RIOTING IN CHICAGO

Attempt to Start State Street Car Li Precipitates Much Trouble.

STONES ARE PILED ON SEVERAL TRACKS (GIL

Determined Effort is Made to Disable the

U.ble Car Lines. SHOTS FIRED BY POLICEMAN AND CREW

One Man Believed to Have Been Shot During Pracay.

BLISS AND DARROW STILL CONFER

Latter Says an Agreement Has Been Reached Which Both Sides Can Accept Without Stuliffing Themselves.

CHICAGO, Nov. 21.-While preparations the State street cable line, not heretofore operated during the strike of employes on in putting cars out of commission before

the care were started running. An effort was also made to blockade Archer avenue, where it was apparently believed cars would be run today as a result of the State street line opening. Quantities of rocks were found to have been wedged and dumped on the tracks. Police were stationed only at street intersections, except where irouble was thought most likely to occur. Fewer policemen were detailed to ride on the cars teday than 'during last week.

Serious Rioting.

that point. were knocked down by the officers,

The cars encountered obstacles all along cable slots at Fifty-seventh and Sixty-first streets, the first train was blocked at Forty-first street by iron rails placed across the tracks. The police began to remove have not been settled yet, adds the correobstacles when from behind a fence spondent. came a volley of stones. The police charged ning fight then ensued, in which the police crowd had collected about the cars and another charge by the police was made upon them before the obstruction could be re-

At Twenty-ninth street another mob blocked the cars and thraw stones. The police charged, beating many persons se-

verely with their clubs. Five trains were put in operation on the State street cable line, which movement was made while the board of directors of the railway company were busy formulating an answer to the latest proposition

of the strikers. More trouble was encountered by the State street cable trains on the return trip near Forty-second street. While the trains were flown town the mob systematically fron and blockaded the tracks with heavy stret rails. Hundreds of men, women and boys then awaited the return of the police with stones ready to heave at the trains. Men and women were reported to have been knocked down in their own doorways Scores of rioters and bystanders were wounded by the clubs of the police.

Conductor Shoots at Mob. During the thick of the fight at Fortyfirst street Mrs. Charles Litt, a passenge or the first car, jumped from the car and braving the revolver shots and all sorts of missiles, ran thoroughly frightened to a place of safety. Windows had been broken year where she sat, and her face was cut by glass. Conductor J. J. Prenter, in charge of the first car, drew a big magagine revolver and fired shot after shot into the fleeing mob until his weapon was empty. At Thirty-ninth street the police resorted to strategy and drove a crowd of men into a saloon. Then they surrounded he building and allowed no one to leave until the trains had proceeded.

Shortly after 2 p. m. Attorneys Bliss and Darrow left Mayor Harrison's office. where they had been in conference for over an hour. To interviewers after the conference Mayor Harrison and Attorney Darrow expressed themselves hopefully of a quick settlement, the mayor even men tioning tomorrow as the time when the strikers might be back at work. Attor new Darrow said that it was now "only s question of phraseology."

Attorney Darrow said an agreement has been reached which both men and company could accept without stultifying hemselves. The agreement so far as arranged, Mr. Darrow said, provides for day of not more than eleven hours and not less than nine a day's work, to be completed in not to exceed fifteen hours' It further provides that the wage schedule shall be arbitrated and that all men on strike who have not committed deeds of violence shall be taken back by the company.

Trouble at Tannery.

Two nonunion men who had applied for work at the plant of the American Hide and Leather company, where a strike is on, were severely wounder by two strike sympathizers today. men who did the shooting escaped. It is said that they were being attacked by the crowd.

Two men, Joseph Placehesky and Antor Zimmersky, are suspected by the police of having done the shooting. They formerly belonged to the union and left it to seek work in the tannery. They were turned away by the foreman and as they left the place were set upon by a crowd of rioters The men opened fire and two of their assailants fell to the ground. The rest broke and ran while the nonunion men made their енсаре.

Looks Brighter at Pittsburg. PITTSBURG, Nov. M.-The grievances of the street car men against the Pittsburg Has Judge McDonald Noile Indict-

Railway company have about all been adjusted. Resin Orr, national treasurer, who came here from headquarters at Detroit to take charge of affairs, save that the company is disposed to show the men fair treatment and all talk of striking has been

STROMBOLI CAUSES TROUBLE the suburban franchise deal, was notice

Loud Explosion and Frequent Eruptions Seem to Indicate Imminent Disturbances.

Attempt to Compromise Falls and

Bombardment Must Now Continue Until City Falls. MINGO, Republic of San Do

m). Nov. 22—President Wos y
Gill pris to bring about a peaceable h) twith the insurgent forces
which are missioned the Belgian r, the missioned r, the missioned r.

Hayti and the hah consul to visit the insurgent camp. Consequently an armistice was agreed upon, to expire at noon, and the peace commission conferred with the nsurgent leaders. The latter, however, refused to entertain the peace proposals and demanded the surrender of the city, but they prolonged the armistice until 6 o'clock this evening, after which hour the bom bardment of San Domingo was resumed and will be continued until the capital fails. The I'nited States minister's residence was destroyed during the previous bom-

The inhabitants of this city are in state of panic. The Italian third-class cruiser Ligunia and the Dutch armored crulser Deruiter

have arrived here. The Domintoan warship Presidente went were being completed for the opening of to Azua de Compostela, about sixty miles from here last night. The sanitary condioperated during the strike of employes on tion of San Domingo is good, but the poor the Chicago City railway, rioters engaged are suffering from want of food. The price of provisions is very high.

RUSSIA THREATENS COREA Minister of Czar Says That Hermit Kingdom Must Not Open

Yongampho.

LONDON, Nov. 24 .- The Daily Mail's Toklo correspondent says that the Russlan minister at Seoul has addressed another note to the Corean government declaring that if Corea should ignore all warnings A serious riot occurred at Forty-first and and persist in opening Yongampho to for-State streets when the trains arrived at eign trade Russia will take active steps Many shots were fired by to deal with the situation. The Corean the police and one man is believed to government has replied strongly objecting been hit by a bullet, white several to Russia's Interference as a violation of Corea's sovereign rights. A communication to the same effect, according to the ganda. the line. After removing spikes from the correspondent, was sent to the Japanese minister at Seoul.

The questions arising from the affray between Japanese and Russians at Chemulpo

the rioters with revolvers drawn. A run- WIND TEARS STEAMER LOOSE upon the mob. By this time a Mighty Deutchland is Set Adrift at Hamburg by the Stiff Storm Saturday.

BERLIN, Nov. 3.-The high winds which have been sweeping over Germany for twenty-four hours, accompanied by a heavy rainfall, cintinue to delay traffic and interrupt telegraphic communication and have caused several railroad accidents. At one point the wind started several speed accelerated and finally they ran onto

the main line and collided with an express train. No one was badly hurt. The Hamburg-American line steamer Deutschland during the storm on Saturday tore out the piling to which it was moored moked the cable slot with stones and scrap adrift. The mooring chain and the pile struck the vessel and broke a plate forward. It is now at Cuxhaven and will go to Kiel or Stettin for repairs.

KAISER RECOGNIZES PANAMA

Directs the German Authorities to Give New Republic Recognition at Once.

BERLIN, Nov. 23 .- Emperor William has firected the German authorities to officially recognize the Republic of Panama. Announcement of the recognition of the new state is expected daily.

Nothing has been arranged for the emperor's vacation in a warmer climate. He has simply said that after Christmas he wishes to go south for a while. It is considered likely that he will go yachting in the Mediterranean.

Lord Lonsdale has arrived here on a visit sent to the station to meet him. He stated that he is not the bearer of a letter from King Edward, but has simply come on a private visit on the invitation of the emperor.

THREE YACHTS FIRST COMPETE Clyde Sportsmen Plan to Put Designers in Competition Before Com-

ing Over Here.

GLASGOW, Nov. 23.-The reported inten ion of Clyde yachtsmen to challenge for the America's cup was today confirmed by the Giasgow Herald. The paper adds: "The latest suggestion on the subject, which is favorably received, is that Messra. Coates, Clark and Donaldson should head three separate syndicates and have three yachts designed respectively by Watson, Fife and Mylno, the yachts to be raced throughout the summer and the best one to be selected to challenge in 1906."

SULTAN SAID TO HAVE CANCER Sick Man of Europe May Be Doomed, , but Declines to Risk an

Operation. NEW YORK, Nov. 33.-The sultan of Turkey, frequently alleged to be ill from one disease or another, is now alleged by the Vienna correspondent of the Herald to be suffering from cancer of the intestines. He is said to have refused to undergo an operation

Italy's Rulers Return.

PISA, Italy, Nov. 23.-King Victor Em manuel and Queen Helena arrived here to day on their return from their visit to the king and queen of England and proceeded to the royal residence at Rosamore.

FOLK ABANDONS PROSECUTION

ment of Emil Reisenburg, Once Sentenced for Boodling.

ST. LOUIS, Nov. 31.-The indictment against Emil M. Reisenburg, once sentenced to three years' imprisonment on enviction of bribery in connection with prossed by Judge McDonald today, on motion of Circuit Attorney Folk. The circuit attorney's action marks the abandonment

of the prosecution. JEFFERSON CITY, Mo., Nov. 28 .- On application of Prosecuting Attorney H. P. all grades, making standard granulated Zeigler of New York, for whom the government NEW YORK, Nov. 23.-Telegram from Stone, who is under indictment on a charge 4.55c. This price is not, less 1 per cent for ernor of Missouri has made requisition Catonia, report that series of found ex- of accepting bribe money, Judge Hazell to- cash in seven days, and 5 cents per 100 Zeigier has been indicted in Cole county, plasions and throwing out of incandescent day granted a change of venue. The case pounds from invoice. No further discounts Missouri, upon charges of having supplied matter show that the activity of Strombolt witi go before a special judge, who will be or gratuities are allowed, thus eliminating \$1,500 with which to bribe members of the

Prefect of Catholic Propaganda Lectures Confreres on the Subject.

SOME CARDINALS HAVE OTHER OPINIONS

Matter Brought Up at Meeting Yesterday, but it Seems That the Leak Has Not Been Stopped.

ROME, Nov. 23.-When the cardinals composing the congregation of the propaganda met today, they received a sharp reminder that they have at their head in the person of the prefect of propaganda, Cardinal Gotti, a churchman of clearly defined and strong opinions. Those present at the meeting were Cardinals Agilardi-Vannutelli, Steinhuber, Segna, Pierotti, Cassetta, Martinelli, Satolli, Mathiue, De

La Wolpe and Gooti. The cardinal prefect in his opening address referred most enrnestly to the bad impression on both the pontiff and himself by the receipt of remonstrances from spostolic delegations and from cardinals abroad against the publication of decisions of the propaganda before they had been informed of these decisions and even before the decisions had been ratified by the pontiff. This matter had gone so far, said Cardinal Gotti, that the results of the meetings of the propaganda were known n the United States even before the meetings of the cardinals had been actually concluded.

Continuing Cardinal Gotti said he had in the strongest manner called to the attention of all the clerks in attendance on the congregation of the propaganda that it was their duty to observe the most complete secrecy and he wished to recommend the same course, not only to the secre taries, Mgrs. Vaccia and Savelli, but even to the members of the sacred college themselves, although he added that he did not suppose for a moment that any of them would condescend to lower their dignity by action contrary to the spirit of the law relating to the affairs of the propa-

Some Believe in Publicity.

Several cardinals greeted the speech of the prefect by saying "Good, good," while others considered the speech inopportune. These llatter thought that no damage could be done to the interests of the church by the publications of which the cardinal prefect complained, as it was known that, while the decisions of the propaganda were not valid until ratified by the pope, it was pointed out that the decisions of the congregation were rarely rejected by the pope,

Some of the cardinals expressed the opinion that it would be assuming too much in these days of wireless telegraphy to hold that the announcements of appointments made by the congregation could be freight cars which were on a switch, their that the cardinal prefect evidently had not considered the fact that in the matter of time, Rome was six hours in advance of New York.

The congregation next discussed the apbishops, including a successor to the late however. Archbishop Katzer of Milwankee, Wis. It is reported that the congregation decided to propose to the pope for the latter position the name of Bishop Messmer Green Bay, Wis., but this report could not be verified.

KANSAS CITY KICKING HARD

Committee Enroute to St. Paul Bear ing Threat Against Great Western.

KANSAS CITY, Mo., Nov. 23 .- (Special Telegram.)-Commissioner Trickett of the Transportation bureau, Chairman Parker of the Board of Trade Transportation committee and other members of this committee left tonight for St. Paul to meet P. C. Stohr, traffic manager of the Great Western rallway, tomorrow and present a threat dustries unless the Maple Leaf forthwith grants Kansas City grain dealers a proporto Emperor William. A royal carriage was tional rate to Minneapolis equal to the one President Stickney has declared for

Stohr offered to compromise with Kansas City by making the reduction in the Omaha proportional apply only to grain originating in Nebraska. The grain men refuse to accept that as a settlement. They do not think it could be enforced legally and if It could they do not propose to be cut out of the Nebraska grain without a fight. They made the appointment to meet him tomorrow to say that Kansas City must have the same rate as Omaha.

ODELL TO SEE THE PRESIDENT Goes to Washington at Invitation of Chief Executive and Will

Not Talk.

NEW YORK, Nov. 23 .- Governor Odell arrived here tonight en route to Washington, where he is to see President Roos velt. He left the city at midnight. When asked if he would give the reasons for his trip to Washington, Governor Odell said: 'I received an invitation yesterday from the president asking my presence in Wash-

He declined to say whether it was a private matter or official business that was taking him to the capitol.

DANIEL FROHMAN IS MARRIED Weds Margaret Illington, Who Will Continue with Japanese

Nightingale Company.

NEW YORK, Nov. 22 - Announcement was made today that Daniel Frohman and Margaret Illington, who is playing the ading part in "A Japanese Nightingale at Daly's theater, were quietly married yesterday by Judge Henry Bischoff of the supreme court. Miss Illington will coninue in the "Japanese Nightingale" until the conclusion of her contract with Klaw & Erlanger, when she will retire from the

TO SELL SUGAR DIFFERENTLY American Refining Company An-

stage.

nounces New System or Code of Price Making.

NEW YORK, Nov. 21.-The American Sugar Refining company has announced a change in its selling terms and reduced the list prices is cents per 100 pounds for

He Who Talked of War on Friday

Pays Pretty Compliment on Saturday. WASHINGTON, Nov. 25.-Rear Admiral

Coghlan, commander of the Caribbean quadron, cables the Navy department from Colon, under date of November 21, that General Reves, the special commissioner of the Bogota government, tenders his sincere thanks to President Roosevelt and Secretary Root for his gracious treatment at Colon by our naval forces, Admiral Coghlan confirms the press dispatches that General Reyes has departed for Washing-ton via Port Limen for a conference with Dr. Amider, a member of the Panama commission, and others in the United States. Before his departure he informed Admiral loghlan that the Panama government had cabled Dr. Amidor of his arrival. Admiral Coghlan further states that General Reyes expects to make amicable relations with the special commissioner of Panama now in Washington.

The Navy department also has received a cablegram from Rear Admiral Glass, commander-in-chief of the Pacific squadron, from Panama, under date of November 21. stating that the conference of General Reyes and the authorities of Panama was without result and that General Reyes had sailed for the United States. It is believed here that aside from a proposition for Panama to assume a portion of the Colombian debt General Reyes mission is to advance the proposition that the capital of Colombia be transferred to the city of Panama. This is equivalent to the annexation of Colombia by Panama. The opinion in official circles here is that though flattering, the proposi-tion will be rejected by the Panama com-

COLON, Nov. 23 .- A decree was issued at Cartagena November 16 setting forth that no steamers shall be allowed to clear from Cartagena for Colon or enter Cartagena coming from Colon. All the foreign consuls and steamship agents at Cartagena have protested, without effect, against the lard at dinner this evening,

PERRY WAIVES PRELIMINARY

Former Mayor of Grand Rapids Stides His Bribery Case on to the Supreme Court.

Mayor George R. Perry, charged by Lant K Salsbury with bribery while the Garman-Cameron water deal was in progress, for trial. Perry furnished bail in the amount of \$5,000.

Alderman Ryan has pleaded guilty to the charge of having received \$325 as a bribe from Lant K. Salsbury for his assistance in pushing the water deal, Schriver was

ceived \$125,000 cash when the deal was put tion. through and that he was to have been given \$100,000 in bonds of the water company which was to have been formed.

NEELY CANNOT HAVE CASH United States Judge Uses Severe Lan

guage in Holding Against Him,

NEW YORK, Nov. 23.-Judge Lacombe in the United States circuit, today handed down an opinion overruling the motion made by Charles F. W. Neely, convicted District of Columbia, while Senator Kit of boycott of his line by Kansas City in- tal funds while acting as director of and is given one or two minor places in adfinances of the postoffice in Cuba, to vacate the attachment filed by the United interoceanic canals, which is changed from States against \$20,000 cash bail deposited by Neely with the registrar of the United States court in this district, Neely's coun sel had moved the dismissal of the at tachment and civil proceeding on the ground that the act of amnesty passed the Cuban congress in May, 1902, whereby all Americans convicted of crime in Cuba during the occupancy of the is land were pardoned, removed with it all penalties and disabilities and that the

money therefore be returned to him. The United States, which brought the action prior to the passage of the amnesty act, contended that the money so deposite properly belonged to Cuba, from which government the defendant had embeggled it In his opinion Judge Lacombe says: "It is difficult to understand by what process of reasoning a provision as plain as this amnesty act can be so construed as to transfer the title to property from the true owner to the thief who stole it."

COTTON MILLS ARE CUTTING Promised Reduction in Wages Made and Many Mills Are

Affected.

BOSTON, Nov. 25.-The first of the numerous reductions in wages announced in the cotton mills of southern New Engand states and a dozen points outside of that territory went into effect in all but one Fall River corporation today and at a number of outside mills. Although about 22,000 operatives had been cut down, no general strike occurred in any mill. Today's cut averages 10 per cent and places the pay schedules on a basis with those paid here previous to the advance of March, 1902

The reduction affected seventy-eight mills in Fall River operating nearly 25,000 hands and about a score of corporations elsewhere in New England, employing about 7,000 operatives. The Fall River Iron works, operating four cloth mills, will cut down wages next Monday and on that day also nearly all Rhode Island and Connecticut manufacturers will adopt the lower schedule. A cut in New Bedford will go into effect in two weeks.

ZEIGLER'S CASE UP MONDAY At That Time Governor of New York Will Hear Application for

Removel.

ALBANY, N. Y., Nov. 23.-Governor Odell today announced for Monday, November 30. hearing upon the extradition of William

Neither Willing to Give Out Anything Which Passed Between Them.

MORE CANDIDATES FOR FEDERAL PLACES

One Entry for Marshalship and Two Additional Ones for Omaha Postmastership-Senatorial Committee Places.

(From a Staff Correspondent.) WASHINGTON, Nov. 21 - (Special Telegram.)-This has been District Attorney Summers' day in Washington. Last week Senator Dietrich occupied the important place in the public eye but positions have Union Pacific officials and a small party of shifted and the man who succeeded in newspaper men, will leave Omaha Tuesday bringing an indictment against Nebraska's senator is now in evidence. Today Mr. Summers had a prolonged conference with conference Mr. Summers and the attorney general refused to make known. From a friend closely associated with Mr. Summers it is learned Mr. Summers, in addition to going over with an attorney general the the Dietrich indictment purposes while here to secure copies of the bond of Jacob Fisher, the lease on the present postoffice building at Hastings and letters referring to the change of the postoffice site from the Grand Army of the Republic hall to the building the government now occupies in

Hastings. Mr. Summers tonight stated that present conditions precluded any utterance from him; that he was padlocked but he hoped to get through with his business at Washington and leave for Omaha tomorrow night. He was the guest of Senator Mil-

No Agreement on Judge. The lowa delegation after four fruitless

ballets today to determine a successor to Judge Shiras adjourned till tomorrow at 3 o'clock. Present conditions seem to indicate that there is a deadlock among the seven members of the lowa delegation, upon whom devolves the selection and it GRAND RAPIDS, Mich., Nov. 22,-Ex- is just possible no agreement will be reached until the regular session of congress. When the southern delegation of Iowa had a choice of a district judge dewaived examination in police court today volving upon them it is said that they baland was bound over to the supreme court loted for ten weeks, finally compromising upon the present district judge, Smith Mc-Pherson of Red Oak who was then a representative in congress.

Candidates for Federal Plums

Senator Millard has received endorsearraigned in the superior court today and ments for John J. Thompson of Lincoln as after pleading guilty was remanded for a candidate for United States marshall for sentence. It is expected that sentence will the district of Nebraska. Two other names be deferred, as Schriver will be a witness have been added to Senator Millard's list leisurely given by mail after going through for the state in the other presecutions, of candidates for postmaster at Omaha, so many hands. One cardinal jointed out He has already told the presecuting attor- William Wallace and D. T. Mount, these ney what he knows of the deal. In addi- making eleven or twelve candidates for already been said about the conduct of til this afternoon. tion to the confessions of Aldermen the position. As an appointment is not due Schriver and Ghysels several other alder- for the Omaha postoffice until the middle necessary to examine witnesses in that are: men have confessed to their share in the of December Senator Millard stated today pointment of several bishops and errh-bishops including a successor to the late. Crow, until after the Christmas holidays, Schriver is to appear December 12 for and as for the successor to the present against General Leonard Wood. sentence. His story differs from Salsbury's United States marshall for the district of confession, in that he says he received \$335, Nebraska he thought that the matter could while Salabury says he was given \$350. It well afford to rest until his colleague would develops that Salsbury was to have re- have a chance to participate in the selec-

South Dakotans Favored. The South Dakota delegation saw the

president this morning, on matters relating to state patronage, but so far as could be ascertained, nothing was agreed upon, In this connection it is interesting to note that both the South Dakota senators increased not only their committee assignments in the senate, but were given more advanced chairmanships, Senator Gamble going to the head of the Transportation committee and being assigned to a place on the very important committee of the in Cuba of appropriating \$45,375 of its pos-, tridge goes to the head of that on patents dition to retaining his present position on a minority to a majority committee, with

Senator Hanna at its head. Changes for Nebraskans.

Senators Dietrich and Millard do no enefit by the changes announced in the makeup of committees. Senator Dietrich retains his old committee to investigate trespassers on Indian lands, while Senator Millard retains the chairmanship of "The Potomac Flats committee" as it is face tiously called by his colleagues. Senator Dietrich goes off the coast defense com mittee without gaining any other position while Senator Millard goes off the Missis sippi River Improvements and Revolution ary Claims and is given a place on the ommittee to audit and control the con tingent expenses of the senate.

The Iowa senators retain the same committees which they held in the Fifty-seventh congress, Allison at the head of the Appointments and Dolliver chairman of the Pacific ratiroads. Senators Warren and Clark, of Wyoming, retain their same committee chairmanships, the former of claims and the latter on railroads, but Senator Clark goes to the committee on Indian affairs in place of Clapp of Minnesota,

Charges Against Sammis.

Charges against J. U. Sammis, collector of internal revenue for the north district of Iowa, wherein he is charged with hav ing exacted money from a deputy collecto to pay the salary of another deputy collector, has gone to the president for final consideration, Secretary Shaw waiving the right to pass on the matter by reason of the fact that Mr. Sammis comes from his home state. It is expected he will shortly decide whether Mr. Sammis is guilty or not. Additional time has been allowed the collector to file supplemental statements in ontrovention to the affidavits made by his former deputy.

Postal Matters.

Rural carriers appointed today: Nebraska, Malmo, regular, Detlef Arpf; substitute, Bernhard Pagier. Iowa, Blockton, regular, John C. Whitten; substitute, Trin nie Whitten. Rural routes ordered established January

2. Nebraska, Etba, Howard county, one route; area covered, thirty-five square miles; population, 616. lowa, Mount Ster ling. Van Buren county, two routes; area overed, forty-two square miles; popula tion, 1.355. Soldier, Monona county, two routes; area, fifty-four square miles; population, L610.

Iowa postmasters appointed: Nevinvilled Adams county, George Schwab, vice A. T. Joy, resigned; Thayer, Union county, Raiph Bishop, vice R. J. Wilson, resigned. The application of J. H. Moorehead of Palls City, John Holt, B. F. Morgan, Wiltam Uhlig, J. H. Miles and others to organize the National bank of Humbolds, is augumenting, says a Harm's dispatch selected. Prejudice was alleged by the defrom Naples.

Indiant.

Missouri legislature in certain baking powforce and making the net cost unchanged.

Missouri legislature in certain baking powcurrency.

NO PEACE FOR SAN DOMINGO NEWS IS PRINTED TOO SOON REYES USES GENTLER WORDS SUMMERS TALKS WITH KNOX CONDITION OF THE WEATHER REVENUELAW FAULTY

Forecast for Nebraska-Fair Tuesday and Wednesday

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GO TO OPEN LUCIN CUT OFF COMMISSIONER KIRKPATRICK DISSENTS

Officials of Harriman System Leave Omaha in Special Train for the West.

Ogden, where the Ogden-Lucin cut-off will be formally opened.

The train will consist of eight cars and Attorney General Knox. The result of that the party these: President E. H. Harriman of the Southern Pacific and head of the Harriman system, and party from New York; President H. G. Burt and party of the Union Pacific, including General Traffic Manager J. A. Monroe, General, Paysenger Agent E. L. Lomax, Chief Engineer evidence presented to the grand jury in J. B. Berry, General Solicitor W. R. Kelly, D. O. Clark, superintendent of the Union the law as a whole is concerned it stands. Pacific Coal company: President A. J. The insurance sections, however, by two Earling and party of the Milwaukee; Sec- of the commissioners was declared void ond Vice President J. A. Harahan and and of no effect. Three opinions were filed. party of the Illinois Central; J. C. Stubbs, the original by Commissioner Duffle detraffic director of the entire Harriman sys- claring the law unconstitutional because cago; General Manager G. W. Holdrege and Alfred Darlow, advertising agent for the cial press representatives, embracing the section bad, but held that because of this Omaha papers, and such other officials of the law in its entirety was not unconstithe Harriman western lines as may join tutional. Commissioner Kirkpatrick held

the party at the lake. The train will be a special and will be run through at a rapid speed. The dedication of the new short line, which crosses 102.5 miles, and clips off just forty-three miles from the circuit, will take place at noon Thursday and be made an occasion of Thanksgiving. A golden spike will be driven as a means of uniting the old and new lines and the officials will drive this spike.

COMMITTEE MUST GO TO CUBA

Investigation of General Wood Grows to Proportions Necessitating Such Action.

WASHINGTON, Nov. 23 .- The senate committee on military affairs will designate a mony regarding the conduct of General not yet been agreed upon, nor the number of members. It is asserted that so much has with him and the matter was delayed un General Wood in Cuba that it will be island, who cannot come to the United

order to save time, a subcommittee would meet tomorrow morning in order to continue the investigation.

SENATE CONFIRMS OFFICERS Two Hawaiians and Many Army Officers Meet with Its Approvoal.

WASHINGTON, Nov. 23 .- The senate today in executive session confirmed the following nominations: George R. Carter, Honolulu, Hawaii to be governor of Hawall; Sanford B. Dole, Hawall, district judge of the territory of Hawaii. Other confirmations were:

Other confirmations were:

Brisadier Generals: Jared A. Smith, Jacob B. Rawies, Stephen W. Groesbeck, John R. Myrick, Louis H. Rucker, Theodore Baldwin, William P. Rogers, Peter C. Haines, Charles A. Woodruff, John H. Page, William L. Haskin, Charles W. Miner, James M. J. Sanuo, Charles F. Robe, James W. Reilly, Edwin B. Atwood, Frank G. Smith, George B. Rodney, Almond R. Smith, George B, Rodney, Almond B ells, Peter J. A. Cleary, John B, Bab weils, Peter J. A. Cleary, John R. Babcock.
Consuls: Thomas J. Cummins, New York,
at Puerto Cabello, Venezuela; Lee Bergholz. New York at Three Rivers, Que.;
Martin B. Sackett, New York, at Prescott,
Ont.; Edward K. J. Sullivan, New York,
at Erzeroum, Turkey; David N. Wilbury,
New York at Barbadoes; W. H. Bachter,
New York at Niagara Falls, Ont.; Dean
R. Wood, New York, at Celba, Honduras;
Willis Sweet, Idaho, attorney general at
Porto Rico; Frank S. Ingalls, surveyor
general of Arizona.
Receivers of Lond Offices: William B.
Hodge, Ir., at Guthrie, O. T.
Postmusters: Iowa—F. W. Wilson, Ottunwa.

Kanses-Richard L. Musson, Elk City; O. C. Billings, Marion. Montans—O. H. Drake, Choteau. North Dakotn—H. R. Asiakson, Edmore.

ATTORNEY WILL BE TRIED Cases Against Missouri Prosecutor Will Be Tried Before Two

Sudges Next Year. JEFFERSON CITY, Mo., Nov. 23 .- Circuit Judge Hazell today set the cases against Prosecuting Attorney Stone for hearing, two of them before Judge Longan of the Pettis county circuit court on January 4 and the other two cases before Judge Davis, of the Saline county circuit court on February 5.

Judge Longan will try one case of alleged bribery and one case of alleged illegal acceptance of fee and Judge Davis will try one case of alleged illegal acceptance of fee and alleged acceptance of railroad pass.

FILIPINO WOMAN MAY ANSWER

Suit for Divorce by Army Officer is Held Up in Kan.

LEAVENWORTH, Kas., Nov. 21.-The sult of First Lieutenant Salney Burbank of the Sixth infantry against Mrs. Conception Vasquez, a Filipino woman, to annui an alleged fraudulent marriage was not taken today as was expected. night that the case would not be tried until after the Filipino woman had ample notice of the affair and was given time to make defense. The twenty days' limit allowed Humboldt, Neb., with \$50,000 capital, has by the Kansas law in a divorce suit has

Two Supreme Court Commissioners Decidl Act is Constitutional.

INSURANCE TAXATION THE FATAL FLAW

Otherwise Fair to Taxpayers and Wel Adapted to Purpose,

Submits an Opinion Differing Vitally from

that of Duffie. A special train, carying Southern and ACTION DOES NOT CLOSE THE CASE

at \$:30 a. m. over the Union Pacific for At First Sitting of the Supreme Court Proper in December Arguments Will Be Made Based on the Opinion.

(From a Staff Correspondent.) LINCOLN, Nov. 22 - (Special.) - The revenue law enacted by the late legislature has run the gauntlet of the supreme court commission and so far as the validity of tem, and party of traffic officials from Chi- of the invalidity of the insurance sections, being the basis from which Comparty of the Burlington & Missouri River; missioners Kirkpatrick and Letton dissented. The latter followed the reasoning Union Pacific, with a small party of spe- of Judge Duffic in finding the insurance

that the law in its every section was constitutional. The result of this, as voiced by several well known legal authorities, will be, the Great Salt lake, measures a distance of should the supreme court find with the majority of the commissioners, that the old law will prevail insofar as the taxation of

insurance companies is concerned. The matter came before the commisslopers in two mandamus cases flied by Ralph P. Breckenridge and H. H. Palmer of Omaha, who sought to compel Tax Commissioner Fleming to enforce the old revenue law, declaring that the new one was unconstitutional. The matter was of such importance that the supreme court appointed the above commissioners to hear argument in the case, after which the court proper will hear argument by the attorneys, based on the opinions filed, on December 1,

The commissioners, after agreeing upon subcommittee to go to Cuba to take testi- a general idea of reasoning, selected Commissioner Duffie to write the opinion. Judge Wood. The personnel of the committee has Duffie reported Saturday afternoon, but the other two commissioners failed to agree

The insurance sections declared void

Insurance Section Declared Void.

States.

The committee on military affairs today continued the investigation of charges against General Leonard Wood.

Section 58. Each and every fire insurance company organized under the laws of any other state or country and transacting business in this state, shall be taxed in the sure of the country town city village and school dis-The committee adjourned until Friday.
Captain Bardens testimony had no important bearing on the charges.
Favorable action was taken on the request of Major Rathbone for the issue of subpoenas for army officers and permission was given him to prepare a list, with statements as to what he expected to prove by each.

It was determined this evening that in order to save time, a subcommittee would

and assessed according to the best informa-tion of the assessor.

Section 59. Every life insurance and acci-dent insurance, or life and accident insur-ance company organized under the laws of

dent insurance, or life and accident insurance company organized under the laws of any other state or country and transacting business in Nebraska, except frateral beneficiary associations and such mutual companies as operate on the assessment plan, have no capital stock and make no dividends and whose scheme of insurance does not contemplate the return of any percentage of earnings or profits to policy holders, shall, at the time of making the annual statement as required by law, pay into the state treasury 2 per cent of the gross amount of premiums received by it during the preceding calendar year for business done in this state, including all insurance upon the lives of persons residing in the state, whether such insurance was written during such preceding year or prior thereto. At the time of paying said taxes such companies shall take duplicate.

Section 60. Every surety company organized under the laws of any state or country other than the state of Nebraska, and transacting business in this state, shall, during the month of January of each year, make out and file with the state auditor an itemized statement verified by the president or vice president and secretary, showing in detail the gross receipts from all business transacted in this state during the preceding calendar year, including the gross premiums on all surety bonds or obligations of every kind, and shall at the same time pay into the state treasury as a tax on such business, 2 per cent of such gross receipts. No certificate shall be fissued by the auditor to authorising it to do or continue business in to any surety company or agent thereof, authorising it odo or continue business in this state while any such percentage or tax

emains due and unpaid. Section 61. Every life, fire or accident inganized under the laws of this state, except fraternal beneficiary associations and mutual companies that operate on the assessment plan, have no capital stock and make no dividends, and whose scheme of insurance does not contemplate the return of any percentage of earnings or profits to policy holders, shall be taxed in the county town, city, village and school district where the agent conducts the husiness upon the gross amount of premiums received by it for all Nebraska business done within the state during the preceding calendar year. for all Nebraska business done within the state during the preceding calendar year, less amount of same ceded to other companies as reinsurance through regularly authorized agents in this state and less promiums returned on canceled policies. Such gross receipts, less reinsurance and cancellations shall be taken as an item of property of that value and be assessed and taxed on the same percentage of such value as other property. The agent shall render the list and be personally liable for the other property. The agent shall render ist and be personally liable for the lift he refuse to render the list, or make

Holds the Law Valid.

The opinion of Commissioner Kirkpatrick is as follows:

The length of time that I feel justified in withholding the opinion of Mr. Commissioner Duffie is such that I can only briefly outline my views of the material sections considered. I concur in his cpinion in all parts except so far as he holds sections is, 5, 60 and 61 invalid, and that such sections were an inducement to the passage is, 59, 60 and 61 invalid, and that such sections were an inducement to the passage of the act and that the entire act must for that reason be held unconstitutional. Mr. Commissioner Duffle in his opinion presents two objections, each of which is of great force; and yet I am not prepared to say that they are of such controlling force and importance as to render the entire measure unconstitutional and hoperative. The first objection is that while section is, that every fire insurance company organized under the laws of any other state or country doing business in this state shall be taxed in the country, city, school district, etc., in which the agent does business, upon the gross premiums collected by it for the be taxed in the county, does businessee, in which the agent does businessee, in which the agent does business premiums collected by it for the previous years as an item of property, very many other insurance companies do business, or, at least, are permitted to do business in the state without being subjected to taxation upon their gross premiums as an item of value. Among this class of companies are suggested plate class o business in the state without being subjected to taxation upon their gross preminms as an item of value. Among this
class of companies are suggested plate
glass, tornado, live stock, and other companies. It is not contended that alty of
the companies has mersioned will under
the provisions of the safe scape taxation
input any tangible property which they
may have in the state, either real of par-