ESTABLISHED JUNE 19, 1871.

OMAHA, TUESDAY MORNING, DECEMBER 13, 1904-TEN PAGES.

SINGLE COPY THREE CENTS.

Pioneer of Omaha and Nebraska Dies Suddenly in New York.

TELEGRAM BRINGS NO PARTICULARS

Attending Physician Merely Wires Meager Statement of Startling Event.

FRANK HAMILTON GUES FOR THE REMAINS

Funeral Will Be Held in Omaha from St. Philomena's Cathedral

LEFT HOME FOR EAST FIRST OF MONTH

Prominent in Business Life of and State, Devout Catholic at Active in Affairs of -Masoury.

Frank Murphy, president of the O & Council Bluffs Street Rallway pany, the Omaha Gas company and Merchants National bank, one of pioneer and most prominent citizen Omaha and Nebraska, died suddeni New York City Monday noon. body is being held there until Frank Ham liton, nephew of Mr. Murphy, can reach New York and bring the remains to Omaha

for burint, The last communication received from Mr. Murphy by his friends or business asociates here was dated Thursday of last week. At that time he was apparently in good health. He was seized with an attack of nephritis at 2 s. m. Monday in his room at the Waldorf-Astoria and died at noon. Drs. Miller and Duclose attended

The startling news of Mr. Murphy's contained the most meager information, merely stating that Mr. Murphy had died and asking for instruction. It was signed by Dr. Armand Ductore. The tel-tional bank, addressed to ....... Hamilton. Mr. Hamilton was not at the bank when it was received and the message lov on Mr. Hamilton's desk until he happened in about 1:30. It was not until then that the news of Mr. Murphy's death was known to any of his Omaha relatives or friends.

Mr. Hamilton immediately wired back to have the remains embaimed and held until he could reach New York. He will bring them to Omaha for burial.

Mr. Murphy left Omaha for New York about December 1. He was supposed to be in good health at that time and no word had come to his relatives or friends here since that he was sick. The telegram yesterday, therefore, was a terri-

ble shock. Mr. Murphy had a serious siege of sickness about a year ago. Since then he had been advised by his physicians to be cautious of his mode of living, to take plenty of exercise as a means of guarding against ired more exercise than bin regular night said he heard it was apoplexy that caused his death.

One of Leading Citizens. One of the foremost and wealthy citizens of the city and state, Mr. Murphy, while participating actively in the man agement of his vast and varied business affairs, lived a quiet and unostentatious life privately, making his home with his sister, the venerable Mrs. Cuming, widow of one of Nebraska's first governors. This home is a handsome residence on St. Mary's avenue. News of Mr. Murphy's death was not transmitted to his home on its receipt for fear of possible effects

ipon his relatives. Mr. Murphy had never married. in the death of Mr. Murphy the grim reaper has visited the executive officers within the last year, the death of the late vice president, B. B. Wood, transpir-

ing some months ago. Mr. Murphy's Juneral services will be held from St. Philomena's Catholic Cathedral. That much of the plans has been decided on.

Mr. Murphy was a devout member of the Roman Catholic church, not only an sarnest worshiper, but occupied a high station in the affairs of that great religious body. Also he was a staunch Mason, holding an exaited position in the sin, eleven stories high and built of grancouncils of that order. He was a member ite, was opened today. It is the first buildof Mount Calvary commandery. Knights ing in the empire in which the American Templar, having been honored in the af- steel construction system has been used. tairs of his secret orders on many occasions.

Sketch of His Career. Frank Murphy was born in Wheeling, W. Va., in July, 1843. He lived in Pennsylvania, was educated in Pittsburg and later resided in Illinois and lowa, coming to Omaha in 1857. He had made this city his home continuously since. Mr. Murphy was a brother of Mrs. Thomas B. Cuming, widow of the late Governor Cuming, one of the first chief executives of Nebraska. The Cumings preceded Mr. Murphy to Nebraska. Mr. Cuming was appointed by the president secretary of the territory under Governor Burt and ceeded to the governor's chair upon

the death of Governor Burt, Mr. Murphy came to Nebraska through the influence of the Cumings. For many years he was the senior member of the naurance firm of Murphy & Lovett; in fact it was in this business that he rose to his first position of substantial means and took a leading part in local business affairs. He invested in oil lands in

Wyoming and other properties. Leader in Early Legislature.

Mr. Murphy was an active figure in the Fourth territorial legislative assembly of Nebraska. He was prominently identified n an effort to preserve order in the house Thursday, January 7, 1868, on which occasion Speaker Decker tried to take the chair by force from Dr. W. R. Thrall of Douglas. Thomas B. Cuming was then acting governor of the territory. Governor leard having withdrawn. At the time of the disorder in the house it was in session the matter of a public printer. A message from the council was to have been read and a question arose as to the validity of the reading of the document at that time. Mr. Decker started for the chair and was about to assume the chair and take the from Chairman Thrail by force, when Mr. Murphy rushed to the chair and was followed by Mr. Paddock. The three men had hold of the gavel at the same time. Decker was taken from the thair and order restored. In the report of a committee appointed to investigate the disturbance Mr. Murphy is mentioned with several others in the light of peacemakers and as standing for law and or-

(Continued on Second Page.)

# Election of Morgan to Head of Metro

politan Museum of Art Causes Tremor.

BERLIN, Dec. 12.—The election of J. Pierpont Morgan to be president of the board of trustees of the Metropolitan Museum of Art at New York has caused Siegfried Lilienthal, one of the best known art critics in Berlin, to see in this increased danger of the United States stripping Europe of its art treasures and he has begun an agitation for international action to prevent art objects going to the United States. Herr Lilienthal has obtained the written views of Prof. Corrado Ricci, director of the art galleries at Florence; Prof. Rio Joris, director of the Academy of San Luca at Rome; Privy Councilor Wilhelm Bodo, director of the Royal Gallery of Paintings at Berlin; Henry Maret, the art publicist of Paris; George S. Cain, director of the Carnavalet museum at Paris; Prof. Adolpho Venturi, director of the National gallery at Rome; and Prof. Jose Benlliure, director of the Spanish Academy of Pine Arts at Rome. With the exception of Herr Bode they all are in favor of laws to prohibit the taking of works of art from Europe to America.

# PRIZES FOR AMERICAN STUDENTS

John Wolf of Dubuque Wins First ROME, Dec. 12.—The distribution of prizes among the students in all the ecclesiastical colleges connected with the propoganda took place today, the whole staff of the propaganda presiding. There were also present the Right Rev. W. H. to'Connell, Bishop of Portland, Me., and was the largest in the steel stocks. There the Right Rev. Charles H. Colton, Bishop was evidently a good supply of stop-loss of Buffalo, N. Y.

Mgr. Kenedy was the recipent of compliments on all sides, because the American college, of which he is rector, had surpassed all previous records in the number of distinctions awarded its students, who received thirty-two medals while seventyfive ranked next in distinction. In moral death reached Omaha yesterday and theology, John Wolf of Dubuque, Ia., was the only recipent of a first medal.

### BASILICA IS IN BAD SHAPE St. Marks May Fall If Steps Are Not

Taken to Strengthen Building. VENICE, Italy, Dec. 12.-Engineers Manfredi and Marangoni, who have been entrusted with the care of the basilica of St. Mark's since the fall of the campanile, have presented their official report. It sets most alarming. The whole building shows weakness. The foundations are bending the ceilings of two of the vaults threaten most of the basilica to give way. The engineers recommend the immediate erection of scaffolding and propose a thorough restoration of the whole building, including reparation of the foundation.

### AMERICANS AT THE VATICAN Bishop McDonnell is Received and

and Presents Peter's Pence. ROME, Dec. 12.—The American pilgrimage led by Rt. Rev. Charles E. McDonnell, apoplexy, since he was very heavy and bishop of Brooklyn, N. Y., was received this moraing by the pope in the Clementine hall of the Vatican.

Bishop McDonnell presented the pontiff with \$5,000, the Peter's pence offering of the Brooklyn diocese, and Monsigner John I. Barrett, the bishop's secretary, presented the pope with \$2,000 as the offering of the priests of the same diocese. The pope thanked them warmly, saying he was most grateful to the pilgrims for coming to Rome from such a great distance, and blessed all of them and their families, giving the priests present permission to extend the papal benediction to their flocks.

#### CLADO WANTS COURT-MARTIAL Russian Captain Says Arrest Has

Placed a Stain On His Honor. ST. PETERSBURG, Dec. 12-Captain Clado, who was arrested December 9 for criticising the high admiral, Grand Duke of the Merchants' National bank twice Alexis, and the admiralty, demands a trial by court-martial, declaring that his arrest on the ground of distorted facts is a stain on his honor.

CRONSTADT, Dec. 12.-Lieutenant Delivrion, who participated in Captain Clado's newspaper campaign against the admiralty officials, is under arrest.

American Building in Russia. ST. PETERSBURG, Dec. 12-A building erected by an American sewing machine company, the handsomest structure in Rus-

#### EXPECT BIG STOCK EXHIBIT Fine Live Stock Promises to Fill Lewis and Clark Display Grounds.

PORTLAND, Ore., Dec. 12.-The portion of the Lewis and Clark fair grounds which was allotted to the exhibition of live stock, it is thought, will prove inadequate to the demand, and arrangements are being made to enlarge it. Anything further than an exhibition of the high bred stock from farms on the North Pacific coast was not contemplated by the state commission in the International Live Stock association at Chicago, however, it has developed that the breeders from all over the country offered freely before noon at 3 per cent. are planning to send the best of their to Portland next year. This prompted the exposition authoriteis to inadvisability of increasing the space to be devoted to the display.

### DONAHUE OBJECTS TO DELAY Attorney for Chief Asks Board to Hear the Charges Next

Monday.

was held last night because of the absence in so far that early sallers were later buyof Commissioner Spratlen from the city as a committee of the whole to discuss and the illness of Commissioner Miller's sustained tremendous proportions, with the wife, who is in a hospital. Inasmuch tape from five to ten minutes behind the it is the work of strikers. as the members make it a rule not to meet | market, fell off about midday. as a license board without a full attend-

ance, the others did not convene. Attorney W. J. Connell said last night that he would file a demand with the board to have the charges sgainst Chief of Police Donahue heard next Monday night, as

patient of the delay. Some controversy has been incurred by the instruction given by the Civic Federa. the theory that the selling came from in tion counsel to have the cross-examina- terests other than those which caused the tion in the despositions of Iowa convicts early decline. During the noon hour the positive orders to have this part of the testimony included, as it is considered Important from the chief's standpoint

New York Market Opens Monday Morning with Downward Tendency.

SENTIMENT AFFECTED BY ADVERTISEMENT

Regular Traders Are Not Willing to Admit that Any One Person, However, is Responsible for Slump.

NEW YORK, Dec. 12.—Beginning with heavy declines in Amaigamated Copper today's stock market was weak throughout the entire selling, the occasional railies failing to hold prices for more than a few minutes at a time. Although values crumbled away rapidly there was little excitement in the street. Brokers seemed to have nothing but seiling orders, they said, and they did not look far beyond the recent reckless speculation and the campaign by newspaper advertisement against a copper stock to find reasons for the drop in prices.

Money was easy and loans were made freely, but collateral was scrutinized very carefully. The market closed weak, with prices generally at the lowest, More than 2,000,000 shares of stocks changed hands

during the day. The selling was continued nearly all the forenoon, with only a temporary reaction, and about noon the market showed further weakness. An impressive feature of the forenoon was the heavy seiling by London houses. The sales of London houses orders on hand, but the shorts did not fare much worse than some others.

The violence of the opening declines was so great and so pronounced that many brokers and traders on the floor were overwhelmed with surprise, and for a little while were quite nonplussed. Any market support that may have existed was without the slightest effect.

One of the most sensational breaks was It had been selling around 34 early in the honored connection with the Presbyterian day and had declined only nominally. In the afternoon the stock broke nearly ten points to 22, it later rose to 24% and closed at 23. Ten points in Greene Copper is the full par value of \$10.

Opening Break Causes Uneasiness. The opening break created considerable measiness, though nothing like last forth that the condition of the basilica is Thursday's demoralization followed. Nevertheless the feeling was one of vague alarm. Traders seemed of the opinion that and cracking, the walls are sinking and last week's liquidation had not exhausted itself and it was clear that a great numto give way. If they fall it may cause ber of accounts were being closed. London was reported to have sold 40,000 shares. including a great deal of Steel, common and preferred. Wire houses also sold and representatives of prominent local brokerage firms were openly bearish. Brokers operating for Boston were said to have sold Copper and other stocks extensively.

There were some vigorous efforts made there was another bad break. Amalgamated slumped 6% from Saturday's close, Sugar fell oh, Tennessee Coal and Brooklyn Zion institution. At that moment affairs Transit 5, Colorado Fuel 4%, St. Paul 4%, had an exceedingly a may outlook. Mrs. 314. Union Pacific 3, United States Steel 2% Southern Pacific and Baltimore & Ohio 2%, Leather preferred 2%, and Eric, the first preferred, Missouri Pacific, Louisville & Nashville, Rock Island, Leather and New York Central 2 to 2%.

The extreme weakness of the market came as a general surprise to all observers of the financial district. The vigorous rally of the latter part of last week encouraged the idea that the demoralization was over for the present, and the effective advances in London this morning furthered this view. It was not expected that there would be any further great rise in prices and it was even anticipated that there might be a dull sagging movement, according to the usual precedent in such cases. There was no news to account for the renewed fright, but the movement of prices was convincing evidence of the timidity felt by security holders. The renewal of sensational proclamations through advertising mediums from the same source that preceded the successful raid of last week had a notable effect on sentiment. The selling was general from all sources.

The offerings of money at 3% per cent on call showed that no stringency in that department was responsible for the liquida-

An enormous amount of selling orders was without support, the selling orders in- as the principal guest. sales of 125,000 shares of the active issues States and great quantities of chrysantheest sellers of Steel. For obvious reasons States.' great deal of the unloading in Amalganated Copper came from New England. Many brokers professed surprise at the extent of today's break. They were loath to of the association. believe that any individual manipulator could be responsible for the decline. absence of support in most of the high class stocks in the first hour was largely theless, there was quiet buying on a small ward; "America's Debt to Asia." Prof. scale. This was particularly true of Northe first place. Since the convention of folk & Western, St. Paul, Pennsylvania, "The Army," General F. D. Grant, U. S. A. Baltimore & Ohio and the Pacifics. Call

There was a lively bound in prices of stocks after the liquidation had spent its first force. A score of stocks recovered crease the apportionment for premiums from I to 1% points from the lowest. Sugar's from \$40,000 to \$55,000 and to consider the rally was \$14; United States Steel pre ferred, 24. and Brooklyn Transit, Colorado Fuel, Tennessee Coal, Amalgamated Copper, Norfolk & Western and Reading, from 1% to over 2 points. The buying demand paratively quiet by noon, but the tone continued feverish.

Sentiment changed to the extent that brokers advised their clients to buy stan-No meeting of the fire and police board dard stocks. The situation was reversed Business, which in the first hour ers.

# Second Break Occurs.

Another break, less abrupt and extensive than that at the opening, set in shortly after noon. The entire list was affected but chiefly Amalgamated Copper, which both he and his client are growing im- was lower than at any previous time of the day. The steel stocks also were very neavy. Reports from the floor suggested omitted. Mr. Connell last night telegraphed market showed brief periods of extreme duliness, but activity was soon resumed.

# (Continued on Third Page.)

# FRANK MURPHY DEAD EUROPE FEARS FOR TREASURES STOCK PRICES CO TO SMASH DR. CARTER DEFENDS HIMSELF LAND OFFICE MAY BE MOVED NEBRASKA WEATHER FORECAST SHELLING THE TOWN

Attack on Westminster Confession of Faith.

NEW YORK, Dec. 12-Rev. Dr. Samuel T. Carter, one of the three Presbyterian CHANGE IN CONTROL OF FOREST RESERVE lergymen who started the movement which led to the revision of the Presbyterian creed in America, was upheld by the Nassau County presbytery today in a meeting at Jamalca, Long Island, at which he had appeared in defense of a letter he wrote the Westminster confession, in which he declared that "scholastic theology is

wrong from its base upward." Last September Dr. Carter addressed a letter to the presbytery of Nassau, of which he is the oldest member, renouncing certain long established teachings of Presbyterianism, including the "fall of man." At the next meeting of the presbytery of Nassau a committee was appointed to ask way to avoid a trial for heresy. The minister insisted upon pleading his cause with the presbytery personally.

In doing so today Dr. Carter said:

In doing so today Dr. Carter said:

The great objection to the confession is not this statement in it, or that, but it is the whole tone and style of the confession. To put the matter in a word, it is the god of the Westminster confession that is wrong. One presbytery unfortunately suggested that the love of God should be put in a foot note to the confession. It is better to have the love of God in a foot note than not have it at all.

Every minister and elder upon entering his office must still accept the Westminster confession as being the system of doctrine taught in the Scriptures, and every scoffer can still cast up this system sasinst the Presbyterian church. I am convinced there can be no rest nor peace till this system is as fully abandoned by the church as it is by the brief statement. If Calvin were living today he would be chairman of the revision committee.

Dr. Carter closed by saying:

Dr. Carter closed by saying: Do not condemn me; do not cast me out of your ministry; welcome me again to my place in the presbytery with the beautiful inderstanding that there shall be greater heological freedom in the Presbyterian hurch than has been allowed heretofore. A resolution was adopted laying the letof the Preshyterian church, and this presin Greene Consolidated Copper on the curb. bytery request our byother to continue his tendents.

### communion." ZION CITY PAYS ALL DEBTS graphic authority, sent Mrs. Hawthorne, suicide, the prosecutors objected and the Dr. John Alexander Dowle Makes Good All His Promises to

His Creditors. CHICAGO, Dec. 12.-Zion City has paid the final installment on the big debt, which a year ago involved it in sensational bankruptcy proceedings and threatened

wreck the gigantic enterprise established by John Alexander Dowle. Checks were head of the financial department of Zion, in payment of the final 40 per cent, approximately \$140,000, of the original indebtedness of more than \$400,000. The payment brings to a conclusion one

of Zion City petitioned Judge Kohlsaat John L. Webster and E. Rosewater. for the appointment of receivers for the that she had carried away with her vast sums of money. John Alexander Dowie was preparing for

ontinent The creditors numbered 1,100 and the aggregate amount of their claims footed up \$435,000.

the receivers were removed. argument of the head of Zion and came and the owner of the real estate, upon to the conclusion that he was better which the tax becomes a nen, are plaintiffs fitted to conduct the affairs of Zion than in error. The tax on which the plaintiffs any other person. It was arranged that in error sought remission is that of \$300 he was to pay 10 per cent in three months, a year, levied in accordance with the stat-25 per cent in six months, another 25 per ute of Iowa. It is an original package 40 per cent in a year. The receiver was common carrier to transmit original pack- experienced nurse with insect poison indischarged. Dowie has kept his agreement ages to purchasers without being held stead of the usual solution, causing into the letter and paid 100 cents on the in damages for violation of state laws. dollar of every claim involved.

### DINNER FOR PRINCE FUSHIMA in the consideration of his bill providing Brother of the Mikado Guest of the American Asiatic Association at New York.

NEW YORK, Dec. 12.-The American Asiatic assiciation gave its annual dinner came into the market at the opening, and at Delmonico's ttonight with Prince later, when it was seen that the light list Fushimi of the imperial house of Japan

creased from every quarter. One of the In the decorations the colors of Japan est known commission houses reported were entwined with those of the United in the first half hour. The western mums were used. Assistant Secretary of houses, those with Pittsburg, Cleveland and State Francis B. Loomis responded to the Chicago connections, were among the larg- toast: "The President of the United

After a tost had been drank to the mikado, Prince Fushimi replied to the welcome extended by President S. D. Webb The other speakers and their subjects

The were: "The United States and Japan, the Guardian of the Portal, Defender of the responsible for the sharp declines. Never- Open Door," General Stewart L. Woods

### money opened at 8 to 3% per cent. It was DYNAMITE USED ON FOUNDRY For Fifth Time in Two Months Damage is Done to Newport Concern.

CINCINNATI, Dec. 12.-For the fifth time within two months the Newport Iron Foundry and Machine company's building, Newport, Ky., was dynamited late last night. showed no inclination to follow prices to No lives were lost and the workmen in the the higher level and the market was com- place all escaped injury. Two men were seen running east on Twelfth street immediately after the explosition, but they eluded their pursuers,

A great hole was torn in the roof of the coal room where the bomb alighted, and be made. the walls of the pattern room are so twisted and bulged that it is feared they will col-Members of the company declare

# For Fifth Time Former Mayor of Minneapolis Escapes Conviction

Through Mistrial.

MINNEAPOLIS, Dec. 12.-The jury in the ase of former Mayor Ames, who is on Sioux reservation. The sale became operarial for the fifth time, charged with ilegally receiving money from women, reerted today that they could not agree. The court sent back word that there was no word for them, which meant that they for the same. Approximately about \$2,000. were to remain out the rest of the day at least in an effort to reach an agreement.

Conditions at McCook Not Satisfactory to the Administration.

Millard F. Singleton of Omaha an Applicant for Position of Register of Deeds of District of Columbia.

WASHINGTON, D. C., Dec. 12.-(Special Telegram.)-There is a persistent rumor Prosecution Attempts to Demonstrate that the land office at McCook, Neb., will be suspended. This action on the part of the interior department grows out of dissatisfaction with the manner in which the office has been conducted. While a tem-Rev. Dr. Carter if he did not know of some | porary suspension may result, it is believed | skeleton, dorsal vertebrae and ribs played of the McCook office will turn out all right. terson for the murder of Caesar Young large tracts still open for settlement.

Transfer of Forest Reserve. the interior to the department of agricuit tered Young's body. The prosecution conand the endorsement of both the secretary proved that Young did not kill himself. of the interior and the secretary of agriculture. The bill simply places the force of his right hand had crossed it over his then be under control of Forester right. ter of Dr. Carter on the table. "In favor of tion is assured. About 500 people are gain an admission that the muscular coverthe renewed Presbyterian emphasis of the affected by the transfer, including clerks ing of the ribs at the point of entrance of brief statement as the present vital creed in this city, field officers on forest re- the bullet may have deflected its course.

Aid for Mrs. Hawthorne. D. McLeod, pastor of the Frist Presbyterian church in this city, has, on tele- had not at first declared the case to be a

Singleton Files Endorsements. Senator Millard today transmitted to the sent out today by Deacon C. J. Barnard, Millard F. Singleton to the position of Jurors concerning the case. He cautioned the present incumbent expiring on January in their own families. 8. Indorsements have been received by President Roosevelt in behalf of Mr. Singleton, who is a well known colored citizen of the most remarkable cases of application of Omaha, from Congressman-Elect John for bankruptcy in the annals of the coun- L. Kennedy, General C. F. Manderson, to support the market, but by 11 o'clock try. One year ago a number of creditors C. J. Greene, Rev. John A. Williams,

Nebraska Boy Promoted. The nomination of Clarence C. Culver, second lieutement in the Fifteeath cavalry, departure January 1 for Australia and the Seneral of the Nebraska National Guard.

Cigarette Law in Court. The cases of C. H. Cook and others against the county of Marshall, and Robert Judge Konlsaat appointed receivers and E. Hodge against Muscatine county, Iowa, they took charge of Zion. Dowle protested were argued in the supreme court today that he could pay the debt in a year if these cases growing out of the cigarette mulet law, as it is familiarly known to Then came the appointment of a com- the lowa courts. The party dealing in mittee of the creditors. They heard the cigarettes is liable personally for that tax cent in nine months and the balance of contention and involves the right of a

## Bluffs Man Protests. Representative Mondell has struck a snag for the opening of certain portions of the Wind River Indian reservation. This bill

has received favorable reports at both ends of the capitol building, that is to say, the house and senate, Now comes Mr. Boisen of Council Bluffs and his attorney, John N Baldwin, to secure a hearing before the committees of congress before further acion is taken on the Mondell bill. It is not clearly understood, apparently, by Repre sentative Mondell just what Boisen and his attorney desire, but it is believed that they anve some old concession regarding alleged coal lands supposed to be within the territory it is desired to open to agricultural settlement, upon which they desire to be heard.

The committee of the house, to whom the equest was addressed, will grant the gentlemen from Council Bluffs a full hearing at any time they may desire

North Carolina Gets More Time. The supreme court today in the case o the State of South Dakota against the State of North Carolina sustained a motion to modify the decree of the court giving North Carolina until April I, 1906, to pay J. W. eJnks of Cornell University, and Dakota. Originally the court ordered the value of the bonds paid early in January, the east front of the capitol. Someone gothing, induced the supreme court to modify uary, and as this money due South Dakota will have to be appropriated out of moneys in the treasury of that state it was thought but simple justice that the extension should

Setlers Want More Land. AMES JURY AGAIN DISAGREE favoring Mr. Martin's section homestead Northern hotel Wednesday evening. ill, which is modeled along the lines of the Kinkaid bill, now in force in Nebraska.

Indiana After Their Money. Senator Gamble had a conference today with Secretary Hitchcock regarding the acttlement of the account with Sloux Indians growing out of the sale of the great tive Pebruary 10, 1890, and ten years from that time, or in February, 1909, the government was to take the lands remaining unsold and pay the Indians 50 cents an acre

(Continued on Third Page.)

Fair and Warmer Tuesday; Wednesday Fair. Temperature at Omaha Yesterday:

Hour. Hour. Deg. Hour. Deg. 5 s. m..... 10 1 p. m..... 15 G n. m ..... 0 2 p. m ..... 18 7 a. m ..... Dr. Western n. m ..... 4 F. m ..... 19 n. m. .... De West etc. 10 n. m..... 6 p. m ..... 16 11 a. m ..... 10 7 p. m..... 15 8 p. m..... 14

that Caesar Young Did Not

Kill Himself. NEW YORK, Dec. 12-A headless human that the faults found with the workings an important part in the trial of Nan Pat-It may mean the transfer of the officers today. The gruesome exhibits were made or it may mean new officers, but it is not use of in the examination of Dr. Philip expected that the McCook land office will O'Hanlon, the coroner's physician, who perbe wholly wiped out in view of the fact formed the autopsy upon Young's body that the government still has remaining in Miss Patterson's counsel protested at the the section controlled by McCook office use of the skeleton, asserting that it did not compare correctly with the structure of the dead man's body, but his objections Congressman Mondeil's bill transferring were overruled. The skeleton was used to the forest reserves from the department o. | decide the course of the bullet after it enture passed the house today. This bill has tended that it had gone straight to the the active support of President Rooseveit spine, which the state's lawyers believed Assuming that Young with the pistol in

forest reserves under the agricultural de- chest and shot into his left side, the prosepartment where it is contended it rightfully ention contended that the bullet would have belongs. The commissioner of the general traveled to the left. The fact that it flew land office, ex-Governor Richards of sraight inward to the spine was advanced Wyoming, has been extremely anxious to as proving that the wound was not self-inbring about the change contemplated in flicted. Dr. O'Hanlon was positive that the graph station at the foot of Golden bill, and the bill. The forest reserve division will bullet had taken a straight course to the Gifford Pinchot, where better administra- | Luwyer Levy, for the defense, tried to

serves, rangers, supervisors and superin- but Dr. O'Hanion declared that there had been no deflection until the bullet struck the spine. When Mr. Levy asked Dr. O'Hanlon if he

mother-in-law of Mr Rennard, president of objection was sustained. Dr. O'Hanlon the State Bank of Bloomfield. Neb., to testified that he had found powder marks her home at that place. It will be recalled on Young's fingers. His testimony as to the that Mrs. Hawthorne, while en route to course of the bullet was corroborated by Washington, was robbed of a sum of Dr. Rigims of the Hudson Street hospital. money, and being destitute was taken in William Stemm testified that the driver charge by the women of Dr. McLeod's of the cab lifted the trap and looked in

after the shot was fired.

Justice Davis said from the bench that a gross impropriety had been committed by a arsenall at Port Arthur army reports that its bombardment has inflicted considerable damage upon Golden hill and also set the arsenall at Port Arthur on fire. president petitions signed by leading citi- newspaper in publishing what had purtens of Omaha favoring the appointment of ported to be the views of the wives of the recorder of deeds of this city, the term of the jurors not to discuss the testimony even

### NEBRASKA MAN IS KILLED Strickler Caught Between Bumpers of Cars in Black Hills.

LEAD, S. D., Dec. IZ.-(Special Telegram.) -Harry Strickler, brakeman of a Burling-United States Steel preferred 4, Reading Dowle was in Europe and reports had it to be first licutemant, has been sent to the ton freight train, while coupling the air senate for confirmation. Lieutenant Culver | brakes between two flat cars at Engle is a son of Jacob H. Culver, adjutant wood station, was caught between the bumpers and his skull crushed. He was brought to the hospital at Lead, but died shortly after being admitted. He is unmarried and his parents reside at Central City, Neb.

Death Due to Improper Nursing. CHEYENNE, Wyo., Dec. 12.-Members of the State Board of Charities have gone to Rock Springs to investigate the charge that Philip Wolf died in the state hospital there in consequence of improper nursing, the coroner's jury having returned a verdict to that effect. Wolf was shot several weeks ago by George Ahlf in a duel. He was recovering, it is said, when his wounds were washed by an inflammation and gangrene.

Aduddel Not Guilty. STURGIS, S. D., Dec. 12.-(Special.)-In the case of the State against Elias Aduddel. arrested on a charge of grand larceny and tried in circuit court here, the jury brought in a verdict of not guilty. This is where Aduddel was accused of stealing a number of head of horses belonging to Joseph Porter. The jury disagreed in the case of the State against Edward Green, arrested on the charge of grand larceny.

# Moving to Stoux Falls

STURGIS, S. D., Dec. 12.-(Special.)-Sheriff Jesse Brown of Meade county left tonight for Sioux Falls with three prisoners-Hudson, Herr and Killian-convicted and sentenced at the term of court which closed here last night. The former gets two years and ten months and the two latter ten months each.

#### OF FRATERNALS CONGRESS Representatives of Nineteen Orders in Session in This City.

A congress of delegates representing nine. the value of the bonds owned by South teen fraternal orders working in Nebraska convened yesterday for a two days' session at the executive chamber of the Woodfailing in which the United States marshal men of the World building. There were was directed to sell property of the state present at the meeting yesterday two deleof North Carolina at public outery from gates from each order, besides the officers of the congress, making in all sixty persons. ing through the laws of the United States Sovereign Commander J. C. Root of the discovered that it was illegal to sell at Woodmen of the World is president of the public outcry anything of value in the cap- congress; H. M. Waring, vice president itol reservation, and this, as much as any- representing the Ancient Order of United Workmen; W. E. Sharp of Lincoln, repreits decree and grant an extension of time senting the Royal Highlanders, is secretary prayed for by North Carolina. It was also The "uniform bill" recommended at the noticed by the court that the legislature of last session of the national fraternal con-North Carolina would not meet until Jan- gress and which would regulate all fraternal orders should it become a law, was dalia raliroad Mr. Ketcham filed an applireferred to a committee for consideration. At the conclusion of the work of the con-

gress this evening Sovereign Commander merger of the Terre Haute & Indianapolis, Root, chairman of the national fraternal congress committee on legislation, and A. Congressman Martin of South Dakota has H. Burnett, a member of the law commiteccived many petitions from citizens re- tee of the same organization, will leave for iding in the western part of that state, in Chicago to attend meetings of the two comall probability aggregating 3,000 signatures, mittees, which will convene at the Great

> Preparing for Roller Skating Workmen will begin to plane the Auditorium floor this morning to prepare it for the season of roller skating that will be inaugurated in a week or ten days. After the planing process sandpaper will be applied Manager Gilian has ordered a large comsignment of roller skates of late pattern and some fine sport is said to be in store for those who enjoy an hour on rollers. There will be a band in attendance. Neveitles and features probably will be introduced from time to time, as Manager Gilian says he is anxious to make the venture a success. Roller skating is becoming popular agails in many of the eastern cities. Years ago it was much in vogue here at the Collseum

Japanese Turn Their Guns on the City of Port Arthur.

ARSENAL IS REPORTED TO BE BURNING

Fires Are Also Raging in Other Portions of the Doomed City.

HUMAN SKELETON IN COURT TELEGRAPH STATION IS DAMAGED

Bombardment of Golden Hill and the Inner Fortress Continues.

WARSHIPS ARE SAID TO BE DISABLED Tokio Hears Nogi Will Devote His

Time to Reduction of Land Defenses of Russian Stronghold.

TOKIO, Dec. 12.-(4 p. m.)-The commander of the Japanese naval land battery. reporting today, says: Four Russian battleships, two cruisers. one gunboat and one torpedo storeship lying in Port Arthur harbor are completely disabled. There is no further necessity for bombarding the Russian naval force.

Are now engaged shelling the town of Port Arthur, which is being heavily damaged."

Dispatches received today from the Japanese army besieging Port Arthur report that the interior of the fortress was ombarded with heavy guns yesterday. seriously damaging the battleship Poltava, the transport Amur and the wireless tele-

that the arsenal was set on fire. A dispatch from the headquarters of the Japanese army in Manchuria says:

At 2 in the morning of the lith a body of infantry of the enemy attacked Petal-tozu, but at dawn was completely repulsed northward. northward.

In the afternoon of December II the enemy's artillery, holding a position west of Manpao mountain, opened a cannonade against Yaotun and Tangchiapaotzu, and the chemy's artillery, posted west of Damountain, shelled Butzaowa. Neither caused damage. Mamashelh, on the right bank of the Hun river, was attacked by the enemy's cavalry. The Russians were driven westward, losing a number of men. The Japanesee sustained no casualties. Arsenal at Port Arthur on Fire.

WASHINGTON, Dec. 12.-The Japanese egation has received the following telegram from Tokio:

MUKDEN, Dec. 12.-On Friday night the Japanese several times attacked the trenches of the Russian right, but they were repulsed. Movement of Russian Ships. SUDA BAY, Island of Crete, Dec. 12.-The

Japanese Attacks Repulsed.

Russian cruisers Oleg and Dnieper and the torpedo boat destroyer Gronzy arrived here during the night. CAPE TOWN, Cape Colony, Dec. 12.-The Russian hospital ship Orel arrived here today to take in supplies. Two large Russian

warships ressed Cape Point this morning. Damage Telegraph Station. Japanese legation from Tokio today says the bombardment of Port Arthur Sunday considerably damaged the wireless telegraph station at the foot of Golden hill

and set fire to the arsenal. Russians Use Artillery. GENERAL OKU'S HEADQUARTERS, via Fusan, Sunday, Dec. 11-(Delayed in Transmission.)-The Russians along the front of General Oku's army are continuing artillery fire day and night. The Japanese are not replying. A Russian move southward is not anticipated immediately. The Russian plan for a winter campaign

has not developed. Last night the thermometer reached 7 degrees below zero, which is unusually cold for December. The Japanese preparations for the winter are practically completed.

### COURT DENIES A REHEARING St. Louis Men Convicted of Naturalization Frauds May Now

Appeal. ST. LOUIS, Dec. 12.-The refusal today of the United States circuit court of appeals before whom arguments in the case were made at St. Paul, to grant a new hearing to Thomas E. Barrett, John P. Dolan and Frank E. Garfelt, convicted in the United States district court of St. Louis of naturalization frauds, is made public here. It is expected that the defendants will carry the case to the United States supreme court by habeas corpus pro-

ceedings or a writ of certerorari. Dolan and Garrett were convicted No vember 1, 1903, and Barrett was convicted December 5 following. Each was sentenced to pay a fine of \$1,000 and to imprisonment in the Missouri penitentiary for five years. The petition for a rehearing alleged errors in the trial. The decision of the court of appeals sustains the district court. Barrett was formerly marshal of the St. Louis court of appeals, Dolan was formerly chairman of the democratic city central ommittee and Garrett was a patrolman. The evidence was to the effect that bogus naturalization papers, secured through Barrett, were sent by Dolan with Garrett as intermediary to John Barbaglia for distribution among foreign residents of St. Louis.

#### ASKS RECEIVER FOR RAILROAD State of Indiana Sues the Vandalia for Three Million Dellars.

INDIANAPOLIS, Dec. 12,-In connection with the reopening of the suit for \$3,000,090 brought by the state through former Attorney General Ketcham against the Vancation for a receiver for the road and asked for an injunction to prohibit the proposed St. Louis, Vandalia & Terre Haute, Indianapolis & Vincennes, Logansport & Toledo, and Terre Haute & Logansport railroad companies, all of which are at present controlled by the Pennsylvania system. Mr. Ketcham in his suit claimed the Terre Haute & Indianapolis and the St. Louis, Vandalia & Terre Haute rallroad companies were alone solvent of the five com-