

ESTABLISHED JUNE 19, 1871.

OMAHA, WEDNESDAY MORNING, JANUARY 4, 1905—TEN PAGES.

SINGLE COPY THREE CENTS.

BOTH HOUSES READY

Organization of Legislature Accomplished Without Any Hitch.

HOUSE CHOSEN SPEAKER OF THE HOUSE

Placed in Nomination by His Chief Opponent, Douglas of Rock.

SENATE CARRIES OUT PREVIOUS PROGRAM

Lobby is in the Background to Its Decisive Defeat.

BELIEF IT WILL STAY THERE

Sentiment of Members is Party Must Make Good Record.

(From a Staff Correspondent.)

LINCOLN, Jan. 3.—(Special.)—Not a hand was raised against the agreement prepared the night before when the Twenty-ninth session of Nebraska legislature convened at noon today.

Mr. Douglas, who made such a strong fight for the speakership and was only defeated at the last by the indirect manner of some of his supporters.

Manifestly both house and senate are well pleased with the selection of their presiding officers.

Difference is Noticeable

Between the conditions attending the convening of this and the legislature of two years ago there is a noticeable difference.

FRESH INDICTMENTS BEING PREPARED IN OREGON LAND FRAUD CASES

WASHINGTON, Jan. 3.—More sensational developments regarding the public land frauds in the far west are expected shortly.

CONGRESSIONAL TALK STARTS

With a vote for United States senator two weeks off, the congressional pot in this district has begun to boil.

OPENING SESSION OF THE HOUSES

Casheer of Gage Starts Something in Lower Body.

LINCOLN, Jan. 3.—(Special Telegram.)—The Twenty-ninth Nebraska legislature convened at noon today.

RECEIVER FOR BIG PLANT

Windsor Cotton Company of North Adams, Mass., Unable to Meet Its Obligations.

NEW YORK, Jan. 3.—Robert C. Morris was today appointed receiver for the Windsor company, dealers in cotton goods.

IOWA LOSES TWO CASES

Action Growing Out of Prohibitory Law Decided in Favor of Plaintiffs.

WATER BOARD UNDER FIRE

Quo Warranto Proceedings Begin Before the Supreme Court.

HOWELL-GILBERT LAW SAID TO BE BAD

Attorney General Sets Forth Several Reasons for Declaring the Law Unconstitutional and Asks that Board Be Ousted.

(From a Staff Correspondent.)

LINCOLN, Jan. 3.—(Special.)—This afternoon Attorney General Pratt began in the supreme court of Nebraska the promised attack on the constitutionality of the law creating the Omaha Board of Water Commissioners.

Attorney General Pratt has filed an information in quo warranto asking that the respondents, Robert A. Hugh Hippie, James E. Boyd, Isaac E. Condon, John F. Conard and Milton T. Barlow, be ousted from the office they pretend to hold and commanded to cease the exercise of the functions of such office.

ESCAPING PRISONERS DROWN

Four Men Leap from Upper Window of Guard House at Fort Hamilton into Ice Water.

NEW YORK, Jan. 3.—During an evidently designed stampede of the officers' horses at Fort Hamilton early today, four prisoners escaped from the guardhouse at the post.

CAPTAIN MULLIKEN ON TRIAL

Army Officer Accused of Falsifying His Record and Duplicating His Pay Roll.

CHICAGO, Jan. 3.—Trial by court-martial of Captain David B. Mulliken, Company B, Twenty-seventh infantry, began at Fort Sheridan today.

BAIL FOR NAN PATTERSON

Show Girl Will Be Produced in New York Supreme Court Today on Habeas Corpus Writ.

NEW YORK, Jan. 3.—A determined effort to secure the release from the Tombs of Nan Patterson, accused of the murder of Caesar Young, was begun today.

SAN FRANCISCO TO BUTTE

Company with Fifty Millions Incorporated to Build Railway Connecting These Cities.

BOISE, Ida., Jan. 3.—The San Francisco, Idaho and Montana Railway company, which proposes to construct a road from San Francisco to Butte, has been formed with headquarters in Boise.

THEODORE THOMAS IS WORSE

Veteran Musical Conductor Has Relapse and is Expected to Live But a Few Hours.

CHICAGO, Jan. 3.—Theodore Thomas, conductor of the Chicago orchestra, suffered a relapse today and at midnight his life was hanging by a thread.

CHARGES ARE NOT WITHDRAWN

Report that Dr. Irvine's Counsel Had Gone to St. Louis to See Bishop Tuttle Proves Erroneous.

TROOPS GLAD TO SURRENDER

Russian Soldiers at Port Arthur Were Ready to Quit Fighting.

LAST DAYS' BOMBARDMENT TERRIFIC

Little Hitch Between Contending Generals When Arrangements for Final Surrender of Place Were Being Considered.

CHE FOO, Jan. 3.—(12:30 p. m.)—Che Foo, with his many refugees and close connection with Port Arthur, viewed the final developments there first with anguish.

NEBRASKA WEATHER FORECAST

Fair Wednesday and Warmer in West Portion, Thursday Colder in West Portion.

Temperature at Omaha Yesterday:

Table with 4 columns: Hour, Deg., Hour, Deg. Rows for 5 a.m., 8 a.m., 11 a.m., 2 p.m., 5 p.m., 8 p.m., 11 p.m.

TERMS OF CAPTIVITY

Full Text of Convention Providing for Surrender of Port Arthur.

OFFICERS WILL BE RELEASED ON PAROLE

Soldiers of the Garrison Will Remain Prisoners of War.

GOVERNMENT PROPERTY TO BE GIVEN UP

Agreement that No Stores, Supplies or Ships Are to Be Destroyed.

SANITARY CORPS TO CARE FOR WOUNDED

Nurses and Accountants of the Russian Army to Continue in Service of Japanese as Long as They Are Needed.

THE PEOPLE OF ST. PETERSBURG HAVE RECEIVED WITH COMPASSION THE NEWS

of the fall of Port Arthur. The event had been anticipated and under official direction the minds of the populace were prepared to receive with resignation the fact of the announcement by reason of the publication of the dispatches forwarded last week by General Stoessel describing the straits to which the garrison had been reduced.

AMONG THE RUSSIAN OFFICIALS THERE IS A FEELING THAT ANY PROPOSALS OF PEACE THAT MAY BE MADE MUST BE MADE WITH THE FACT IN VIEW

that in order that peace to be lasting Japan must recognize the fact that the Russian army has been made public. All Russian soldiers, marines and civil officers of the garrison and harbor are made prisoners; all forts, batteries, vessels, munitions, etc., are transferred to the Japanese.

OFFICERS OF THE ARMY AND NAVY ARE PERMITTED TO RETAIN THEIR SWORDS AND SUCH OF THEIR PERSONAL PROPERTY AS IS DIRECTLY NECESSARY FOR THEM

to use in their own homes. The sanitary corps and the accountants belonging to the Russian army and navy will be required to serve under the Japanese sanitary corps, and accountants for such period of time as may be deemed necessary.

TERMS OF SURRENDER

TOKIO, Jan. 3.—(Special Telegram.)—A telegram from General Nogai, giving the terms of the capitulation convention, was received this afternoon. It is as follows:

Article 1.—All Russian soldiers, marines, volunteers, also government officials at the garrison, and all other personnel of the Japanese army will take the Japanese oath of allegiance.

Article 2.—The Russian military and naval vessels, also government officials at the garrison, and all other personnel of the Japanese army will take the Japanese oath of allegiance.

IMPORTS AT NEW YORK

Merchandise Appraised at the Port Shows Slight Falling Off for 1904.

NEW YORK, Jan. 3.—The total appraised value of merchandise imported at this port during 1904 was \$52,294,946, as against \$53,228,957 for 1903 and \$54,471,419 for 1902.

MRS. PATRICK CAMPBELL HURT

Accross Fractures Her Knee and Will Be Unable to Walk for Two Months.

PHILADELPHIA, Jan. 3.—Mrs. Patrick Campbell, the English actress, fractured a knee cap tonight, the result of a fall while entering a carriage to go to the Broad Street theater.

MOVEMENTS OF OCEAN VESSELS

At New York—Arrived: Ivernia, from Liverpool; Salsburgh, from Bremen; Pauline, from Bremen; Codrre, from Liverpool.

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The people of St. Petersburg have received with compassion the news, known to the rest of the world a day earlier, of the fall of Port Arthur. The event had been anticipated and under official direction the minds of the populace were prepared to receive with resignation the fact of the announcement by reason of the publication of the dispatches forwarded last week by General Stoessel describing the straits to which the garrison had been reduced.

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Subscribers to other papers bought The Bee Monday, to find out if Port Arthur had really fallen. I wonder why?