

## DELEGATE MONEY

War Department Officials Inclined to Insist on Cash Received by Littaue.

## KNOX TO DECIDE ON CASE PRESENTED

Matter Referred to Attorney General for Report on Legal Position.

## CONGRESSMAN INTERESTED IN CONTRACT

Investigation Seems to Show Wrong-Doing by Politician's Firm.

## ARMY OFFICERS ARE ALL EXONERATED

Deliveries, Bills and Papers Scrutinized with Meticulous Care to See True Interests of Service and the Nation.

WASHINGTON, Aug. 3.—Secretary Root today made public the papers relating to the investigation of the government contract for gloves with E. R. Lyon. This contractor secured the gloves from Littaue Bros., the senior member of the firm, Mr. L. N. Littaue, being a member of congress. Secretary Root has referred the matter to the department of justice. There is a statute which prohibits contractors for the government being made directly or indirectly with a member of congress and this is the basis of the investigation.

## Judge Advocate Reviews Case.

In the course of his report and opinion General Davis says:

It appears from the testimony that on October 6, 1898, a contract was awarded to Lyon for 4,000 pairs of mackintosh gloves at \$1.50 per pair. On December 1, 1898, a second contract for 20,000 pairs was awarded to Lyon at \$1.50 per pair. The contract provided that deliveries could be increased to 25 per cent, at the discretion of the department. The contract also provided that the contractor was to deliver 25,000 pairs of gloves at \$1.50 per pair.

Some discussion having arisen as to the price which was paid for the gloves delivered under this contract, an agreement was entered into between Littaue Bros. and the department to have an accurate account of the cost of the manufacture was to be kept and if it was found that the cost of the gloves was more than \$1.50 per pair, the contractor was to be paid the difference. It was found that the cost of the gloves was more than \$1.50 per pair, and the contractor was paid the difference.

A case falling within the prohibition of the statute in the opinion of this office comes under the prohibition of the statute. The department with performance of the duty set forth in section 372 of the revised statutes, and it is therefore recommended that a demand be made by the quartermaster general on Littaue Bros. for the payment of whatever sum is found to have been paid in excess of \$1.50 per pair.

## Must Demand Money Back.

It will be observed that section 372 of the revised statutes requires that demands shall be made for the repayment of any sum of money which may have been advanced on the part of the United States in consideration of a contract. In this case, the demand is made for the repayment of the sum of \$1.50 per pair of gloves. The department is of the opinion that the contractor is liable for the repayment of this sum.

The fact that it was perfectly lawful for the bidder to make purchases of any firm engaged in the manufacture of gloves, and that the contractor was not guilty of any fraud, does not make it difficult for the contracting officer to ascertain whether the contractor was guilty of any fraud. The contractor was not guilty of any fraud, and the contracting officer was not guilty of any fraud.

## MATTER REFERRED TO KNOX.

Secretary Root makes the following endorsement on the two opinions of the judge advocate general, which sends the case to the department of justice:

I suppose there is no doubt that a manufacturing firm is a member of which happens to be a member of congress, has a right to manufacture and sell goods to jobs who are killing government contracts, and that they do not come within the prohibition of the statute. It is the opinion of the department that the contractor is not guilty of any fraud, and the contracting officer is not guilty of any fraud.

General Davis recommends that, as the testimony of two witnesses who could not be found by Inspector Garlington is important, that the investigation be continued with a view of getting their evidence. When taken he says it can be referred to the department of justice with the other papers in the case.

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## LORDS APPROVE LAND BILL

Second Reading Given Irish Measure Without a Division and After Short Debate.

LONDON, Aug. 3.—The duke of Devonshire moved the second reading of the Irish land bill in the House of Lords today. The duke of Devonshire (conservative), while appreciating the liberality of the financial provisions of the bill, declared the existing conditions of the land, and the landlords for the losses which they sustain. If their sporting rights were not protected, property sold there would be no more for the country gentleman to remain in Ireland.

Lord Crews (liberal) said unless the landlords sold on a large scale serious results would follow, because the unsold estates would become centers of discontent and disturbances.

The earl of Dunraven (conservative) congratulated the government on the bill, which, he said, was broad and statesmanlike. He regretted, however, that it failed to carry out the entire recommendations of the Irish landlords and tenants' conference at Dublin.

Many others spoke, few showing a disposition to prolong the discussion. One of the stoutest opponents was Viscount Hampden, liberal, who characterized the bill as thoroughly mischievous and corrupt. He said it would result in a land war more fierce and embittered than any which had preceded it.

Lord Londonderry, conservative, claimed the measure was for the benefit and welfare of all classes and entailed no risk whatever to the imperial exchequer.

Earl Spencer, liberal, supported the bill, which he thought the possibility of setting the agrarian difficulty justified even at the large expenditure involved.

Lord Lansdowne, secretary of state for foreign affairs, did not share the sinister views which had been expressed regarding the bill. He thought the bill was a measure of justice and equity.

## COTTON FEASTS PORTUGUESE

Ministers and High Officials Lunch on Brooklyn as Admirals' Guests.

LISBON, Aug. 3.—Shortly after noon today the members of the Portuguese cabinet and the military and civil authorities proceeded in naval barges across the harbor to Brooklyn, where they lunched as Admirals' Cotton's guests.

Admiral Cotton and United States Minister Bryan, who the chief officers of the American squadron, received the guests at the gangway, among them being the ministers of war, justice, finance and public works; Dr. Cunha, the civil governor of Lisbon; Castilho, director of the naval school; Admiral Cunha, director of the naval arsenal; Captain Borja, chief of the naval general staff, and General Cavaleiro Lopes, commander of the army corps. The premier was not present, having been called to Switzerland, where his wife is lying ill.

At the conclusion of lunch Admiral Cotton proposed the health of King Carlos and expressed his thanks for the welcome and reception extended to the American squadron.

In reply General Pimental Pinto, minister of war and premier ad interim, proposed the toast of "President Roosevelt and the property of the United States."

United States Minister Bryan, in responding, dwelt on the sympathetic demonstrations of the American squadron had been the object at Lisbon and thanked the Portuguese government and people. The minister of marine responded, speaking in flattering terms of the American navy.

The guests remained on Brooklyn until 4 p. m., when they returned in barges to the city. The Portuguese cruiser, Don Carlos I fired a salute in honor of the ministers.

The marquis of Alvaro, the king's chamberlain, has invited Rear Admiral Cotton to spend Thursday at the Chateau Milvo.

## MINISTERS FAIL TO AGREE

Foreign Representatives in China Are Divided as to Their Jurisdictions.

PEKING, Aug. 3.—The question has arisen among the foreign ministers as to whether they have jurisdiction at Shanghai in the case of the editor of the Chinese reform newspaper Suipao, published in that city, against whom warrants of arrest have been issued by the taotai of Shanghai on the charge of publishing seditious matter.

The Russian, French and American ministers are in favor of surrendering the reformers, while it is understood that the British minister is opposed to taking this step and is awaiting instructions from London.

The conflict of opinion will result probably in no action being taken.

## NO NEED FOR ACTION NOW

English Government Not Ready to Consider Question of Bounty Sugar.

LONDON, Aug. 3.—In the House of Commons today Mr. Lough (liberal) asked whether communications had passed between the governments of the United States and Great Britain relative to the possibility of the prohibition of American bounty-aided sugar, if the sugar contention bill passed.

Viccount Crenborne, foreign under-secretary, said in reply that the decision whether the sugar was aided by bounties lay entirely with the commission dealing with the subject.

In the absence of such finding, there was no call for any action on the part of the British government.

## SEVEN YEARS FOR BOODLER

Julius Lehmann Goes Up for Long Term for St. Louis Lighting Deal.

## LEGISLATIVE BRIBERY PROBED ANEW

Fresh Grand Jury is Empaneled at Jefferson City with Instruction to Parity Missouri Parliament.

ST. LOUIS, Aug. 3.—In the circuit court today Judge Ryan sentenced Julius Lehmann, the former member of the house of delegates, to 7 years imprisonment for bribery in connection with the city lighting boodle deal.

On request of Attorney Folk, sentence on Charles F. Kelly, former speaker of the house, and former delegates Edmund Bersch and Charles Denny was deferred. Kelly was convicted of perjury and others of bribery in connection with the same deal.

Defense Springs a Surprise.

The third trial of former Delegate Harry Faulkner, indicted and once convicted on the charge of perjury in connection with the suburban boodle deal, began today in the circuit court, before Judge Douglas. Faulkner was convicted and sentenced to two years' imprisonment on his first trial, and the supreme court reversed and remanded the case. The second trial last week ended in a hung jury.

A surprise was sprung by the defense by summoning as witnesses Delegates Charles F. Kelly, Jere V. Hanson, Louis Decker and Emule Harlan, each of whom has been convicted of either bribery or perjury.

Jefferson City, Mo., Aug. 3.—Another special grand jury to inquire into legislative boodling was impaneled today by Judge Hazel.

In the course of his charge to the jury Judge Hazel said the impression widely prevailing in this state that dishonesty was practiced in certain measures pending before the legislature; that "handbagging" was indulged in; that "holdups" were committed; that legislation was procured by questionable methods and criminal acts by accepting money from those who were financially interested in certain legislation. It is further the impression that these matters have not been probed to the bottom.

A new charge was made a thorough investigation of these charges against the legislative department of our state government. It is the duty of the grand jury to inquire into these charges and to report to the executive committee.

Representative Richard J. Collins of St. Louis, who is thought to know something about race-track legislation, was the first witness examined.

Colonel Phelps Subpoenaed.

CARTHAGE, Mo., Aug. 3.—A subpoena was today served upon Colonel W. H. Phelps, the railroad attorney, at his home here, ordering him to appear before the grand jury at Jefferson City, now investigating charges of legislative boodling, on Thursday, August 6.

Within the last two months several efforts have been made to serve subpoenas upon Colonel Phelps, but today was the first time that he could be found.

## GENERAL LEAVES SIX WILLS

Cassius M. Clay's Heirs Produce Many Documents to Support Claims to Estate.

RICHMOND, Ky., Aug. 3.—Six wills of the late George Cassius M. Clay were today offered for probate in the Madison county court. Each was protested by the legal heirs of General Clay. The objections were sustained and all the wills endorsed "not valid."

On September 2 the court will take the matter up again, but before then other wills are expected to be offered.

Of the wills offered today one was by Brutus J. Clay, son of General Clay, and one by Mrs. Dora Richardson Brock, the widow of General Clay. Mrs. Brock came to Richmond today and was present at the court proceedings, in which she took a deep interest.

The Russian, French and American ministers are in favor of surrendering the reformers, while it is understood that the British minister is opposed to taking this step and is awaiting instructions from London.

The conflict of opinion will result probably in no action being taken.

## WOMAN FINDS MAN IN HOUSE

Robber Assaults Her with a Poker and Makes a Hasty Exit.

NEW YORK, Aug. 3.—According to the police, Mrs. John Henry Ketchum, wife of the congressman from the Twenty-first New York district, was dangerously injured by a man she discovered in her apartment in her son's residence here, on returning from a shopping expedition. Her assailant hurriedly escaped without completing the robbery.

He took a small amount of money and some jewelry. A heavy poker was used by the robber. Mrs. Ketchum's collar bone was broken, a deep gash was cut over her left temple and she was nearly strangled with a handkerchief.

## FEVER SUSPECTS TURNED BACK

Quarantine Officers Rigorously Protect Texas From Mexican Disease.

LAREDO, Tex., Aug. 3.—The quarantine against San Luis Potosi, Mex., on account of the yellow fever which was ordered yesterday by the United States marine hospital authorities at Washington, has been rigorously established and all incoming passengers who cannot make affidavits that they have been away from an infected point for five days are turned back. Three persons were returned to Mexico today.

Not much apprehension is felt over the introduction of yellow fever from San Luis Potosi, as it is thought the epidemic will soon die out owing to the high elevation of the town.

## DIES IN ELECTRIC CHAIR

Victim Declares He is Innocent of the Crime Charged Against Him.

## EXPULSION MEETS APPROVAL

Denver Thinks Idaho Springs Did Right in Driving Out Dynamiters.

## FALSE REPORTS ABOUT RURAL ROUTES

Officials Not Opposed to System or Inclined to Discriminate Between Different Sections of the Country.

WASHINGTON, Aug. 3.—(Special Telegram.)—Misapprehension growing out of the department's action relative to the rural free delivery system is starting when one comes to consider its source. The Postoffice department is being criticized and this criticism, it is believed, is the outgrowth of a cabal formed, as in the star route trials, to throw dust in the eyes of the people as to the main issue, which may be lost sight of when the men who have been indicted by grand juries come to trial for pecuniations in the Postoffice department. There is an absolute misconception, particularly in the western country, as to the policy of the Postoffice department. The rule that 100 families shall reside upon a route, and which has been made the subject of newspaper discussion, is not a new one. The postmaster general in his report of 1899 said:

"The rule required that there should be not less than 100 families within easy reach of each route."

This rule is now being followed. As a result of this rule there comes a complaint from the western prairie states that the rule was made in the interest of the east, where the population is dense, and therefore to the detriment of the western states. In answer to this assertion on the part of the Postoffice department, it is only necessary to recall the fact that the amount appropriated for rural free delivery this year is \$12,000,000, of which amount \$10,000,000 is necessary for the maintenance of existing routes, while the remainder, \$2,000,000, is available for the establishment of new service during the present fiscal year. At the beginning of the present fiscal year, July 1, there were 1,300 petitions for rural free delivery routes on file in the Postoffice department. It is therefore seen that the appropriation available for new service is not sufficient to establish more than 50 per cent of the routes petitioned for. The policy of the department is to pro-rate this available appropriation by states and territories according to the number of petitions filed at the beginning of the present fiscal year.

In Nebraska there were on file at the beginning of the fiscal year 200 petitions, in Iowa about 200 and in South Dakota 50. At the beginning of the present fiscal year Nebraska had 366 routes in active operation, Iowa had 1,283 and South Dakota 125. Iowa has on file in the neighborhood of 600 petitions for new routes and South Dakota about 50.

It is stated at the Postoffice department that there are more than 50 per cent of the petitions on file from Nebraska, Iowa and South Dakota that will serve 100 families and over. To the department, therefore, it does not appear a good country where a route that serves less than 100 families to the exclusion of one that serves less than that number. The fourth assistant postmaster general, with this idea in view, has made an order permitting routes to extend beyond the twenty-five mile limit in western prairie country where the roads are level and smooth, believing that thirty miles can be made as easily in that country as twenty-five miles in eastern states such as Pennsylvania or the central states like Ohio and Indiana. According to this rule a larger percentage of the people will be served with rural delivery in proportion to the population of the various states than is possible in the east.

## CIVIC FEDERATION FAILS

Seeks to Settle Philadelphia Textile Strike, but Employers Turn It Down.

PHILADELPHIA, Aug. 3.—The fact that the industrial branch of the Civic Federation made an effort to settle the textile strike in this city and failed was made public today by leaders of the textile strikers. The attempt was made in June and was kept quiet until today when the correspondence was made public.

The textile workers agreed to return to work on a fifty-five hour a week basis, and also guaranteed not to ask for higher wages until a reasonable time had elapsed. The dyers, one of the branches of the industry also on strike, agreed to modify their wage demand.

The Civic Federation communicated with the employers, but the employers would not accept the offer. The strike leaders declare there are 55,000 men, women and children engaged in the industry still idle. Some of the manufacturers tried to start their mills today, but failed.

## PASTOR DENOUNCES CHURCHES

Declares Missions a Disgrace and Millionaires' Meeting Houses a Fraud.

WARSAW, Ind., Aug. 3.—Rev. George L. McNutt, whose declaration from an Indiana pulpit last year that there was no church for the workingman caused a stir among the magnates attending the National Bible conference, created a commotion at the Winona assembly today by declaring that the "mission church as at present conducted is a disgrace to the church."

"The mission churches," he asserted, "are as much a disgrace as mission homes for unattractive children. A millionaire's church is a fraud; so is a workingman's church. The gospel is defaced by a dollar sign or a blue label."

## PRESIDENT ENDOWS BABY BOY

Sends \$100 to Infant Found Parents Name Theodore Roosevelt.

PITTSBURGH, Pa., Aug. 3.—A check for \$100 has been received from President Roosevelt for Theodore Roosevelt Signet, the boy born to Mr. and Mrs. William E. Signet of McKeesport some weeks ago, and which is the twentieth child born to Mr. Signet.

The money has been placed in the bank to the credit of the baby, the interest to accumulate until he is 21 years old.

## CAROLINA SUSPECT IS HELD

Wyoming Authorities Arrest Man Indicted for Southern Murder.

SHERIDAN, Wyo., Aug. 3.—A man giving the name of Isaac Donnelly is under arrest here pending instruction from the North Carolina authorities. The officers who made the arrest say they have positive evidence that the prisoner is Boone Potter, indicted for the murder of two deputy sheriffs in Watauga county, N. C.

## KICKING UP CLOUD OF DUST

Cabal Busy Seeking to Make Postoffice Department Unpopular.

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## FAVOR REPUBLICAN JUDGES

Young Men's McKinley Club Adopts Resolutions that Speak Out for Regular Judicial Ticket.

By unanimous vote at a well attended meeting, the Young Men's McKinley club put itself on record last night as endorsing the republican judicial ticket and pledging its efforts to its success at the polls. It followed this up still further by adopting a resolution with the same unanimity deprecating the candidacy of any republican in opposition to the candidates for district judges on the republican ticket.

The resolution was framed as follows: Resolved, That it is the sense of this club that no candidate who sought a nomination in the recent republican convention to this office in the district court in good faith became a candidate against the nominees of that convention.

For himself and his associates on the judicial ticket A. L. Sutton when called on to address the meeting expressed thanks and appreciation for the confidence expressed in the club's endorsement and its efforts to do all within his power to merit the confidence.

The remainder of the session was devoted to memorial resolutions over the death of Richard G. Berlin and hearing an explanation of the proposed new system of primary elections for nominating conventions contemplated by the revised rules on which the republican county committee has been called to take action. The club, however, postponed debating the scheme and took no position with regard to it. Vice President Crawford occupied the chair in the absence of President Foster.

## OMAHA CLUB READY TO BUILD

Directors Discuss Plans for Extension of Present Club House to Cost \$15,000.

The Board of Directors of the Omaha club met last night and discussed plans for the proposed addition to the club house, which will probably be erected this year in the space north of the present building. No definite conclusion was reached, but a number of suggested changes will be made by the architect in the plans and the committee will again talk the matter over.

It is expected that within two weeks the new plans will be ready for final action. The present thought is to make the addition about 200 feet in length, three stories high, the exterior to be in harmony in design and material with the present building. If present plans are adopted the woman's cafe will be made three times as large as at present, the large dining room will be made about forty feet longer and two large living rooms will be furnished on the third floor. These plans will require the expenditure of about \$15,000. The committee is also looking forward to the time when another story will be added to the building.

## ROYAL BUTLER DIES IN ASYLUM

Late Servant of Norwegian King Passes Away in Missouri.

NEVADA, Mo., Aug. 3.—Peter Johnson, aged 65, died at the Missouri state asylum today from general debility.

Johnson was a favorite butler in the royal family of the king of Norway and Sweden for ten years. He was sent here as a patient from Lafayette county.

## Movements of Ocean Vessels Aug. 3.

At New York—Arrived: Zealand, from Antwerp. Left: London—Arrived: Minnetonka, from New York. Left: London—Arrived: Charles Tiberghien, from Yokohama via Shanghai, etc., for New York. Left: Plymouth—Sailed: Pennsylvania, for New York. Arrived: Amsterdam, from New York. Arrived: Vaaderland, from New York. Arrived: Koening Luise, from New York.

## CONDITION OF THE WEATHER

Forecast for Nebraska—Showers and Cooler Tuesday; Wednesday Showers.

## ALL THINGS DONE IN SECRET

General Council Committee Begins Heart-to-Heart Sessions with Other City Officials.

The first of what is to be a weekly "heart to heart" talk with the heads of city departments was held by the general council committee behind closed doors yesterday afternoon. In order that no profane ears may hear the confidences exchanged it has been decided to have these sessions in strictest privacy. Yesterday Treasurer Hennings was the departmental head conversed with, and it is understood the subject was the little matter of the city's past, present and future debts and the where-withal to wipe them out. Nothing of what was discussed or concluded was told after adjournment. Some verbiage was devoted, it is understood, to the matter of paving specifications.

Because it is considered "incomplete" the vehicle tax ordinance was laid by indefinitely. This "incompleteness" is in the fact that vehicles only are included in the document, whereas it is desired to bring many businesses and callings into the revenue paying class by the application of the occupation tax principle. A new ordinance embracing all this will be drawn soon and introduced into the council.

Market Master Gerke asked the council to pass a resolution Tuesday night directing the Board of Public Works to advertise for the auctioneering of stalls in the new market house to the highest bidder. The market master anticipates that the stalls will be sold for a large sum of money. Some formal ceremonies, including speeches by the mayor and others. The day will mark the accomplishment of thirty years of effort on the part of interested citizens. Yesterday the matter of rental and the arrangements and classification of the deal were discussed, but no definite conclusions reached. According to the sentiment expressed by several councilmen, it is likely that the mart will be heated by stoves and the expensive heating plant scheme abandoned. Some have been very applicants.

Attorney W. F. Wappler reduced his proposition to complete the city ordinances from \$1,500 to \$1,300. W. J. Connell has offered to do the work for \$2,000. Adams & Morgan for \$1,200, and it is said "Judge" J. A. Cooley is going to enter the ranks with a bid under that of Wappler. The work will be intricate and difficult.

## ST. BALLOTS WITHOUT RESULT.

ROME, Aug. 3.—After three full days of deliberation, during which six ballots have been taken, the members of the conclave still remain shut up in the Vatican without having selected a successor to Leo XIII. The futility of both the ballots taken today was evidenced by the smoke signals from the Sistine chapel.

The signals were watched by large crowds which gathered in the square of San Pietro and which it is estimated numbered 15,000. Great disappointment was manifested, and when the little puff of smoke appeared there were loud cries, not only of disappointment but even of derision. Rome is becoming extremely impatient over the delay.

News of the grave illness of Cardinal Herrera y Espinosa was received. It is presumed the other aged cardinals are also suffering from their incarceration and the intense heat.

Among ambassadors there appears to be a belief that if only for the sake of relieving the aged cardinals much will be sacrificed by the conclave. On the other hand there is a few pessimistic enough to believe that the hostility among the factions in the sacred college is so bitter that the struggle may be continued for several weeks.

## MAY SELECT FOREIGNER.

Out of all the rumors and gossip afloat concerning what is transpiring in the conclave the most persistent report is that the Rampolla and Vannutelli factions have remained intact and that the attempt of one faction to press forward a new candidate in the hope of breaking the strength of the other has failed.

The Italia says matters have reached a point which make it possible a foreign pope may be elected, in which case Cardinal Kopp, bishop of Breslau, is most likely to be selected. He is well known with his colleagues and has the support of the German emperor. If this is true, the Italia interprets it as a move on the part of the Rampolla faction to win over the Austro-German cardinals from Serdino Vannutelli.

The Observatore Romano, the organ of the Vatican, officially announces that Cardinal Herrera y Espinosa, being gravely ill, has received the last communion. Mgr. Bonifacio Marin, the vicar general of his archdiocese, was admitted to the conclave today, the door being opened for that purpose with all the prescribed precautions. Outside were the governor and marshal of the conclave, assisted by captains of the guard. The apostolic protonotaries and the sons of Prince Chigi acted as witnesses. In the afternoon when it was opened were Mgr. Merry Del Val, secretary of the consistorial congregation; Mgr. Rossi, prefect of ceremonies, and Mgr. Marzolini. The record of the admittance of Mgr. Marin was officially recorded in a formal document, which will be placed in the archives.

## GUARDS ARE BEING DOUBLED.

The correspondent of the Associated Press visited the inside of the Vatican this morning and found that all around the precincts of the conclave the guards had been doubled and wherever there is the slightest possibility of communication with the conclave the Swiss guards, gendarmes and papal guards watched together.

The anti-gossip consisting between these bodies in the best guarded manner, nothing underhanded will be allowed. Besides, the captains of the conclave in their hats and uniforms embroidered with gold lace, assisted by the valets of Prince Chigi, the martial of the conclave, in gorgeous liveries, are constantly on the alert. The only thing known from the inside is that the cardinals rose early today and individually celebrated mass in the Pauline chapel. They took breakfast at 9 o'clock, going shortly after to the Sistine chapel, where they remained until about 11:30 a. m.

## SOLDIERS OCCUPY PIAZZA.