offered within my own party I have without hesitation gone to the opposite party, and you are of course aware that I have repeatedly done this in your own state of Georgia.

I certainly cannot consider color a bar to holding office (for did I do so I should be obliged to consider creed or birthplace also), always provided that in other respects the applicant or incumbent is a worthy and well behaved American citizen.

Just as little, however, will I consider it as conferring a right to hold office. I have scant sympathy with the man of mere theory who refuses to face facts, but do you not think that in the long run it is safer for everybody if we act on the motto "All men up" rather than on that of "Some men down?" I ask you to judge not by what I say, but what during the last seventeen months I have actually done. In your own state of Georgia you are competent to judge from your own experience. In the great bulk of the cases I have reappointed President McKinley's appointees. The changes I have made were, as I think you will agree, changes for the better and not for the worse.

Whites Often Supplant Blacks.

It happens I have appointed a white man to succeed a colored man as postmaster at Athens and surveyor at Atlanta. In South Carolina I have similarly appointed a white postmaster to succeed a colored postmaster. Again, in South Carolina I have nominated a colored man to fill a vacancy in the position of collector of the port of Charleston, just as in Georgia I have reappointed the colored man who is now serving as collector of the port of Savannah. Both are fit men. Why the appointment of one should cause any more excitement than the appointment of the other I am wholly at a loss to imagine. I need hardly say that to connect either of these appointments, or any or all my other appointments, or my actions in upholding the law at Indianola, with such questions as "social equality" and "Negro domination" is as absurd as to connect them with the nebular hypothesis or the theory of atoms.

I have consulted freely with your own senators and congressmen as to the character and capacity of any appointee in Georgia concerning whom there were was question. My party advisers in the state have been Major Hanson of Macon, Walter Johnson of Atlanta, both of them former confederate soldiers, and Harry Stillwell Edwards, also of Macon. I believe you will agree with me that in no state would it be possible to find gentlemen abler and more upright or better qualified to fill the positions they have filled with reference to me. In every instance where these gentlemen have united in making a recommendation I have been able to follow their advice. Am I not right in saying that the federal officeholders whom I have appointed throughout your state are, as a body, men and women of a high order of efficiency and integrity? If you know of any federal officeholder in Georgia of whom this is not true pray let me know at once. I will welcome testimony from you or from any other reputable citizen which will tend to show that a given public officer is unworthy; most emphatically short will be the shrift of any one whose lack of worth is proved. Incidentally, I may mention that a large percentage of the incumbents of federal offices in Georgia under me are, as I understand it, of your own political faith. But they are supported by me in every way as long as they continue to render good and faithful service to the public.

Refers to Many Democrats.

This is true of your own state, and by applying to Thomas Nelson of Virginia, to General Basil Duke of Kentucky, to George Crawford of Tennessee, to John McIlheny of Louisiana, to Judge Jones of Alabama and Edgar S. Wilson of Mississippi, all of them democrats and all of them men of the highest standing in their respective communities, you will find that what I have done in Georgia stands not as the exception, but as the rule for what I have done throughout the south.

I have good reason to believe that my appointees in the different states mentioned, and as the sum of the parts to the whole, necessarily in the south at large, represent not merely an improvement upon those whose places they took, but upon the whole a higher standard of federal service than has hitherto been attained in the communities in question. I may add that the proportion of colored men among these new appointees is only about 1 in 100.

In view of all these facts I have been surprised and somewhat pained at what seems to me the incomprehensible outcry in the south about my actions, an outcry apparently started in New York for reasons wholly unconnected with the question nominally at issue. I am concerned at the attitude thus taken by so many of the southern people, but I am not in the least angry; and still less will this attitude have the effect of making me swerve one hair's breadth, to one side or the other, from the course I have marked out, the course I have consistently followed in the past and shall consistently follow in the future.

With regards, sincerely yours,

THEODORE ROOSEVELT.

BALDY SMITH PASSES AWAY

Prominent Civil War Veteran Dies in His Eightieth Year at Philadelphia.

PHILADELPHIA, March 1.—General William Farrar Smith, better known as "Baldy" Smith, one of the prominent figures of the civil war, is dead at his home in this city. He was in his 80th year.

He entered West Point at the age of 17 and when the civil war broke out was made commander of the Third Vermont regiment. He rose rapidly and became one of the leading figures in that struggle.

Fifteen years ago he engaged in the work of improving the rivers and harbors in Delaware and Maryland and made his home in this city. About a year ago he retired from this work and last November he took a cold, from which he never recovered. He is survived by a daughter and a son, who is an assistant naval constructor. General Smith's death reduces the corps commanders of the civil war to four.

INVENTORS IN THE ASYLUMS

Russian Scientist Says that Mental Strain Drives Them Mad.

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ST. PETERSBURG, March 1.—(New York World Cablegram — Special Telegram.) — Prof. Stiel of St. Petersburg, an authority on brain diseases, has been collecting statistics of mental aberration due to straining of the inventive faculties. He says the number of inventors in Russian asylums for the insane has increased fivefold in ten years. The number now is nearly 1,300, of whom eight are women.

A physician who went mad trying to invent flexible artificial limbs with joints is now engaged in the asylum in grotesque efforts to invent a marionette which can walk around the room without stumbling.

A chemist who became insane in an attempt to discover new artificial soil fertilizers imagines himself a grain of wheat and is constantly planting himself in different kinds of soils to observe the effects.

One woman is ceaselessly wrapping up a large doll with different kinds of bandages, but, as she remains obdurately silent, it is difficult to guess what her ideas are. She was a typewriter who lost her reason in an attempt to invent a noiseless machine.

Another woman is at work inventing an ointment to smear on children's bodies to keep the cold out.

CUNARD WEDDING IS PRIVATE

Those Invited Only Receive Informal Note the Day Before the Wedding.

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LONDON, March 1—(New York World Cablegram—Special Telegram.)—Mrs. Padelford's wedding with Mr. Cunard was only attended by intimate personal friends, who were invited by informal notes sent out by her the day before. Ambassador Choate accompanied the bride to the church. She was extremely nervous and anxiously asked the ambassador if she had arrived before the bridegroom. But the latter was there already.

The bridal robe was a doucet frock of champagne colored crepe with masses of deep plaits and a falling cape of fine guipere over the sleeves. In addition to the embassy people, Mr. and Mrs. Jacob Lorillard were present.

The first month of the honeymoon will be passed in Paris. Then the couple will motor to Nice to stay with the bridegroom's parents.

Mr. and Mrs. Ridgley Carter gave a luncheon Sunday in honor of the bride and bridegroom at the Carlton.

NO TERRORS IN PNEUMONIA

Italian Physician Discovers a Serum Which Robs Disease of Danger.

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ROME, March 1.—(New York World Cablegram—Special Telegram.)—Prof. Guido Tizzoni of the Bologna university has discovered a serum which is said to render pneumonia comparatively harmless, depriving it of its dangerous character. Experiments on strictly scientific lines prove it one of the most important medical discoveries of recent years, and one likely to lower materially the death rate in all countries.

Prof. Tizzoni has already discovered the curative serum of tetanus, or lockjaw.

He was born in Pisa in 1853, took his M. D. at the Naples university, studied under the great German pathologists Scron and Virchow, and was appointed to the chair of pathology at Catina, from whence, in 1880, he went in the same capacity to Bologna. Tizzoni is also an ardent politician and a member of the Italian Chamber of Deputies.

FRENCHMEN WHO LIVE LONG

Century Mark Does Not Keep Two Noted Ones from Ranks of Mentally Active.

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PARIS, March 1.—(New York World Cablegram—Special Telegram.)—The dean of French medical men is Dr. David of Montpellier, who celebrated his 103d birthday on February 10. The doctor was born on the 19th day of Pluviore year IX, and practiced medicine until he reached the ripe age of 99 years. He then retired and went to live at Montpellier with his daughter.

Dr. David is in full possession of all of his faculties, is an authority on certain diseases, and patients still consult him, some from great distances.

Another grand old man of France is Ernest Legouve, the academician, 96 years old. He is still hale and hearty, continues in literary work and every morning has a quarter hour's bout with his foils with his fencing master. Indeed he is a firm believer in every kind of physical exercise and especially fencing as a source of longevity.

COLOR AND PERFUME STATUES

New School of Parisian Sculptors Have Taken Up with a New Fad.

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PARIS, March 1.—(New York World Cablegram — Special Telegram.) — The latest notion among Parisian sculptors is to perfume as well as color their feminine figures. The practice of tinting the marble has been gaining in favor with French sculptors to such an extent that in the last few years a pure white statue, particularly representing a woman, has been a rarity.

The younger men, in their desire to produce something ultra æsthetic, mix their paints with oils especially prepared with powerful perfumes, thus giving an added touch of realism to the statues by making an appeal to the sense of smell as well as to the sight. The true Parisian is an enthusiastic advocate of perfume.

Phipps Further Aids India.

CALCUTTA, March 1.—Henry Phipps, director of the Carnegie Steel company, who gave Lord Curzon $10,000 on February 1 to be devoted to some practical object for scientific research, promising to be of enduring benefit to India, and who, on February 3, gave Lady Curzon $10,000 for her Victoria memorial midwifery fund, handed to Lord Curzon today a further sum of $50,000 for the promotion of agricultural and scientific education.

Government Aids Strike Settlement.

VICTORIA, B. C., March 1.—At the mining convention here last night Premier Prior was present and announced that the government would pay the expenses of a commission, to be named by the convention, to proceed to Fernie and endeavor to settle the coal miners' strike. The announcement was received with surprise.

WORK OF THE SHORT SESSION

Congress Has Done During the Last Three Months.

CONTROL OF REGULATION OF COMMERCE

Creation of a Strong Position Which Will Have Charge of the Business Interests of the Country at Large.

(From a Staff Correspondent.)

WASHINGTON, March 1.—(Special.)—Three or four years ago the correspondent of a great metropolitan daily newspaper received a dispatch from his managing editor which read: "When is congress likely to adjourn? Rush answer."

There are a great many people in this country, including managing editors of important newspapers, who do not know or who fail to remember that under the law the final session of every congress must adjourn sine die at the close of the legislative day of March 3. This means, invariably, at noon on March 4 of each odd numbered year. The final session of the Fifty-seventh congress will adjourn on Wednesday next at noon. It will have left a vast mass of bills, probably upward of 10,000, unacted upon at that time, but the short session will nevertheless be notable for the great amount of legislative work accomplished during the last three months. Because there are a few days more still remaining in which bills may be rushed through one or both houses, it is impossible at this time to say accurately just what has been accomplished. But the short session of this expiring congress has enacted no less than four laws directly aimed at trusts, which have been the prime objects of attack for several years past. The first of the four has for its purpose the expediting of the hearing and determination of suits in equity now pending or which may be brought in the future under any laws now in force, or that may be hereafter enacted, upon the certificate of the attorney general that the case is of general public importance. The second act directly related to anti-trust legislation is a clause in the general deficiency bill authorizing the president to appoint an assistant attorney general at a salary of $7,000 and another at $5,000 a year, and also authorizing the attorney general to appoint two confidential clerks without reference to the Civil Service commission at salaries of $1,600 a year each. These new officials are directed to perform such tasks as may be assigned to them by the attorney general, and it is of course understood that their duties shall consist mainly in looking especially after the enforcement of anti-trust laws.

Funds and Machinery.

For the first time the chief law officers of the government are therefore provided with the necessary funds and machinery for enforcing the observance of the laws to regulate commerce and to protect the business interests of the country against unlawful restraints and monopolies. This law generally known as the Sherman anti-trust law, because the bill which led up to it was originally introduced by the late John Sherman of Ohio, then chairman of the finance committee of the senate. The so-called Sherman law was reported from the Ohio statesman's committee with a favorable recommendation, but it was subsequently referred to the committee on the judiciary, over which former Senator Edmunds presided, and it was a substitute, resembling the original in but few particulars, that was finally reported back by the senator from Vermont and subsequently passed by both houses. In a letter written a short time ago referring to this act, Mr. Edmunds says that the judiciary committee was at that time "unanimously of the opinion that the bill it reported was in respect of its general scope an exercise of the whole constitutional power of congress, which could only legislate for the freedom and regulation of commerce with foreign nations and among the several states." He adds, "and I am of the same opinion still." He then says: "The only difficulty with the bill we reported and which became law was the want of administration, that is to say, that the law was and is entirely capable of putting an end to so-called trusts and such combinations as interfere with or restrain commerce among the states, etc., if the officers of the government having charge of the enforcement of the law understand their duty and are willing to do it, being, of course, supplied with sufficient means to put it in force." In conclusion, he says: "What is needed is not, so much, more legislation as competent and earnest administration of the laws that exist. I have no doubt that the present attorney general and his very able assistants will find easy means, if supplied with the necessary funds, to arrest the progress and undo the mischievous work of such great and injurious combinations as have so largely come into recent existence."

New Cabinet Office.

The act to establish the Department of Commerce and Labor also creates a bureau which will have its effect upon trusts. This is the bureau of corporations, over which James R. Garfield, son of the martyred president, has been appointed to preside. Under the act authority is given to the commissioner of corporations to make investigation into the organization, conduct and management of the business of any corporation, joint stock company or corporate combination engaged in commerce among the states or with foreign nations, except railroads and other common carriers.

The information and data gathered is for the purpose of enabling the president to recommend to congress such legislation for the regulation of commerce as may be deemed desirable under the circumstances. The commissioner, in order that he may be able to carry on his investigations, is given power similar to those held by the Interstate Commerce commission, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documents and also to administer oaths. The act, however, does not interfere in any way with the business of private individuals, nor does it organize an investigation into their affairs.

Against Railroad Rebates.

The fourth of the acts affecting trusts enacted during this short session of congress is that known as the Elkins anti-rebate act. Its object is to prevent undue discriminations in the way of rebates and makes the recipients of such rebates as well as the giver subject to a fine of from $1,000 to $20,000 for each offense.

The enforcement of this law is entrusted to the Interstate Commerce commission. Members of that body declare their belief that in substituting fines for imprisonment as penalty for violations of the Interstate Commerce act will enable the commission to secure convictions in many cases where such convictions would be impossible if

(Continued on Fifth Page.)

PASSENGER TRAINS COLLIDE

Engines Smashed, But No One Injured in a Wreck on Union Pacific.

CHEYENNE, Wyo., March 1.—(Special Telegram.)—No. 1, westbound, and No. 4, eastbound, met headon at Megeath, fifty miles east of Sidney, Neb., on the Union Pacific at an early hour this morning. No. 4 had orders to meet No. 1 there and to take the siding, but the air failed to work and the eastbound train crashed into the flyer. Three engines were badly damaged, but as far as can be learned no one was injured. Traffic was not delayed to any great extent, for No. 4 was not running fast and the accident occurring at the switch little difficulty was experienced in clearing the track.

OGALLALA, Neb., March 1.—(Special Telegram.)—Train No. 1, limited, westbound, and train No. 4, the Overland, eastbound, were in collision at Megeath at 3 a. m. today, caused by the airbrake not working on No. 4. No. 1 had two engines and the three engines on both trains were damaged to some extent. No persons were injured. No. 1 was standing on the main track waiting for No. 4 to take the siding. The wreck occurring at a siding other trains were not delayed. Passengers on the wrecked trains were transferred to other trains.

Fresh engines were sent to the scene from Sidney and both trains proceeded. No. 4 arrived in Omaha at 9:40 last evening more than fourteen hours late, but a large portion of the delay was previous to the wreck and due to drifting snow.

Thomas M. Orr, secretary to the president, the only officer of the company who could be found last night, said: "We have received nothing but incomplete reports, but they state no person was injured. I do not know exactly how the accident happened nor who was responsible."

NEBRASKANS BITE AT FRAUD

With Iowans and Others Buy Bogus Timber Lands in Oregon.

BAKER CITY, Ore., March 1.—A timber land swindle, in which a number of Nebraska, Iowa and Illinois investors have been caught, has, it is stated, been discovered at Sumpter.

Persons from these states arrived here recently to look up timber land, purchased from a company that had been operating in the east. It was represented that a large eastern syndicate was soon to begin operations here and that quarter sections of timber land that could be located for from $100 to $125 would, within a short time, enhance wonderfully in value.

Some of the investors, it is stated, have been shown fine bodies of timber land which they had selected only to find that the locator had picked out for them a worthless piece of rock land.

WATERBURY RIOTS RENEWED

Both Sides Fire Shots and Thugs Attack Prosecuting Attorney on Street.

WATERBURY, Conn., March 1.—Little of note was reported today in the strike situation. As manager Sewell was riding home on the Waterville line last night the car was fired on by a man shrouded in darkness. At the same time stones were hurled at the car. Three arrests were made today.

Prosecuting Attorney Durant was attacked by two men tonight as he was going to his home. They knocked him down with clubs and fists and as he lay on the ground he fired four shots at them. One bullet went up through the hat of one of the men and knocked it off. Attorney Durant brought the hat back to the police station. The men escaped with no clue as to their identity.

TRY TO TAX MERCHANTS NOW

Indian Authorities Pleased with Decision on Cattle Import—Mulct Storekeepers.

ARDMORE, I. T., March 1.—It is stated here today that Indian Agent Shoenfelt has instructed the Indian police agents to collect the tribal tax of 1 per cent on the dollar valuation of merchants' stocks in the Chickasaw and Choctaw nations.

Agent Shoenfelt is said to be acting on the authority of Secretary of the Interior Hitchcock, who holds that the tribal tax is valid and, like the cattle tax, may be enforced. The merchants will ask for an injunction to restrain the police from carrying out the order, on the ground that the tax is invalid.

RAILROAD MEN DISSATISFIED

Seek Shorter Hours and Better System of Filling Conductors' Vacancies.

NEW HAVEN, Conn., March 1.—A large delegation of trainmen, freight and passenger conductors and firemen of the New York, New Haven & Hartford railroad was held today to draw up a set of demands to be presented to the officials of the road.

The demands include an eight-hour day and extra pay for work done over that time, and that the freight conductors be promoted to the position of passenger conductors when vacancies occur, instead of the positions being given baggagemen.

BUFFALO VICTIM IS BURIED

Burdick's Remains Interred in the Presence of His Widow and Children.

BUFFALO, March 1.—The body of Edwin L. Burdick, who was murdered last Thursday, was today taken to his former home in Canastota, N. Y., near Syracuse, for burial. Mrs. Burdick, her three children and two close personal friends went with the body after a brief funeral service had been held at the house.

The authorities are inclined to the theory that the crime was committed by a woman.

FIRST LADY RETURNS HOME

Mrs. Roosevelt Leaves for Washington After Visiting Sons at School.

GROTON, Mass., March 1.—Mrs. Theodore Roosevelt, who has been spending several days at the Groton school with her two sons, Theodore, jr., and Kermit, left for Washington this afternoon.

She was accompanied by her daughter Ethel and a maid.

BOSTON, March 1.—Mrs. Theodore Roosevelt and her party passed through the city this evening bound for Washington.

FLEE FROM INVADING FLOODS

Pittsburg Residents Take Refuge in Upper Stories When Waters Rage.

BOATS PLY ON ALLEGHENY STREETS

Rivers Take Possession of Roadway, Forcing Vehicles to Stay at Home and Traffic to Float Aloft.

PITTSBURG, Pa., March 1.—Swollen tributaries forced the Ohio river over its banks today, flooding hundreds of houses and sending the occupants to seek refuge in the upper stories.

Mills on the low lying levels throughout the county, numbering between fifty and sixty, were flooded, and 38,375 men thrown idle for four or five days.

The flood was general throughout western Pennsylvania, the streams everywhere overflowing their banks and causing more or less damage to houses and farms that lay along their course. Downtown in Pittsburg cellars and basements of business houses were inundated, while in Allegheny two railroads were temporarily paralyzed. People in the First and Third wards of Allegheny had to employ boats on the streets, skiffs being commoner than wheeled vehicles.

Ample warning had been received by most of the residents and business houses to minimize losses. The highest stage reached by the swollen rivers at Pittsburg was 29.4 feet at the government dam at 6 this evening. It became stationary at that mark and gradually subsided. Three hours later the record was 29.1 feet. The Market street guage at 8 o'clock showed the highest point reached by the Monongahela river to be 28.6 feet. In an hour after it had fallen a little over an inch. The government guage at Davis Island dam, five miles below the city, showed the highest stage to be 26.5 feet at 9 o'clock, when the waters were stationary. From that time the flood began to fall.

The cold weather which set in last night served to check the flood. Soon after daylight the water took possession of the point districts in Pittsburg and came up almost to Penn avenue. All lower Allegheny felt the severest effects of the high water and practically every house between Isabella street and the river from the Ninth street bridge to the Point have cellars and first floors flooded. The Pittsburg & Western railroad and the Buffalo, Rochester & Pittsburg tracks are under water, necessitating their abandonment temporarily.

Boats Protected in Time.

River men took early precautions to place shipping under safe control and as a result property of that character suffered comparatively little.

From the territory up the Monongahela and Allegheny rivers comes reports of much damage by the flooding of the lower floors of houses, mills and factories. From all points above on both rivers the waters are reported as either falling or stationary and danger is averted.

Towns below here on the Ohio, however, are still to have their worst experiences.

At McKees Rocks and Corpolis, a few miles below Pittsburg, the river tonight is so high that the business sections of both places are under water and several street car lines were forced to suspend operations.

East Liverpool reports thirty feet of water, thirty-five houses flooded and several of the pottery plants damaged, of which the Thompson Pottery company will suffer most.

Street car service to Smith's Ferry has been abandoned.

At Wellsville, four miles below East Liverpool, the mill of the American Tinplate company is partially inundated and scores of families are suffering.

Steubenville, O., reports thirty feet of water and rising five inches an hour. Five more feet are expected, which will cause the Wheeling & Lake Erie and the Cleveland & Pittsburg railroads and mills on the low ground to suspend.

PARKERSBURG, W. Va., March 1.—The Ohio river is rapidly approaching the danger line and predictions are that it will be in the lower streets by Monday night. Forty-one feet are expected.

So far no houses have been reached by the flood, but men have been busy all day moving goods out of cellars and warehouses in the wholesale district and moving people in low sections out of their homes. Many homes are flooded in the Little Kanawha valley. Today's cold snap will check the water and the Little Kanawha river is already falling.

Gale Disables Atlantic Boat.

PHILADELPHIA, March 1.—The steamer Switzerland of the Mercantile Marine company arrived here today from Antwerp after a voyage of 18 days, during which it encountered terrific gales.

On February 14 a severe storm struck it from the northwest. The storm continued several days and during its height the steering gear gave way, leaving the vessel helpless for three days. The vessel sustained other minor damage.

Switzerland carried 231 passengers.

Wheeling Mills Submerged.

WHEELING, W. Va., March 1.—The danger point in the swell of the Ohio has been reached and the river is still rising. The stage at 11 was 37 feet 6 inches and it was rising six inches an hour with indications for a maximum stage of 41 or 42 feet.

Wheeling island, a portion of the south side and half a dozen blocks from the river front to the hill in Bellaire are under water, but merchandise and household effects have been removed in most instances.

The iron and steel mills on both sides of the river have been partially submerged and as the industrial establishments generally are in the low-lying districts they will be compelled to suspend operations. Traffic on the Baltimore & Ohio river roads was delayed several hours. Tonight tracks of the Pennsylvania, Baltimore & Ohio, Wheeling & Lake Erie and Cleveland, Lorain & Wheeling railroads are submerged at different points and no trains are running.

Evansville Also Fears.

EVANSVILLE, Ind., March 1.—The Ohio river is stationary here tonight and at 9 stood at 32.9. It is expected to be rising on Monday.

All the side streams are still rising rapidly. Rough and Pond rivers are out of their banks and thousands of logs and ties were lost today. River men fear a much worse rise than that of a few days ago, as the headwaters are rising and the southern rivers are bank full. Reports tonight say the Wabash, White and Patoka rivers are high. Boats have been unable to make many of the landings between here and Paducah for two weeks.

President of Uruguay Elected.

MONTEVIDEO, March 1.—Jose Estele Ordonez was today elected president of Uruguay.

CONDITION OF THE WEATHER

Forecast for Nebraska—Fair Monday and Tuesday; Warmer Monday and in West Portion Tuesday.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	15	1 p. m.	35
6 a. m.	14	2 p. m.	37
7 a. m.	14	3 p. m.	40
8 a. m.	16	4 p. m.	40
9 a. m.	20	5 p. m.	39
10 a. m.	25	6 p. m.	35
11 a. m.	29	7 p. m.	34
12 m.	35	8 p. m.	32
		9 p. m.	31

JEALOUS HUSBAND SHOOTS

Frank Robinson Takes Two Shots at Robert McCullen, but Doesn't Kill.

Thirteen months of domestic infelicity led up to a shooting yesterday afternoon, wherein Frank Robinson of 215 Willis avenue seriously wounded Robert McCullen. The shots were fired in the saloon of Remington & Burk, Sixteenth and Nicholas streets. The wounded man was taken to Dr. Hostetter's office and from there sent to Clarkson hospital. The wound was found to be in the left side of the abdomen and not of a fatal character. The bullet was abstracted.

Robinson was arrested and charged with shooting with intent to kill, and Mrs. Robinson and Herbert Robinson, the latter living at 1549 North Eleventh street, who were present when the shot was fired, were taken into custody as state witnesses.

The fight between Robinson and McCullen was the result of the former's suspicion that the latter had been too attentive to Mrs. Robinson. Herbert Robinson, who, by the way, is no relation to Frank, says that McCullen gave him a note addressed to Mrs. Robinson, which said: "Sweetheart, I need some money. Send $2." Herbert says he delivered the note to Mrs. Robinson and then told her husband of its contents. Yesterday Frank and Herbert, followed closely by Mrs. Robinson, went on a hunt for McCullen. They kept up the search all day, and late in the afternoon encountered their man in the saloon at the corner of Sixteenth and Nicholas streets. Here the fight occurred, in which Robinson drew his revolver and wounded McCullen.

GRAIN SITUATION IN KANSAS

W. F. McLaughlin Says It is Next to Impossible to Secure Cars.

W. F. McLaughlin of the Peavey Grain company, Marysville, Kan., is in the city in the interest of that concern.

"The grain situation in Kansas is in relative chaos because of the lack of transportation facilities," he said. "It is next to impossible to secure cars, and grain buyers are rather chary about buying grain until the transportation situation is relieved. The prevailing price paid for corn there now is 31 cents for white and 31½ cents for mixed corn. The corn grading facilities are limited at Marysville and better rates for grain prevail at points several miles either way from that town because of the difficulty of hauling over the rough, hilly country surrounding Marysville, which is additionally embarrassed by the prevailing bad weather.

"The grain men in southeastern Nebraska and northeastern Kansas are deeply interested in the strike situation here at Omaha. They are apprehensive that it will further complicate the transportation question, and defer the longed for relief indefinitely, possibly until seeding time, which will further delay grain shipments because of the busy farming season then to ensue and the indisposition of the farmers to haul their grain to the buying stations."

FOR GRAND ARMY COMMANDER

Judge Estelle and W. H. Green Are Understood to Be Omaha Candidates.

The next commandership of the Nebraska Grand Army of the Republic is exciting interest even at this early day. Omaha is in the field with two candidates, in the persons of Judge Lee Estelle and W. H. Green. Judge Estelle was a strong candidate at the department encampment in this city last year, in fact, the only candidate against former Lieutenant Governor C. F. Steele of Fairbury, who was elected. The south Platte country may present the name of Senior Vice Commander Peters of Beatrice. The next department encampment will be held at Fremont in May. There will also be a brisk contest for the choice of delegates to the national encampment of the Grand Army, which meets at San Francisco in August.

COTTON WORKERS TO STRIKE

Speeded Looms and Other Changes Decide Operators to Leave Mills.

NEW BEDFORD, Mass., March 1.—Three hundred weavers employed in the Bristol cotton mills go on strike tomorrow. The trouble is based on complaints of poor yarn, poor filling, poor fixing, high speeded looms and changes in style.

LOWELL, Mass., March 1.—The Lowell Textile council, composed of delegates of all the unions organized among cotton workers, has asked the treasurers of the seven cotton corporations for an advance of 10 per cent in wages, to take effect March 31.

The mill treasurers said tonight they would reply to the request in writing within a few days. The demands affect 18,000 operatives.

FALLS FROM BRIDGE TO DEATH

Workman Tumbles Seventy-Five Feet and Dies on Lighting Upon Company's Building.

ROCHESTER, N. Y., March 1.—J. H. Baird of Guysville, O., aged 24, was instantly killed yesterday by falling from the Vincent street bridge over the Genessee river to the roof of the electric light company's plant below, a distance of seventy-five feet.

It is thought he stepped backward and fell.

Movements of Ocean Vessels March 1.

At New York—Arrived—Campania, from Liverpool; Citt di Milano, from Genoa and Naples; La Savoie, from Havre.

At Gibraltar—Passed—Cambroman, from Genoa and Naples, for Boston; Sicilia from Genoa and Naples, for New York.

At Prawle Point—Passed—Staatendam, from Rotterdam and Boulogne, for New York.

At Liverpool—Arrived—Mongolian, from St. John, N. B., and Halifax.

At Queenstown—Sailed—Merion, from Boston, for Liverpool; Umbria, from Liverpool, for New York.

At Southampton—Sailed—Bluecher, from Hamburg and Boulogne, for New York.

RECORD OF SESSION

Thirty-Four Days Gone and Important Work is Only in Embryotic State.

TWENTY-SIX DAYS MORE TO DRAW PAY

If Legislative Labors Are Finished it Means Lively Times.

REVENUE DEMANDS FIRST ATTENTION

Railroads Center Their Opposition on Taxation of the Terminals.

OTHER IMPORTANT MATTERS ON TAP

No Apparent Inclination to Take the Lid Off the Celebrated Bartley Cigar Box and Investigate Contents.

(From a Staff Correspondent.)

LINCOLN, March 1.—(Special.)—If the twenty-eighth Nebraska legislature completes its docket within the sixty-day limit set by law it will need to accomplish a great deal more in the next twenty-six days than it has in the last thirty-four. When the recess was taken Friday the thirty-fourth legislative day was finished. The session reconvenes again tomorrow afternoon. From January 6, when the session began, up to tomorrow, forty-seven work days have passed, and from Monday until April 1 there will be just twenty-six, exactly enough to complete the session. But if the legislature loses as much time, proportionately, this month as it did during January and February it will come far from winding up affairs by April 1. Thirteen days during the session thus far it has not put in. Of course, a week of this time was given up to the joint revenue committee.

When the work undertaken and that completed thus far is compared it appears that this legislature is, to say the least, a deliberative body. Of the important projects of legislation how many have been consummated? There is revenue revision, admittedly the biggest and most important task before this legislature. It really is scarcely out of the shell stage. True, a bill has been drafted and is now in the hands of the standing house revenue committee, but from what is known of that bill it is evident that if it passes at all it will be after a prolonged fight has been made, for it is not one that will meet such general approval as to pass through unobstructed.

Then there is the matter of constitutional amendments, one of the most important before the legislature. Nothing conclusive has been done with it. Governor Mickey has urged action, however, and it is probable the matter will receive some impetus this week, but everything of this character is yet to be accomplished.

Some Pressing Questions.

Under this head of constitutional amendments may be found some of the pressing questions before the people of Nebraska. For instance, the persistent demand for the safe investment of the permanent school fund and the status of the supreme court. Governor Mickey and others are convinced that immediate changes are imperative. It is proposed that the bench be enlarged in membership and that the salaries of the members be substantially increased. This all must be done through the process of constitutional amendments. There is, too, a demand of undetermined extent for increases in the salaries of state officers. This, too, must be done through amendments to the state constitution.

Of course there is the demand from Omaha and other municipalities for a law entitling them to levy a direct tax on railroad terminals for local purposes, a demand so persistent that the railroads have arrayed their mightiest hosts against it with unrelenting vigor from the first of the session. They have centered their forces against this proposition as they have against no other one. This still is unattended to One bill, H. R. 171, has come and gone and been succeeded by another, H. R. 330, which has been tied up in the hands of a hostile committee ever since its introduction. The railroads are determined to keep it tied up there if possible, or failing in this, as it seems they must, kill the bill in another way.

The bills to reapportion the legislative and judicial districts of the state have just barely been introduced. If they get beyond the jockeying line they will do well. There are a lot of other measures of local character, such as the Omaha and South Omaha charter bills, which have been presented and hung up for mysterious reasons.

Cigar Box Lid Closed.

But one of the most righteous demands of the people of this state has not even had a hearing yet, and that is the demand for an investigation into the cigar box mystery in connection with the Bartley case. Some had thought the legislature would not fail to address itself to this important matter, but it appears that the legislature is coldly indifferent to it. The only thing that has been done in connection with the Bartley case is the introduction of a resolution by Senator Hall of Douglas for the release from their obligation to the state of the men who went Bartley's security. But honest inquiry develops little or no grounds for believing that this resolution will ever receive the sanction of the legislature.

Probably had not the state of Nebraska been so desperately in need of drastic revenue revision and pressed its demands with such persistency as to force the legislature to pay some attention to them, there would have been less obstruction to faithful work. But the railroads, being unalterably opposed to any form of revenue revision that would bring them to time on the payment of taxes, simply determined at the outset on blocking every move tending to change the present revenue laws and it must be admitted their efforts have not been in vain. It is said quite generally that the railroads dictated enough of the revenue bill to make it satisfactory to them.

The revenue bill doubtless will be turned over to the house by the committee Tuesday, when preliminary skirmishing may set in. H. R. 330, the so-called Omaha tax commissioner bill, probably will get into the house Tuesday, and possibly Monday. But it will come back handicapped. The majority of the committee on cities and towns, as has already been stated in The Bee, will recommend it for indefinite postponement, and the minority for passage. The common ground will be the general file, and it will be the play of the minority to land the bill on that base. Unless this can be accomplished H. R. 330 is a "goner."

New Light for Court Room.

YORK, Neb., March 1.—(Special.)—The district court room has just installed a thirty-six light electrolier, which so dis-