

ESTABLISHED JUNE 19, 1871.

OMAHA, TUESDAY MORNING, DECEMBER 6, 1904—TEN PAGES.

SINGLE COPY THREE CENTS.

CONGRESS IS OPEN

Both Houses Are Called to Order Promptly at Twelve O'clock.

SENATE IN SESSION THIRTEEN MINUTES

Adjournment Taken in Memory of Former Senators Quay and Hoar.

HOUSE TRANSACTS LITTLE BUSINESS

Merchant Marine Commission to January 5 to Make Its Report.

PRESIDENT'S MESSAGE COMES TO

Usual Committees Appointed to Wait Upon the Chief Executive to Notify Him of Opening of Session.

WASHINGTON, Dec. 5.—With the senate in session thirteen minutes and the house in session thirteen minutes, the fifty-eighth congress was assembled today. The time of both bodies was devoted entirely to the usual formalities of opening day. There were the greetings between members, the great floral display and the hundreds of visitors with beautifully gowned women predominating. Corridors, committee rooms and cloak rooms were thronged. The bustle extended even to the floors of the chambers.

The senate, and Speaker Cannon, pro tem of the house, fell exactly at 12 o'clock. The opening prayers were made by the chaplains, Rev. Edward Everett Hale, D. D., in the senate, and Rev. H. N. Couden in the house.

In both the senate and the house the committees were appointed to wait on the president and inform him that congress was ready to receive any communication he had to send. Resolutions of respect to the memory of the late Senators Hoar of Massachusetts and Quay of Pennsylvania were adopted by both houses and the adjournments taken were in further tribute to their memory.

The only business outside of the usual first-day routine was the adoption of a resolution in the house, extending until January 5, 1905, the time within which the Merchant Marine commission may make its report.

Business Begins at Noon.

The last session of the fifty-eighth congress was called together at noon today. The opening was under unusual auspicious conditions and amid scenes that for years have made the reassembling of congress among the notable events of the country. Hundreds of sightseers today thronged the corridors and crowded into the galleries to witness the formal proceedings.

From one end of the capitol building to the other the busy tread of stateroom and the flutter of femininity distinguished the occasion from any other in the official or social calendar of the year.

The gallery which has characterized Washington since early in the spring the city awakened to a new era and heralded with apparent joy the day which opens both the official and social seasons.

The streets were crowded with people intent upon witnessing the ceremonies. Carriages flocked about the hotels ready to carry guests to the capitol and two hours before noon a steady stream of vehicles bearing gay parties made its way to the east front of the building.

Many newly elected members were at the capitol, although they will not enter office until after March 4. A particularly sad feature of the reassembling was the absence of kindly faces grown old in the service of the country.

Opening in Gala Occasion.

Early in the memory of the old guard had the opening day been made such a gala occasion. The galleries, rather than the floor, proved the center of attraction for rows upon rows of handsomely gowned women looked down upon the stateroom and the chamber under the crowd of strollers in and out of the cloak rooms to exchange greetings with old friends and receive those of new ones.

Members of both bodies were flooded with remembrances in the form of floral pieces and the chamber was under the appearance which they never know on any other occasion. Baskets and clusters of bright roses, chrysanthemums and other fall flowers covered the desks. Though rain and sleet fell during the entire morning, these discomfited were insufficient to mar the success of the day.

Those who attend the first day of a session of congress gain but a false idea of the functions of the greatest of all law-making institutions.

In the opening day beyond the usual formalities, the session will be adjourned out of respect for the late Senators Hoar of Massachusetts and Quay of Pennsylvania. In the house, pending the annual message from the president, nothing but the merest routine will be accomplished.

This will be the short session of the fifty-eighth congress and a notably interesting one, for, with the inauguration of President Roosevelt, the session will go out in a blaze of glory. Only once in four years does congress have an opportunity to wind up its affairs under the historic conditions which will prevail next March.

Short Session of House.

The house of representatives convened today at noon for the last session of the fifty-eighth congress. The event attracted to the house side of the capitol the usual opening day throng who, although conscious that admission to the galleries was by card only, nevertheless began to assemble as early as 9 o'clock. From that hour the crowd grew and until the corridors became choked with constantly moving humanity, many of whom indulged the vain hope that by some stroke of good fortune they might gain admittance, while others were content if they but only could peep in. The gallery doors were thrown open at 10:30 o'clock and in a short time every seat was taken. The diplomatic corps was well represented. Now and then as some of the favorites entered the chamber they were liberally applauded.

In his private room, for some time before the house met, Speaker Cannon held an informal reception to "the boys," as he is wont to call his associates in the house. Without distinction as to party, the members dropped in to pay their respects and for each had a pleasant word.

The floral display was beautiful in the extreme and there was hardly a desk that was not banked with floral pieces of some kind.

Cannon Raps for Order.

Speaker Cannon promptly at 12 o'clock rapped the house to order. After prayer

JAPANESE ARE INDIGNANT

Allege that Russian Fleet Has Been Granted Too Many Favors.

TOKIO, Dec. 5.—Popular sentiment regarding the question of the assistance which neutral powers are giving to the vessels of the Russian second Pacific squadron, which heretofore has been represented as growing more acute and prominent newspapers are voicing the demand for determined action by the Japanese government. Apparently it will depend on the course of events when the Russian warships arrive in Oriental waters. If the squadron shall have been permitted to exceed a fair construction of neutrality it is probable that Japan will consider itself under no obligations to observe neutrality and may send its fleet after the Russians into ports, the neutrality of which it believes the Russians are violating.

Preparations for meeting the Russian warships on a most extensive scale, particularly in the case of the navy, which is confident of solving the problem under fair conditions. The preparations of the army include the calculation that the Russians may attempt to cut the Japanese communications in the Liaotung peninsula, but when the Russian vessels arrive the Japanese armies in Manchuria expect to be in a position to carry on the campaign of many months without necessity of communicating with Japan.

Commercial concerns anticipate a temporary disappointment in the matter of mail and maritime services when the Russian squadron arrives.

PROCLAIMS TWO NEW SAINTS

Consistory for Canonization of Gerardo Matella and Alessandro Sauli.

ROME, Dec. 5.—The pope this morning held a consistory for the canonization of Blessed Gerardo Matella and Blessed Alessandro Sauli, one of the chief functions of the celebration of the golden jubilee of the proclamation of the dogma of the Immaculate Conception. The weather was springlike, adding to the general feeling of good will. The pontiff went in procession to the hall of the consistory, where there was a most impressive gathering of high prelates, said to be the largest since the fall of the temporal power of the pope, but the public was not admitted.

Pope Pius, wearing his full pontifical robes, seated himself on the throne immediately after entering the hall. He then recited in a most impressive manner the occasion and proceeded to expound the reasons which induced him to sanction the canonization of the new saints, inviting the sacred college to give its views, which were followed by patriarchs, archbishops and bishops, including those from the United States and Canada.

After this the pope proceeded to St. Peter's, where the solemn rites of the canonization were performed.

Later the pope received in St. Peter's all the members of the international Congress of the Virgin Mary, which met today in Rome.

Many foreigners, including the American ecclesiastics now in Rome, were also present. The pope blessed the crown, composed of twelve stars of brilliant and valued at \$20,000, which will be placed on the Madonna, whose image was crowned by Pope Pius IX when he proclaimed the dogma of the immaculate conception. Replying to the address of Cardinal Vanutelli, the pope said the jubilee of the immaculate conception was a new affirmation of Christian feeling, true religion and sincere loyalty to the pontificate.

All the prelates and others were permitted to kiss the hand of the pope, including a group of about 100 bishops of all nationalities.

TURBINE SHIP IS DISAPPOINTING

Action of the Victoria Raises Question of Its Value.

GLASGOW, Dec. 5.—The trials of the Allen line steamer Victoria, the largest turbine ship yet built, which was launched at Belfast August 25, have been so disappointing as to raise serious doubts among the Clyde shipbuilders as to the value of the turbines in the case of large ships. All the efforts made to get the Victoria back contract speed were futile and it is understood that the construction of the turbine engines intended for the new Cunard line steamers has been suspended pending developments. A sister ship of the Victoria will be launched next month. The two vessels were built on the Clyde and not the Victoria, which was the fast Canadian mail service would be given to the Allen line.

ARGUMENTS IN LAND CASES

Counsel for the Defense Tells Jury the Government Has Failed to Make Case.

PORTLAND, Ore., Dec. 5.—The argument of counsel for the defense in the land fraud case commenced today, Lawrence F. Pater of Everett, called the best of the defendants, being the first speaker to address the court and jury on behalf of the persons accused of a conspiracy to defraud the government of public lands.

The speaker said that the government had failed to make out its case against the prisoners and attacked the testimony of the government's principal witness, Montague and Heldike as being unworthy of belief. Counsel asserted that the principal in the defense were innocent purchasers of the land and that the government's case was based on perjury and other practices practiced upon them, and that the persons whom the government all gen are fictitious are living human beings, who actually went upon the lands in question.

Judge O'Day went before the jury today to defend himself of certain accusations thrown upon him by witnesses for the government. Judge O'Day finished during the afternoon.

ATTACH HOME OF LAWSON

Massachusetts Supreme Court Will Hear Case Brought Against Boston Financier.

BOSTON, Dec. 5.—The suit against Thomas W. Lawson for \$500,000 brought by Paul Fuller and F. R. Couder of New York was entered today in the Massachusetts supreme court. The action is said to have been taken in connection with stock transactions.

Papers filed in the case indicate that Mr. Lawson's place at Belmont, Mass., has been attached for \$500,000. In the bill of complaint the plaintiffs declare that Mr. Lawson failed to respond to several calls for payment on stock for which he had subscribed.

(Continued on Second Page.)

MID-WEST MEN ALL PRESENT

Congressman Burkett Congratulated Over His Prospect of Promotion.

HINSHAW TALKS OF VISIT TO PRESIDENT

Major Lacey of Iowa Still a "Stand Patter" on the Tariff Question and Can See No Evidence of Demand for Revision.

(From a Staff Correspondent.)

WASHINGTON, Dec. 5.—(Special Telegram.)—Every member of congress from Nebraska, Iowa, South Dakota and Wyoming was present when the last session of the fifty-eighth congress convened today. They were a cocky lot of congressmen from Nebraska, Elmer J. Burkett leading all of his colleagues in the warmth of his reception at the hands of his associates.

There were few flowers, however, for the men from the west. Allison and Hedge of Iowa received a few remembrances; so did Kirtland of South Dakota and Mondell of Wyoming, but Nebraska's representatives, so far as could be seen from the press gallery, are without floral recognition, but they did not look at all disconsolate because the florist had passed them by.

There was a happy crowd of legislators who met today in annual session of congress, the happiness largely extending to the lower house, McCarthy of the Third Nebraska, Hedge of the First Iowa, Mondell of Wyoming and Martin of South Dakota, being particularly jubilant. Judge Kinkaid, senator and lawyer, was glad to be back in Washington and signaled his advent by introducing a bill providing that persons who prior to November 1, 1904, made entry of lands under the so-called Kinkaid bill, approved April 29, 1904, shall not be required to establish or maintain residence on the lands so entered by them prior to May, 1905. Having had such phenomenal success in getting through congress his bill amending the homestead laws of the United States and giving a section of land to each settler in the limits of Nebraska, the spokesman from O'Neill is now seeking to postpone the time when settlers must go upon the land to establish a residence.

In the language of a Wyoming cattle man: "It will be the best of the man in the Sixth district if the cattle men are compelled to live on the lands they have acquired under the Kinkaid bill this winter."

Hinshaw's Visit to President.

Congressman Hinshaw, recounting his visit to the president, said that Mr. Roosevelt had called his attention to the claim made by Nebraska that the tariff men are compelled to live on the lands they have acquired under the Kinkaid bill this winter.

"Did he say anything about tariff revision?"

"Well, I am sure the president does not want to be quoted," replied Mr. Hinshaw. "But I believe he would like to have the tariff modified, particularly on steel, wood pulp and paper."

Your correspondent mentioned this talk of Mr. Hinshaw to Major Lacey of the Iowa delegation. Major Lacey replied: "If you can show me how you can revise the tariff schedule, I will support your bill then I am for revision. We tried it in the past and before we got through the whole tariff was under discussion."

And along these lines Lacey said: "I never saw the people so well satisfied with conditions as they are now. I do not see any heavy demand for bothering the tariff. I suppose there are some people who want to look inside the doll to see if it is stuffed with sawdust, but in my state the number of inquisitive people are few and far between. Representative Martin of South Dakota, representing a portion of the country that is freely spoken of as demanding tariff revision, had this to say:

"There is no clamor for revision in my state. I do not see any heavy demand for bothering the tariff. I suppose there are some people who want to look inside the doll to see if it is stuffed with sawdust, but in my state the number of inquisitive people are few and far between. Representative Martin of South Dakota, representing a portion of the country that is freely spoken of as demanding tariff revision, had this to say:

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WOULD PROBE ELECTION FUNDS

Bourke Cockran Introduces Two Bills Dealing with Campaign Contributions and Expenditures.

WASHINGTON, Dec. 5.—Representative Cockran (N. Y.) introduced today a bill providing for the appointment of a special committee to inquire into and ascertain the amounts of money expended by both parties in all elections for presidential electors since 1882 to 1904, inclusive.

Representative Cockran (N. Y.) introduced a bill today providing that when any sum exceeding \$50 shall be contributed to the funds of any political party or any money shall be expended by or on behalf of any candidate for representative in congress or for presidential electors, before an election at which representatives or presidential electors are to be chosen, a statement shall be filed within three days from such contributions or expending such moneys in the office of the clerk of the district court of the United States for the district in which the person or firm or corporation making such contribution or expending such money is domiciled, the amount, the name and residence of the donors and of the person or officer receiving it.

Provision is made further for publishing the statement and making the failure to file a statement a felony punishable by imprisonment not to exceed three years.

ESTIMATES OF FEDERAL EXPENSES

Five Million Dollars More Desired Than Appropriated.

WASHINGTON, Dec. 5.—The estimates of appropriations required for the support of the government for the fiscal year ending June 30, 1905, were transmitted to congress today by the secretary of the treasury. These estimates aggregate \$2,908,852,000, the amount of the appropriations for the current fiscal year.

Following is the recapitulation of the estimates by departments:

Executive Department, \$1,234,000,000; Legislative Department, \$1,234,000,000; State Department, \$1,234,000,000; Treasury Department, \$1,234,000,000; War Department, \$1,234,000,000; Navy Department, \$1,234,000,000; Postoffice Department, \$1,234,000,000; Department of Agriculture, \$1,234,000,000; Department of Commerce and Labor, \$1,234,000,000; Department of the Interior, \$1,234,000,000.

Grand totals, \$2,908,852,000. The estimates for 1905, which are nearly \$5,000,000 more than the estimates for 1904, include \$148,836,250 permanent annual appropriations, already provided for by law.

NAVAL OFFICER LOSES HIS CLAIM

United States Supreme Court Against Extra Pay for Foreign Service.

WASHINGTON, Dec. 5.—Justice Brown today delivered the opinion of the supreme court of the United States in the case of C. M. Thomas against the United States, involving the rights of naval officers in respect to extra pay under the naval personal acts of 1900 and 1901. The opinion is in favor of the government. The claim presented was that naval officers who go to sea should be allowed extra pay in excess of their usual pay because the increased allowance is made by army officers who are assigned to duty at sea or at a foreign port, the purpose of the law being the assimilation of the naval and army and navy officers. Mr. Thomas is a captain in the navy and made claim for the extra pay because of service in the Philippines, in China and at sea. Most of his claims were allowed by the court of claims, but this decision was today reversed.

JAMES N. TYNER PASSES AWAY

Former Postmaster General, Later Tried for Fraud, Is Dead.

WASHINGTON, Dec. 5.—Former Postmaster General James N. Tyner died at 9:15 o'clock this morning.

Mr. Tyner was postmaster general for a short time during President Grant's administration. His last official duties were as assistant attorney general for the Postoffice department, which office he occupied last year, which was followed by his indictment, together with his nephew, Harrison J. Barrett, in a charge of conspiracy in connection with the use of the mails by certain alleged "get-rich-quick" conjurers. He had been in ill health for a number of years. He was born in Indiana in 1826.

YOUNG PUTNEY IS OUT OF ARMY

War Department Orders Young Virginia Discharged Without Honor.

WASHINGTON, Dec. 5.—The War department has directed that recruit Stephen Putney, Jr., of the general service, Jefferson Barracks, Mo., be discharged without honor from the army on the ground that he enlisted under false pretenses. Putney is a young Virginian, who recently got into trouble at St. Louis, resulting in the loss of all his money. One of the stories was that he had been kidnapped and robbed of some of his money, and that he had been enlisted in the army while suffering from the effects of a drug given him by the kidnapers.

SUGAR COMPANY LOSES CASE

WASHINGTON, Dec. 5.—The supreme court of the United States today denied the applications for writs of certiorari in the case of the American Sugar Refining Company of New York, versus the United States, thus in effect affirming the decision of the circuit court of appeals for the second district, which sustained the government. The suit was brought by the sugar refiners to test the validity of treasury regulations allowing for the temperature modifications of the polariscopic test of sugars brought into the United States.

MINERS' FEDERATION MEETING

President Meyer Says Cripple Creek Conditions Are Unchanged and Strike Continues.

DENVER, Dec. 5.—The executive board of the Western Federation of Miners convened in this city today. One of the subjects to be considered is the Cripple Creek strike.

"The issue involved in the Cripple Creek strike," said President Charles H. Meyer, "remains unsettled and the situation is unchanged. Personally I see no reason why the strike should be called off until a satisfactory treatment with the mine owners has been reached."

GOURAY, Colo., Dec. 5.—Following the lead of the Telluride operators, it is announced all the milling plants in the Gouray district will adopt an eight-hour basis by January 1. The mine managers are now making arrangements preparatory to the change. The adoption of the eight-hour day in the mills of this city was hastened by the fact that the mill men were leaving here and going to Telluride to take advantage of the shorter workday there.

BECKWITH ENDORSED NOTES

President of Oberlin Bank Makes Sensational Confession in Chadwick Case.

THREE NOTES BEAR NAME OF CARNEGIE

They Aggregate \$1,250,000 and Are Endorsed by Oberlin Bank—Mrs. Chadwick May Be Put Under Arrest.

CLEVELAND, O., Dec. 5.—C. T. Beckwith, the president of the defunct bank at Oberlin, O., tonight confessed that he had indorsed three notes, aggregating \$1,250,000, bearing the name of Andrew Carnegie, for Mrs. Cassie L. Chadwick.

There were numerous new angles developed today in connection with the affairs of Mrs. Cassie L. Chadwick and the troubles of the closed Citizens National bank of Oberlin, O. President C. T. Beckwith and Cashier Frank Spear of the latter institution were brought here from Oberlin by United States Marshal Chandler and a deputy shortly before noon. The bank officials were arraigned before United States Commissioner Starks. Both pleaded not guilty to the charge of misappropriating the funds of the bank and waived a preliminary hearing. Commissioner Starks fixed the bail at \$10,000 in each case and bound the two men over to the grand jury, which meets February next. The prisoners were released on bond this afternoon.

Receiver Nathan Looser filed his bond today, thus making him the legal custodian of all property owned by Mrs. Chadwick.

It is stated that the approval of Mr. Looser's bond ties up absolutely all of Mrs. Chadwick's property and not a dollar of her debts can be paid out of the proceeds of her estate. All that Mrs. Chadwick can share alike. This is supposed to apply to the Newton claims, if there is an attempt to pay it out of any money that may be due to the estate.

Emil Chadwick, son of Mrs. Chadwick, arrived here from New York city this afternoon. He went to his mother's home at the corner of Euclid and Genesee avenues. The young man was deeply depressed. He refused to talk for publication.

BANKER BECKWITH'S CONFESSION

Seated in the office of the United States District Attorney in this city this afternoon, President C. T. Beckwith, president of the failed Citizens National bank of Oberlin, made a confession regarding the bank's transaction with Mrs. Cassie L. Chadwick. Mr. Beckwith said:

"I am either an awful sinner or a terrible fool. There is no doubt about my being a fool. I know I have done wrong. I do not propose to be made a scapegoat to shield the sins of others. Further confession of the truth will help anyone. If I thought it could my lips would remain sealed as though I had been stricken dumb. The truth is that others also must be called to the bar to answer for their part in this terrible affair and one of those names must be Mrs. Cassie L. Chadwick."

The banker spoke in broken sentences and tears were streaming from his eyes. Beckwith's acquaintances with Mrs. Chadwick began three years ago. The attorneys for Herbert D. Newton, the Bookline Mass., banker, have stated that their client had been acquainted with Mrs. Chadwick for some time. "Andrew Carnegie" had been endorsed by the president and cashier of a national bank. The men who endorsed the note were President Beckwith and Cashier Spear of the Citizens National bank.

Relating this matter, Banker Beckwith continued his story of the bank's transactions with Mrs. Chadwick as follows:

"Yes, we endorsed the note, in addition to other notes for \$500,000. I do not know for the purpose for which they were used."

Three Notes Aggregate \$1,250,000.

"Do you mean to say that there are two \$500,000 notes in addition to the note for \$250,000?" was asked Mr. Beckwith.

"Yes, notes aggregating \$1,250,000. It has not been generally understood that there were two notes for \$500,000. I know it, I know it, but the notes exist just the same," said Mr. Beckwith.

"One of them is in the hands of the receiver and the other ought to be in the hands of Mrs. Chadwick. If she had possession of it she had done something which she swore she would not do, so please make it plain that a solemn oath was taken that the notes which bear our endorsement were never to be raised by Mrs. Chadwick for the purpose of using money and she would not do it."

"Mr. Beckwith, to correct any wrong impression, would it not be wise for you to place your signature upon the notes?"

"My God, I would not do it. I thought it would make it clear. To tell the story would be to tell the tale of torture and transactions covering a period of over a year. To tell it would take a good half day and in my terrible condition I cannot attempt the task. I cannot tell the story before I go on the witness stand. I must seek advice."

MRS. CHADWICK'S STATEMENT

"Did you have the slightest suspicion that the notes carrying the name of Andrew Carnegie were not genuine?"

"In heaven's name, how could we have had such a suspicion? Mrs. Chadwick would to both of us and one or more witnesses that she personally saw Mr. Carnegie sign his name to the notes she placed before us. But we said we must be sure. How was we to know? The steamer came in here two days when a New York attorney appeared in Oberlin, who said he was the attorney of Mr. Carnegie—his special agent. He vouched for the correctness of the claims made by Mrs. Chadwick. We had at least six conferences with this lawyer, two in Oberlin and four in Cleveland. Perhaps I am saying too much, but I must tell something more. In every other way we attempted to make certain that we were engaged in a legitimate business transaction, the kind of a transaction a business would enter upon with credit to himself."

TICKET SCALPERS FIGHT BACK

Brokers Allege that the Passenger Association is an Unlawful Organization.

CHICAGO, Dec. 5.—Answers were filed today in the United States circuit court by twenty-five members of the American Ticket Brokers' association, who were made defendants to bills recently filed by the passenger association in connection with the alleged "scalping" of tickets to the World's fair at St. Louis.

NEBRASKA WEATHER FORECAST

Fair Tuesday and Wednesday.

Temperature at Omaha Yesterday:

Hour. Deg. Hour. Deg. 5 a. m. 24 1 p. m. 27 6 a. m. 24 2 p. m. 27 7 a. m. 22 3 p. m. 25 8 a. m. 28 4 p. m. 31 9 a. m. 28 5 p. m. 30 10 a. m. 29 6 p. m. 28 11 a. m. 28 7 p. m. 28 12 m. 20 8 p. m. 28