CANNOT AVERT WAR KHAKI COLOR CATCHES KAISER GO TO WORK OR TO PRISON

Such is the Opinion Given by visor of Chinese Commana

AMERICAN PLANS SUBJECT OF INTER

Diplomats Wonder What Course Th's Country Will Pursue in Asia.

JAPAN PLEASED WITH MARINES' LANDING

Takes Action to Mean that it Can Increase Its Force There.

RUSSIA'S REPLY IS BEING CONSIDERED

While the Feeling Prevails that War in Almost Certain Both Sides Hope to Avert Open Hostilities.

LONDON, Jan. 8 .- The Daily Mail's Tokio correspondent learns that Russin the weather, has made new demands which it will be Impossible for Japan to entertain and practically removes all hopes of pacific set the powers are landing troops in Cores and that the British blue Jackets landed at Chemulpo are expected to go to Seoul immediately.

Constant telegrams are passing between M. Pavloff, the Russian minister to Corea, Baron De Rosen, the Russian minister to Mgr. Japan, and Viceroy Alexieff.

PEKING, Jan. 7 .- General Yuan Shai Kai, Denby, jr., to Peking to investigate the report as to the probability of war. Mr. | the Holy Sec. Denby has reported that according to the best opinions obtainable, based on diplomatic information, war cannot be averted

Paris Has Little Hope.

PARIS, Jan. 7 .- Official and diplomatic epresentatives here claim to be without information regarding the contents of the Russian reply to Japan, but the tone is distinctly pessimistic and there are but slight hopes of a peaceful exit from the position in which Russia and Japan find themselves. The diplomats are making inquiries as to the attitude of the powers in case of war, that to be adopted by the United States being regarded as particularly importants To the Associated Press the Japanese minister said today:

The attitude of the United States will mean much. It has negotiated a treaty with China for the opening of three ports in Manchuria to the commerce of the world. These ports have been occupied by Russia and thus the treaty rights have been violated.

violated.

Japan is not guided by selfish motives, but is acting in the interest of all nations. I hope the United States will clearly understand our position and will favor as with their support.

The correspondent asked the minister if he had lost all hope of peace.

"I never lose that hope," he replied. Speculate on Course of China. The chinese legation claims to be without

portance of the Chinese as a fighting force, out because of the danger of the interrup- lourned. tion of the Russian communications.

The action of the United States in send ing marines to Seodi, Corea, is regarded ere as being a "significant indication of the trend of its sympathy," and it is known | senate for postmasters: to be gratifying to Japan, because it establishes a precedent which the Japanese can follow if necessary in debarking a strong force on the peninsula.

It is insisted at the Japanese legation that Japan never requested the view of Russia upon the question of dispatching troops to Corea and it is asserted that this action would be taken if necessary without consultation with that government.

A dispatch to the Patri from Constantinopic says Russia is negotiating with Turkey to permit its Black sea fleet, said to consist of seventy-six ships, to pass through the Straits of the Dar-

BREST, France, Jan. 7.-The Russian ruiser Almaz, of 2,385 tons, leaves here toorrow for the far east. Russian Marines at Scoul.

WASHINGTON, Jan. 7.-United States Minister Allen at Beoul, Corea, has cabled the State department, under today's date, that the Russian marines who were landed at Chemulpo and who were refused transportation to Beoul over the Japanese railway have reached the capital, marching

TOKIO, Jan. 7 .- The government is sflent concerning the terms of the Russian rejoiner. A high authority here, however, mays that the reply is unsatisfactory to Japan, especially in its features bearing upon the question of Corea. He says that the Russian government in its communication expresses a desire for peaceful settlement of the matters in dispute. Japan has taken the reply under consideration and if convinced that Russia's protestations are honest and that there is a chance for peace it will continue the negotiations. At the same time, the ministry is unqualifiedly opposed to a long delay. It is becoming ap parent that Japan would resent any intervention upon the part of any of the outside powers in the extremity of the crisis, It is thought possible here that the United States might intervene. Such intervention, the Japanese say, would be unjust and only create delay, which would be ad vantageous to Russia

BT. PETERSBURG, Jan. 2.-The war ministry has received a dispatch from Tokic saying that Baron de Rosen, the Russian minister, presented Russia's reply to the Japanese cabinet yesterday.

GOLDEN STATE LIMITED OFF Rock Island's Swell Train Tries Tie Walking Down in New

Mexico.

TOPEKA, Kan., Jan. 7 .- A special to the State Journal from Tucumcart, N. M., says: The Golden State limited, the Rock Island's ported. through train from Chicago to Californi was derailed at Revuelto this morning. No me was killed. The passenger train, be hind time and running at the rate of sixty miles an hour, swung around a curve and struck several cars of a freight train which had taken a siding, but which projected onto the main track. The engine of the limited train was disabled and derailed, many box cars demolished and loo yards of truck torn up.

The depatch does not state whether or not any one was injured.

jured slightly,

Since Seeing Corbin, Young and Wood He Resolves Upon Change in Uniforms,

BERLIN, Jan. ?. Since Emperor William Generals Corbin, Young and Wood in new uniforms at the German army sers in September, 1902, the army ters of this country have been exwith similar shades and have blend between straw color and green, which presently will be substraced for dark blue throughout the army as the uniforms of privates and non-

mmissioned officers. The cloth has then tested for a year, unness. It was found in the last summer maneuvers that the new uniforms are scarcely distinguishable at a distance from dry stubble or grass. It will be three or four years before the present uniforms entirely disappear, as the government has upward of 2,000,000 old uniforms in stock, though the greater part of these have seen service.

It was found in the last summer maneuvers of Western Federation of Miners in the Cripple Creek district. It has been decided in many courts that members of organized labor are not vagrants. Keep your union cards. Refuse to be driven away from your homes. If competied to leave by force of arms, union men are advised to return immediately to the Cripple Creek district. The Western Federation of Miners will protect all striking miners and their families. er service conditions, for wear and clean't-

The German government is the largest ready-made clothes manufacturer in the world, turning out 600,000 to 800,000 uniforms per year, the exact number depending on obtain employment. Preparations are being

POPE PUZZLES THE MEXICANS charge other than vagrancy is made will

tlement. The correspondent says that all They Do Not See How He Can Hope to Enter Upon Diplomatic Negotiations.

MEXICO CITY, Mex., Jan. 7 .- The news rom Rome that Pope Plus X has appointed Serafino, bishop of Spoleto, aostolic "delegate" to Mexico instead of apos tolic "visitor," as was reported, excites some interest here, as the telegram asommander-in-chief of the Chinese army serts that the Vatican considers this as and navy, sent his foreign adviser, Charles the first step towards the resumption of the Western Federation of Miners, today diplomatic relations between Mexico and issued a statement in which they declare

At present there appears no likelihood that the Meixcan government intends to administration has spent nearly \$1,000.00 resume direct relations with the Vatican. of the state's funds to subserve the cor-The existing constitution makes distinct separation of the church and state and tion pledges." the government grants impartial protection are in force and nobody thinks of repealing

For these reasons there is some curiosity felt here as to what grounds the Vatican has for believing it can enter into diplomatic relations with this country,

Father Clark Reaches Honolulu. HONOLULU, Jan 7 .- F. E. Clark, presient of the Society of Christian Endeavor, arrived here on the steamer Sierra on his tour of the world. He was given a warm reception on the wharf.

HOUSE HOLDS BRIEF SESSION

In Twelve Minutes Authority is Given to Use Money Against Boll Weevil.

WASHINGTON, Jan. 7 .- The house was n session but twelve minutes today. Mr. Hemenway, chairman of the committee on information in regard to the attitude of appropriations obtained vnanimous consent China in the event of war. It was said that one hour be devoted at the opening at the outset it was certain that neutrality of tomorrow's ression for consideration of would be proclaimed, but in case of Jap a bill amending the not appropriating \$500,anese victories it would not surprise the 000 for the eradication of foot, and mouth legation if the Chinese should cast their lot with Japan. This would seriously embarrans Russia, not because of the im-The bill was favorably reported today. Ad-

> Nominations by President. WASHINGTON, Jan. 7 .- The president today sent the following nominations to the

> California-James L. Matthews, Covina; Motley H. Flint, Los Angeles, Idaho-Charles W. Wilson, Sand Point. Idaho-Charles W. Wilson, Sand Point.
> Second assistant engineer of the revenue
> cutter service, Harry, M. Hepburn, Iowa.
> Postoffice appointments: Indian Territory
> -William R. Casteel, Mounds. IowaFrank J. Tishenbanner, Gilmore City, William C. Marks, Aurelia; Benjamin F.
> Keables, Pelia; Lars E. Bladine, Marathon,
> William D. Junkin, Rock Rapids; Richard
> M. Boyd, Sanborn, Missouri-Charles L.
> Gray, Cartervillo.

Confirmations by Senate. WASHINGTON, Jan. 7 .- The senate to

day in executive session confirmed the following nominations: following nominations:

John C. Black of Illinois, civil service commissioner; Henry D. Saylor of Pennsylvania, consul general at Coburg, Germany; Lawrence O. Murray of Illinois, and stant secretary of commerce and labor; Luther S. Kelly of New York, agent for the Indians of San Carlos agency, Ariz.

Postmasters; Arkansas—Owen J. Owen, Jr., Conway. Iowa—Frank V. D. Bogert, Paulina. SAYS AMERICANS ASSISTED

Senator Morgan Replies to Address of Senator Lodge on Panama Question. WASHINGTON, Jan. 7 .- Mr. Morgan oc-

reply to the speech of Mr. Lodge, de- to arbitrate. livered last Tuesday. Mr. Morgan again attacked the president and the attitude Panama republic. He introduced numerous pany refused to pay more than 17 cents, the newspaper extracts to bear out his contention that the revolution was assisted by officers and citizens of the United States. Mr. Morgan said that if the United States should withdraw from the isthmus Colombia would quickly drive out the few revolutionists and their supporters.

FLEE FROM ACTIVE VOLCANO Mexicans Are Alarmed by Renewed Activities on the Part of Mount Colima.

CHICAGO, Jan. 7 .- News from Guadalajara, Mexico, says: Violent eruptions of Mount Collma volcano have caused the in habitants of the country immediately adacent to the mountain to become alarmed. Many of the people have left their homes and sought safety from the ashes and

lava.

The most terrorizing feature of the erup tions is the carthquake shocks which are felt in the region of the volcano. These selsmic disturbances are of unusual se verity, but no serious damage has been re

CROWD WITNESSES A SUICIDE Harry Hendrickson Takes Strychnine in Well Filled Resort at Lend.

LEAD, S. D., Jan. 7 .- (Special Telegram. -Harry Hendrickson, an Englishman who arrived in Lead a short time ago from Colorado, committed suicide in one of the public resorts by taking a dose of strych-At the general offices of the Rock Island nine. Although the deed was done in the tere it is stated that "no one was kitled presence of a room full of men, who atseriously injured." The officials were tempted to prevent it. Hendrickson succeeded in killing himself. Hendrickson mable to state whether any had been inwas a cripple and was unknown in Lead.

Such Alternative Offered to Colorado Miners in Oripple Creek District

FEDERAL COURT MAY BE APPEALED TO

C. H. Reimers, Citizen of New York, May Sue Out Writ of Habeas Corpus to Test Power of Millitin.

CRIPPLE CREEK, Col., Jan. 7.-The following notice was posted here today:

CHARLES H. MOYER.
WILLIAM D. HAYWOOD,
Western Federation of Miners.

It is understood that one more day will be given strikers to leave the district or made, it is said, for wholesale arrests tomorrow. Prisoners against whom no e evicted from Teller county and will not be permitted to return.

C. H. Reimer, who was arrested yester-day, is confined in the county jall, but no criminal charge has been filed against him. His home is in Buffalo, and an attempt may be made to take his case before the United States district court on an application for a writ of habeas corpus.

Says Governor Fears Courts

DENVER, Jan. 7 .- President Charles H. Moyer and Secretary W. D. Haywood of that the strike in the Cripple Creek district "is not broken, though the republican porations and make good their ante-elec-

The statement denies that any insurrec denominations. The reform laws tion exists and contends that every constidecreed in the time of President Juarez tutional right of the people has been grossly violated by Governor Peabody and his military subordinates. The result of Poole habeas corpus is cited as proof that the governor is "afraid to allow the highest court in the state to determine the question as to who is guilty of lawlessness in the Cripple Creek district,"

After referring to the vagrancy order ssued by the military commander at Cripple Creek, the statement says: "The members of the Western Federatio

of Miners on a strike in the Cripple Creek district are receiving all necessary means of support from a fund which they have helped to create, and we challenge the right of any one to deny them that privflege,"

Governor Peabody announced today that the troops will soon be withdrawn from Cripple Creek,

"I think the civil authorities will be able to cope with the situation," continued Governor Peabody, "At least I hope so If nothing unexpected happens all the soldiers will be ordered home from Cripple Creek on Baturday" The governor also said that the force on duty at Telluride would be materially

reduced this week. Many Weapons Configented. TELLURIDE, Colo., Jan. 7.-Fifty-six nen have been expelled from San Miguel county by the military authorities since the publication of the governor's martial law proclamation. About forty-five of these men are quartered at Montrose and Intend to return to Telluride after the troops are withdrawn. The search for firearms and ammunition has been completed and be-

tween 600 and 700 weapons have been confiscated. Trial at Georgetown.

GEORGETOWN, Colo., Jan. 7 .- William Bate, former president of the Idaho Springs miners' union and chief witnes or the state in the Sun and Moon dyna miting case, was subjected to a severe cross-examination today, but his testimony concerning an alleged conspiracy not only to destroy the Sun and Moon property, but also to blow up the power plant at Idaho Springs, was not materially shaken. Bate testified that D. C. Copley, a member of the executive board of the Western Federation of Miners and one of the defendants, was in full charge of the strike at Idaho Springs, and that the union appointed a committee to run nonunion men out of

Company Refuses Arbitration.

BLOOMINGTON, Ill., Jan. 7,-The mempers of the State Board of Arbitration today made public their report on the street rallway strike and left for their respective headquarters. The report is unsatisfactory, as no concessions could be secured from the company, the answer being that the strikers had formally left the service cupied the time of the senate today in a of the company and that there was nothing

The board secured a concession from the men by substituting 18 cents an hour for of this government in connection with the 19 cents, as first demanded, but the comold scale. The company also refused to take all of the strikers as a body, but would only agree to take them back under individual contracts and only as needed The failure of the state board to effect a settlement is taken to mean that the struggle will be continued indefinitely.

Commencing with today, the cars are all running on their full schedule. There is still slight disorder, the most serious case being the firing of a builet through the democratic members suggested a number West Chestnut street car last night. No of amendments intended for the purpose one was struck.

Illfnola Strikers Arrested. CHICAGO, Jan. 7 .- A dispatch to the Tribune from Aurora, Ill., says that because of the riots in Batavia, as a result of strikes in the different factories there, fifty strikers have been arrested. The

PERRY HEATH HUNTS MARSHAL Finds Him, Has Summons Served and

Starts to Washington to

cases are set for hearing next Wednesday.

SALT LAKE CITY, Jan. 7 .- A summons in the case of the government against former Superintendent of Rural Delivery Machen was served on former First Asdstant Postmaster General Perry S. Heath today by United States Marshal Heywood Mr. Heath arrived at his home from Den

ver last night. He was told immediately

of the reports that subpoense had been in

sued for him and this morning presented

himself at the marshal's office and asked that the papers be served. Mr. Heath will leave for Washington this evening to give testimony in the case. Mrs. Hanna's Brother is Dead. SARANAC LAKE. N. Y., Jan. I.—Carl made known. It is said Gordon, a brother-in-law of Juniel R. Hanna of Cleveland, O., accidentally shot and killed himself here last night,

Treise, a Heinze Superintendent, Gives Sensational Testimony in the Hearing at Helena,

ST. PAUL, Minn., Jan. 7.-A special to the Disputch from Helena, Mont., says The fourth session of the coroner's jury investigating the manner of the death of Samuel Olsen and Fred Divel, who were killed by an explosion in the Michael Devitt

mine, brought out more sensations. County Attorney Breen announced that he had received a postal card containing a threat and a promise of "rope" if he continued in the line he had been following during the inquest.

.The other disclosure was the namission of J. Treise, a Heinze superintendent, that he had personally blown air, dust and lime into the eyes of the miners in the Pennsyl vanla property during one of the underground battles, and the acknowledgment of the much-talked-of secret crossing it the Michael Devitt mine through which it is alleged loot ore had been taken.

In detailing the lime incident Mr. Treise said that when he broke through the bulkhead into the Pennsylvania mine the mer would not let him on the property. He then blew air from a hose on them, after ward dust and, that falling, had a box of powdered lime brought in, which accomplished his purpose. He entered the mine from the "Rarua"

James J. McGrath, an electrical worker employed in the Never Sweat mine, but who was in the Rarus mine at the time of the explosion, testined today that he heard A. L. Frank, superintendent of the Rarus, tell his men to "keep those fellows out" by blasting if they had to.

James McQuade, a shift boss at the Penn sylvania, denied that any blasting was done in that mine on the night of December 12, but said he heard heavy blasting in the Rarus. It was so heavy, he said, that his men could not work for the smoke. He thinks ten boxes of powder were set off at the entrance to the Pennsylvania works by the Rarus people.

DISPATCHER CALLED DOCTORS

Eight Minutes Before Kansas Wreck Occurred Physicians Were Notified of Accident.

TOPEKA, Kan., Jan. 7 .- Yesterday's wreck of the westbound Rock Island express at Willard, in which seventeen persons were killed and thirty others were injured, was anticipated by the train dispatcher in Topeka eight minutes before it is neither expected nor would it be ap-occurred, according to a statement made propriate for me to make an address at teday by two members of the coroner's jury which has been called for this afternoon to investigate the cause of the col-

These jurors are Dr. J. M. Kemper and Dr. C. Menard, physicians of Maple Hill, One of them made the following statement today and it was corroborated by the other:

We were called to the scene of the wreck from Maple Hill just eight minutes before it occurred. When the cattle train was reported through Maple Hill and the passenger train through Willard, the disputcher in Topeka knew that a wreck was coming. He immediately called the operator at Maple Hill and told him to notify us of a wreck. We started at about the time the wreck poursed and arrived at the scene about that it minutes later.

The session of the coroner's jury has been postponed until this afternoon because of the nonarrival of several railway employes summoned as witnesses, The body of the 8-year-old boy killed in the wreck is still unidentified at the morgue here. The injured at the hospital are progressing favorably and it is be lieved that none will die.

CONFESSES TO MONTANA ARSON

WASHINGTON, Jan. 7 .- The senate committee on foreign relations today continued consideration of the Panama treaty. When the committee adjourned eight sections had been read and discussed. The of strengthening and making more certain

and absolute the control of the United States over the canal. None of these changes was definitely acted upon, but the republican members indicated a willingness to give them consideration. They declared that they were rendy to make changes which would improve the treaty and it was generally agreed that under the present circumstances this government would be able to secure any terms which might be considered requisite to secure ratification of the treaty. It is now believed that the committee will be ready to report early next

INDICTMENTS IN MISSOURI Nine Returned by Federal Inquisitors

at Hannibal in Postoffice Matters.

HANNIBAL, Mo., Jan. 7 .- The federal grand jury, which has been investigating alleged bribery in the purchase of sites for postoffices in different towns in the state, made report late joday returning nine indictments. Against whom the indictments have been returned has not been made public, nor have the charges been made known. It is said one indictment charges embessiement of postoffice funds.

ADMITS BLOWING THE LIME LAWYERS ARE IN EVIDENCE NEBRASKA WEATHER FORECAST GIVES RULING TODAY

Large Number Attracted by Meeting of the State Bar Association.

WEBSTER ON LAWYER'S PLACE IN HISTORY

tion to Judges of Supreme

and Federal Court.

Justice McClain of Iowa Talks on "Civil and Common Law"-Recep-12 m..... 46 S p. m..... 43 9 p. m.... 40

Owing to belated trains and the important proceedings now pending in the United States court, the proceedings of the opening session of the fourth annual meeting of the Nebraska State Bar association were necessarily somewhat curtailed yesterday afternoon. Merely routine business was transacted, the most essential part of which was amendments to the by-laws which excused nonresident members from paying

New members elected were: Edgar Ferneau, Auburn; W. L. Stillman, Omaha; W. C. Brown, Springfield; J. J. Helligan North Platte; H. S. Daniel, H. H. Bowes, C. J. Smythe, Omaha; John C. Hartigan Fairbury; Lewis Paulson, Minden; M. T. Garlow, Grand Island and E. E. Good, Wahoo.

The delivery of the annual address by President John L. Webster, announced for the afternoon session, was deferred until the evening meeting.

The city council chamber presented an animated and interesting appearance last he said: evening on the occasion of the public reception to the members of the Nebraska supreme court and supreme court commission. Among the visitors were many, of the most notable lawyers of the state, and the interest of the meeting was much enhanced by the presence of many women The audience included nearly the entire bar of Douglas county, with a number of leading legal lights from Council Bluffs and South Omaha

Judge Barnes Presides.

The meeting was called to order at 8:15 by President John L. Webster, who announced that Hon, J. B. Barnes of the Nebraska supreme court would act as temporary chairman for the early part of the neeting.

Upon assuming the chair Judge Barnes was greeted with applause. He said: "Ladies and gentlemen of the state bar association, I esteem it a very high post of honor to preside over this meeting. It this time. We are here to listen to the addresses of the distinguished president of the association and of Judge McClain of the Iowa supreme court. I have therefore the pleasure of presenting to you the Hon, J. L. Webster, president of the Ne braska Bar association.

Webster's Annual Address.

Mr. Webster was warmly applauded as he came forward, and at once proceeded to the delivery of his annual address as president of the association.

President Webster had for the subject of his annual address "The Lawyer: His Place in American History." He treated the topic in a scholarly and interesting manner, briefly calling attention to the brilliant achievements of the many learned and profound lawyers whose names grace the benefits that had accrued to the public because these men had devoted the riches of their experience and acumen to the public good. His concluding remarks were devoted to the constitution of the United States and its present day destiny. On this head of his address he said: The constitution of the United States

Salvation Army Recruit Tells St. Louis
Officers of Accident to
Hotel:

ST. LOUIS, Jan. 7.—Apparently conscience stricken and his mind affame with religious ardor, William Wilson, aged 32, h Salvation Army recruit, walked into science stricted and mis hand manual religious ardor. William Wilson, asced 85, a Salvation Army recruit, walked into he headquarters today and confessed that on July 5, 1961, he had set fire to the Occidental hotel. Rosebud county, Mont., which resulted in the death of one person and injuries to twenty. Wilson seems of that it is to ease his own conscience and give this man his freedom that he surrendered himself.

Wilson said that he did not fire the hotel intentionally, but that he accidentally dropped a burning match in the hallway and when he saw the flames spring up he ran insteal of raising an alarm. He fled straight to St. Louis and iater learned that another man had been sentenced to the penitentiary on circumstantial evidence. Recently while attending a Salvation Army meeting he broke down and confessed to an army captain. Two Salvation Army meeting he broke down and confessed to an army captain. Two Salvation Army meeting he broke down and confessed to an army captain. Two Salvation Army meeting he broke down and confessed to an army captain. Two Salvation Army officers accompanied Wilson the Montana authorities.

EARLY REPORT ON TREATY

EARLY REPORT ON TREATY

BY ASSALVANCE ON TREATY

BY AS the necessities of changed conditions. An Englishman said some years ago: "It is therefore hardly an exaggeration to say

Still Fits the Government. The question has sometimes been asked:
"Has the United States outgrown the constitution?" The statesmanship of the great lawyers who have composed the supreme court of the United States has substantially answered that question by giving to the constitution that flexibility which has made it applicable to existing conditions." the constitution that flexibility which has made it applicable to existing conditions. It may be said of both the British and federal constitutions that they are "bundles of institutional principles," many of which are older than the English speaking race. On another occasion I said: "The constitution may be compared to the steel framework of a mammoth building. The rooms and apartments and corridors may be changed from time to time to meet the necessity of the occupants; the walls may be torn out and reconstructed; if may be changed in color and exterior appearance: but the steel framework, strong, massive, enduring, continues to support the structure, sustaining all weights and weathering all storms. It need not be demoished until the building as an entirety shall come down, and if destroyed the entire superstructure may become a wreck and ruin; but if permitted to stand it may tire superstructure may become a wreck and ruin; but if permitted to stand, it may last through the cycles of time, an im-perishable monument of a representative

vernment The Monroe Doctrine,

There is no policy of our government that lies closer to the hearts of the American people than the Monroe doctrine. Its earlier expressions may be found scattered through the writings of the lawyer, statesmen. Hamilton, Jefferson, Adams, to the lawyer president, James Monroe, who gave it official form and declaration. During the administration of President Cleveland it became necessary to apply that doctrine to a new condition, and to give it a broader scope and meaning. Great Britain was about to selze a part of the territory of Venezuein. Then it was that one whose whole life had been devoted to the law, and who for the direct time, as it were, stepped from the court room to t were, stepped from the court room the position of America's premier,

(Continue on Math Page.)

Fair Friday and Saturday.

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PLACES DANTE ABOVE ALL

Prof. Stritch Declares he is High Priest of Nature's Poets.

"Dante, the Florentine, gifted beyond the BATTY REVIEWS HISTORY OF RENT DEAL ken of man, the high priest of nature's poets and poetry, the greatest of all the fine arts, embracing all others and the music of nature itself."

Such was the manner in which Rev. M. I. Stritch, S. J., professor of literature at Creighton university, apostrophized Danie in als lecture at the New Church, Twentythird and Binney streets, to a large audi ence last night on 'Dante as a World Poet." The lecture was the second in the series to be delivered in aid of the New Sacred Heart school,

Prof. Stritch reviewed Dante's early life. pictured the environment and atmosphere in which he grew up, which helped to round out the character of the great poet. Referring to the growing interest in Dante

"Perhaps there never was a case of revived interest in an author that revived interest has reached in Dante. All great universities are adopting the works of Dante as standard and are teaching the ideals he was master of. All great mer of literature recognize in Dante the world's greatest poet and volumes of prose have been written, and the press is today pub lishing columns on the work of this great Florentine. His works stand as a monument-the highest human interest reach, taking rank with Plato, Homer and the best of Shakespeare, and more beautiful and perfect than all of these.

"Dante combined the elements so esse tial to produce the master poet. He was like a central flower in a rose garden branching out and spreading a rich frag rance over all the rest, blessing humanity and shining with a transcended glory which reached the throne of heaven.'Y

IMPLEMENT DEALERS ADJOURN Interstate Association Elects Officers,

Passes Resolutions and Closes

Its Convention. The Nebraska and Iowa Implement Dealers' association finished its work vesterday and adjourned. The morning session was devoted to the reception and considera-

tees, all of which were approved. It was decided to proceed with the orvarious counties and districts and to conlinue the state association.

These officers were elected for the en sning year: President, B. H. Freeland, Onawa, Ia.; vice president, Jerome Shamp, Lincoln; director for three years, Ed L. pages of American history, outlining in a Culver, South Omaha; director for one year, ber of the board. Delegate to the National made public in connection with the gran The executive board will elect the secre-

tary and treasurer. Resolutions were adopted at the final session favoring the abolishment of the parcels post, asking a repeal of the present bankruptcy laws, reprehending the custom of intention of bribery as a condition for the wholesalers and lobbers selling goods at re-

tail and two or three mortuary resolutions. OTHER LICENSES ARE GRANTED Twenty-Six Saloons in Third Ward

Are Given Leave to Continue

in Business. At the meeting of the Board of Fire and Police Commissioners yesterday the matter of the protests against the granting of licenses to the drug stores of Kuhn & Co., Fifteenth and Douglas streets, and

Charles E. Lathrop, 1324 North Twentyfourth street, was taken up. -The protests were flied because the prietors of the stores had failed to comply with the law in advertising in the official paper of the city. After an extended examination the Kuhn case was decided in favor of the applicant and Attorney Connell for The Bee served notice of an appeal to the district court.

Evidence was taken in the Lathrop case, but it was not complete up to the noon re cess and the case was continued until this morning at 10 o'clock. Twenty-six licenses were granted to snloons in the Third ward during the fore-

ROBBER SHOOTS TWO CAR MEN Kills Motorman Gleason and Fatally

Injures Conductor Brighton in

Salt Lake City.

which have been granted.

booty;

BALT LAKE CITY, Jan. 7 .- John Glea son, motorman of a Consolidated Street Railway car, was shot and killed and Thomas Brighton, the conductor on the same car, was fatally shot today by a masked highwayman who was attempting to rob them of their money and valuables. The assailant escaped immediately after the shooting and without securing any

WRECK SIMPLY UNAVOIDABLE Coroner's Jury So Declares After Investigating the Laurel Run

Disnater.

COLLINSVILLE, Pa., Jan. 7.-The coroner's investigation of the wreck of the Duqueme Limited Express on the Baltimore & Ohlo railroad near Laurel Run, Pa., on the night of December 23 last, closed last night and after hours of delib eration the jury rendered a verdict that the wreck was unavoidable.

GENERAL GORDON FATALLY ILL Opinion of Physicians Leaves No Hope for Commander of Confed-

erate Veterans.

MIAMI, Fla., Jan. 7.-General John B. lordon, commander of the United Confederate Veteruns, is critically ill at his ome, Biscayne, of inflammation of the stomach, caused by acute indigestion. A consultation of General Gordon's physicians tonight leaves no hope for re-

Court Promises to Decide the Vital Point in Dietrich Case.

MAY BRING PRESENT TRIAL TO AN END

Was Dietrich Senator Between Appointment and Taking Oath, Pivotal Question.

HIS ATTORNEYS DECLARE HE WAS NOT

On Basis of Action as Private Citizen Say They Will Clear Him.

Interest Still Manifested In Trial by Large Attendance, Among Whom is Daughter of Senator Dietrich.

The Jugy.

Philip Potter, real estate, Omaha.
E. L. Potter, printing, Omaha.
C. H. Justice, merchant, Friend.
John H. Knowles, merchant, Fremont.
William Carroll, implements, Fremont.
Albert Etting, miller, Grand Island.
G. L. Kennedy, farmer, Brownville.
George Beck, notel keeper, McCook.
C. A. Phillips, banker, Lincoln.
H. P. Maketey, insurance, Grand Island,
W. S. Cornutt, lumber, Nebraska City.
William Woods, harness, Seward.

Was Charles H. Dietrich a United States senator between the time he was elected and the day he took the oath of office? This is conceded now to be the pivotal question in his trial for alleged bribery in the Hastings postoffice appointment, which began yesterday in the United States district court. It is the point upon which the whole ase hangs, was argued by opposing counsel yesterday afternoon and is now in the hands of the court, which plans to hand down a decision at 9 o'clock this morning. If it is held that Dietrich was not a senator in the meaning of the statutes under which he is being prosecuted, the result will be a quashing of the indictment charging the acceptance of a bribe, as the government alleges all the acts specified were committed before the senator was sworn in. If the court holds in favor of the defendant the entire case that the prosecution has built up will fall. There will then remain one case to be triedthat under the indictment charging that the senator held and enjoyed a lease with

at Hastings. Demura to This Charge.

the government for the postoffice bubding

To this indictment the defense has filed a demurrer on the grounds that the indictment does not sufficiently charge a crime was committed, inasmuch as Dietrich was not a member of congress when tion of the report of the various commit- the lease was executed and for other reasons of a technical nature. The court has not yet decided this question, and upon its ganization of the local associations in the finding rests the question whether or not

the leasing case will come to trial. Yesterday, which was really the beginning of the bribery trial, was a day fullof surprises. A jury was obtained in one and one-half hours or in much less time than had been anti-spated; the district atterney outlined his plan of prosecution in W. L. Battin, Greenfield, Ia., Paul Her- the opening address to the Sury and word or two the notable achievements and w. L. Battin, Greenfield, In., Paul Her-brought out tothing that had not been polisheimer of Lincoln is the hold-over mem-brought out tothing that had not been Federation, L. J. Blowers of David City, Jury Indictments; Attorney R. A. Batty sketched the theory of the defense, which in brief, is to the effect that the contracts as stated by the government are admitted, but that they all were made in good faith, in a business way and with no thought or

postoffice appointment. Lastly came the raising by General Cowin of an objection to the introduction of vidence by the government, because the district attorney had stated that all the acts, alleged to be criminal, were comnitted before Dietrich took the oath as enator. He insisted that the question inrolved had been forced to an issue and should be passed upon before the case

proceeded. L'mmers Ready to Argue.

The district attorney admitted that the proposition had been fairly raised and said he was rendy to argue upon it. prepared an exhaustive type-wriften interprelation of the statute under which he is trying to convict Senator Dietrich. which was much devitalized by very searching questions put by Judge Van Devanter. The really spectacular part of the day's proceedings came in this connection, the colloquy ensuing between the court and the prosecuting attorney being more that of a lawyer and a witness than anything else. The judge repeatedly interrupted Summers and took issue with him on interpretation of legal points; also being especially diligent in making clear matters of fact. While no one in the court room was presumed to know the mind of the noon. This makes about 200 licenses in all court, yet it was clear many times that the mental processes of Judge Van Devanter were at variance with those of the

district attorney. Omaha courts never have been called upon to accommodate larger or more interested crowds than are attending the Dietrich triai. All day yesterday Beores of persons filled all possible standing room, both inside and without the railing, obscuring the view of those who were fortunate enough to obtain chairs. The latter kind of furniture was at a premium and so dense were the people that Judge Van Devanter made a special request upon United States Marshal Matthews & keep the room well ventilated. The people present included state officials, men who rank high at the Nebraska bar and a number of women. The opening sessions of the state bar association did not divert the attention of many lawyers from the unusual trial of a United States senator on the charge

of bribery. Senator's Daughter Attends.

Miss Gertrude Dietrich, the daughter of the senator, was present all day, and, chaperoned by Mrs. G. W. Holdrege, was the center of much interest. She is a girl of about 22, with a great mass of brown hair and a delicate complexion. All along her interest in the case has been most in tense, but, like her father, she showed no anxiety or traces of nervousness, simply regarding the proceedings steadfastly and without comment. Other women who were there were: Mrs. W. S. Summers, Mrs. S. R. Rush, Mrs. W. R. Lighton, Mrs. W. H. Munger, wife of one of the presiding judges; Mrs. W. S. Sunderland, who was present with her husband; Mrs. George H.

Thummell and Mrs. Frank E. Cog. Among the lawyers present were: Lieutenant Governor McGilton, Charles J. Greene and J. E. Kelby, who thumbed law books; Judge George W. Doane, Supreme Court Commissioner Duffie, Judge Hainer of Kearney and Judge N. D. Jackson of Neligh. The women occupied a position near the press table, where every impor-