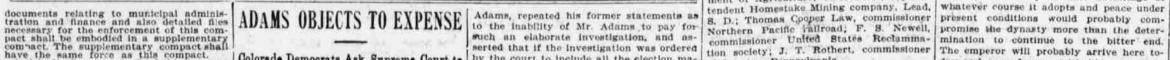


Y. M. C. A. Building, Corner Sixteenth and Douglas Sts.



Article 11-One copy each of this compact shall be prepared for the Japaness and Russhan armies and it shall have imme-diate effect upon the signature thereof.

Diet to Take a Receas.

It is expected that the Diet will now take a recess and hold a special session for the purpose of passing a vote of thanks to General Nogi and the men of the Third army.

A great lan'ern procession in celebration of the surrender of Port Arthu: is being held tonight and the city is splendidly ifluminated. Thousands of men carrying flags and lanterns are marching the streets and visiting and cheering the various departments of the government.

DOES NOT CONSIDER MEDIATION President Desires Peace, but Will Not

Offer to Intervene. WASHINGTON, Jan. 3 .- Reports that President Roosevelt is likely to initiate negotiations of friendly mediation between and entirely unauthorized. It is stated the immediate future.

ter is well understood by those who in ant governor-elect, and will retain his seat fication of the order declaring that an inthe last few months have discussed the as senator only until such time as he is vestigation of the boxes only would not bringing about a cessation of hostilities in to waik the plank, but action in their cases he would say for his clients that they the far east, but he appreciates fully the may be deferred somewhat. There are four would gladly bear the entire expense. To futility of suggesting mediation to belligerents who are not inclined to receive such offers in a spirit of friendliness, and that an offer of mediation at a time which either one of the contending powers might regard as inopportune might retard rather than advance the prospects of peace. Should the time come when diplomatic assurances are received from both Russia and Japan that consideration would be given to suggestions of mediation then very likely the president would embrace the opportunity to promote the cause of peace in any effective way that might offer.

The subject of mediation was not considered at today's meeting of the cabinet, which, although attended by all the members, was comparatively brief. Secretary Taft discussed with the president the army medical bill, the enactment of which he has recommended to congress. It provides for the experiment of a system of contract surgeons for the army. Postmaster General Wynne announced that tomorrow he would that it be not extended to the registration send to the senate the report called for by slips and the poll books. An inquiry of that body on the subject of postmasters in this magnitude would consume the greater Idaho, who, it was alleged, are living in polygamy.

Minnesots Bank Fails.

WASHINGTON, Jan. 3 .- The First National bank of Faribault, Minn., has been closed and Bank Examiner Lyman B. Baird what he had asked. They were willing, appointed receiver. The comptroller of the they said, to have the inquiry assume any currency states that no reason is given for scope, if the republicans paid for it as their the closing of the bank.



Colorade Democrats Ask Supreme Court te Modify Its Election Order.

LEGISLATURE MEETS AT NOON TODAY Republicans Have Big Majority in Both Houses and Will Oust Members Whose Seats Are

Contested.

legislature which will settle the guberna-torial contest between Governor Peabody order of the court be made applicable to no nation in the world so extravagant and

that no action will be taken that has direct investigation be conducted under the subearing on the governorship. If anything pervision of a referee to be appointed by is done besides organizing it will be a settlement of the contests, of which there are Russia and Japan are premature, at least, a number both in the senate and the house. Adams to pay the expenses of his man It is practically certain that the first thing and the state to pay for the man selected most positively today that no negotiations that will be done by the senate, after it is by the attorney general and the fees of crown lands of Canada, who occupied a looking to mediation on the part of this in working order, is the unseating of Sen- the referee to be borne jointly. The ex- seat on the floor, was called to the platgovernment are pending and it is not known ators Robert M. Born of Alamosa and Dan- pense of a general investigation, he said, form by Secretary Wilson and in a few that such negotiations will be initiated in iel Healey of Leadville. Their seats will would be too great for Mr. Adams, be given to the republicans, James B. Dick

President Roosevelt's attitude in the lat- and Jesse McDonald. The latter is lieutendoubtedly be decided in favor of the republicans, as that party has a strong majority them to do so on their own account. Mr. in both branches of the legislature. The makeup of the legislature will be, at the the one for which he had asked, and if the opening tomorrow and without reference to democrats, 15. House, republicans, 47; democrats, 18. On joint ballot, republicans, 66;

No intimation was given by the supreme court this afternoon as to the time when it would hand down its decision on the application of Alva Adams to have the ballot marked to Mr. Thomas: "An investigation boxes used at the last election in this city examined, but by the altorneys on both all of the evidence in this case, Governor Thomas." aides it is believed that an announcement will be made by the court in the morning.

Adams Objects to Expense.

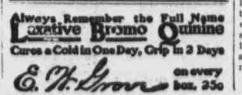
democrats, 33.

The attorneys for Mr. Adams this morning made a strong effort to have the inquiry confined to the ballot boxes only, and urged part of a year and would entail expense which could not at this time be even estimated. They declared it unfair, in their

opinion, that, when their client had made application to the court for an order, it ended should be extended by the court beyond

own, but they did not believe that Mr. Adams should be asked to pay the expenses of an investigation so much more extensive than he had asked.

Attorney Henry J. Herney, for the re publicans, insisted that the full scope of the alleged frauds could not be shown by an examination of the ballot boxes only, and declared that if Mr. Adams was unable to endure haif the expense of the inquiry the republican party would stand all of the ast. Attorney C. S. Thomas, for Mr.



by the court to include all the election machinery his client would be compelled to withdraw his application for an investigation, "be the consequences what they may."

Taken Under Advisement. The court took under consideration the

of the order of the supreme court ordering the decision would be given "later." He that the question under discussion did not specify any time or date for the announcement of the decision. The arguments of the attorneys consumed some-DENVER, Jan. 3 .- At noon tomorrow the thing over an hour. Ex-Governor C. S.

and Alva Adams will be called to order. It the ballot boxes only and do not include is expected that all of tomorrow will be re- poll books nor registration lists, as asked quired for the work of organization, and by the republicans. He asked that the the supreme court, Mr. Adams selecting one member of the commission and the attorney general of the state another, Mr.

> H. J. Hersey, the attorney for the republicans, resisted the application for a modi- that it had been his aim to do everything

contests in the house, all of which will un- this Mr. Thomas replied that he was willing they should pay all expenses, but he wished Adams did not wish any other order than court saw fit to grant an order directing an any of the contests: Senate, republicans 19; Investigation of all poll books, registration lists and ballot boxes there would be nothing left for his client to do but withdraw his application for an investigation, be the

consequences what they might. Chief Justice Gabbert declared that he of the congress and elicited loud applause would hand down his decision later and reof the ballot boxes only would not reveal sonnel counted for much-

by the other side," replied Mr. Thomas, "but if the court decides that it is to be the future of this republic in every deof the

ours. The expense will be too great for Mr. Adams to beay and there is no telling how great it will be. If we cannot have the modified order we shall request per- secure the repeal of the timber and stone mission to withdraw our application for an act it should, instead of adopting resoluinvestigation of the ballot boxes."

bidden by the supreme court to take such gress took a recess. action, were by the court referred to the

sociation Republicans Still Undecided.

The republican leaders and attorneys were in session late tonight discussing plans of procedure. It was not definitely decidea what method would be adopted. It may be decided to allow the investigation of the legislature to follow after that ordered by

the supreme court; or the legislature may inaugurate an investigation of its own and then declare that the frauds discovered in certain districts of Denver have been of such a character as to vitiate the election in those districts; or it may be decided to seat Governor Peabody by the passage of a

resolution Bee Want Ads Produce Results. of forestry, Pennsylvania. Following the appointment of the committee the annual report of the board of

directors of the American Forestry asso- the ascendant and the indications are that ciation on the progress of forestry in the United States was read by Edward T. application of Adams for a modification Bowers, secretary of the association. Representative Lacey of Iowa, chairman of the house committee on public lands, and Chief Justice Gabbert declared that briefly addressed the convention, saying

ment of Agriculture; T. J. Grier, superin-

tendent Homestake Mining company, Lead,

commissioner United States Reclamma-

one with which the committee had long been struggling He declared that the movement for the protection of the forests had been late, but not too late for no nation in the world so extravagant and such a spendthrift of its national re-

sources, he said, as the United States. The forests, he declared, had been destroyed with a wantonness that looked almost like the fruits of its victories is endeavoring malignity. Their preservation, he said, to ascertain the tenor of any exchange of meant the preservation of the creatures

to be neglected. Talks of Canadian Laws.

Mr. Andrew White, commissioner of remarks explained the system in vogue in Canada of managing the forests. He said

to educate the people to preserve the forests, not only from the standpoint of subject with him. He has let it be under- sworn into office. There is a strong proba- reveal the extent of the frauds. He said beauty, but of commerce as well. In its stood that nothing would afford him greater bility that the democratic senators Griffiths, that if the expense of the investigation forests Canada, he added, had a valued and the entire family of ten, except the satisfaction than to be instrumental in Hughes, Bailey and Hill will also be asked would be too great for Mr. Adams to bear asset and it was taking care of it and not giving it away. He predicted much good death or smothered. Their charred bodies

lie in the ruins of the house. as a result of the present congress. W. S. Harvey, president of the board of trustees of the Philadelphia Commercial museum, took note of Mr. White's rehave laws enacted which will put it on an equal footing with Canada. He urged co-

vention.

operation of all bodies represented in the ongress toward securing the repeal of the est difficulty that he made his escape from timber and stone act. This, he said, was the house. a period of doing things.

He called attention to the fact that President Roomwelt was honorary president when he spoke of the administration as one "that does things" and whose per-Former Senator Charles F. Manderson

general solicitor of the Chicago, Burlington "I have no objection to the order asked & Quincy railroad, called attention to the minous denudation of the forests and said

extensive scope asked by them, I partment of industry rests upon the preserwant it to be their investigation and not vation and, indeed, the increase of its timber

Representative Reeder of Kansas ad-monished the congress that if it wanted to tions, use its influence directly on the com-"Very well, I will announce my decision mittee and on congress. Other brief later," said the court, and the case was speeches were made by Dr. Edward Everett Hale, Prof. Filbert Roth of the University

The contempt cases of, Attorneys John of Michigan, C. A. Schenck, forester of the A. Rush and Everett Bell, who were cited Biltmore estate, North Carolina, and E. B. for contempt in obtaining writs of man- Gosney, president of the Arizona Wool damus from the district court when for- Growers' association, after which the con-

The afternoon session was presided over grievance committee of the State Bar as. by Senator Clark of Wyoming and was devoted to a discussion of the question of the mportance of public forest lands to irrigation.

> **Colds** Cause Sore Throat Laxative Bromo Quinine, the world-wide

Cold and Grip remedy, removes the cause. Call for the full name and look for signaure of E. W. Grove. 25c.

HYMENEAL.

Davis-Wiley.

NEBRASKA CITY, Neb., Jan. &-(Spedal.)-Mr. George Davis and Miss Edda Wiley were united in marriage at 9 o'clock this morning at the home of the bride's mother, Mrs. H. H. McEiheny. The con-

necessary. Since both the attorney general and the courts would have to concur, the rights of legitimate journalism are sufficiently pro-tected and it is only in an extreme case that the law could be invoked. For that case it provides a remedy. tion society; J. T. Rothert, commissioner The emperor will probably arrive here today and a conference with his coupsellers The governor submits a draft of an act upon these lines. will probably be arranged.

The war party seems still completely in Senator Burrows Renominated. LANSING, Mich., Jan. 3 .- The renomina the emperor's advisers are that Russia's tion of United States Senator Julius prestige abroad and the security of the Caesar Burrows for a third term was dynasty at home make it impossible for agreed upon tonight by acclamation in Russia to accept a humiliating peace dicjoint caucus of the two houses of the state tated by Japan as the conqueror. Still, legislature. Theoretically tonight's meetthere is every evidence that Japan would ing was a republican caucus, but there are proffer moderate terms, and it is possible no democrats in the legislature and consean offer of generous terms would make a quently the caucus carries all the weight good impression and pave the way for the of an election, the formal vote of the legisreception of proposals in a conciliatory lature to follow as a pure formality. spirit.

The house caucus tonight nominated ROME, Jan. 3.-Japan, it is asserted here, Sheridan F. McMaster of Kalamazoo for fearing that the powers may again have speaker. The senate caucus named Cassius in contemplation a solution of the far L. Glasgow of Barry county for president eastern problem which would deprive it of pro tem.

Senator Clapp Renominated. ST. PAUL, Minn., Jan. 3 .- The repub views which may have taken place belican members of the legislature held a that abound in them. This is a work not tween the powers regarding possible intercaucus tonight for the purpose of nominating a United States senator to succeed

NINE PEOPLE DIE BY FIRE Moses E. Clapp, and by a vote of 127 to 1, Mr. Clapp was endorsed for re-election, Moses E. Clapp, and by a vote of 127 to 1, The dissenting vote was cast for J. B. Home Burns and but One Member of Family Escapes the Flames.

Gilfillen of Minneapolis. Governor S. R. Van Sant had announced his candidacy for the senatorship, but did not receive a vote in the caucus. ELMIRA, N. Y., Jan. 3.-Fire consumed

the home of Frank Noweski, a Polish miner, in Morris Run, Pa., early today, Ceremony Starts with General Recep-

tion at Hotel. oldest son, aged 18, was either burned to PIERRE, S. D., Jan. 3.-(Special Telegram.)-A perfect winter day greeted the

inauguration of the new state officers and The Noweskis lived in a log house on the assembling of the ninth legislative asthe outskirts of Morris Run. There were sembly of South Dakota. Promptly at no immediate neighbors. Last night the noon the two houses were called together. marks and said that this country should family retired as usual. Early today the The senate by Lieutenant Governor Snow oldest son was awakened by the smell of and the house by Acting Secretary of State smoke. The room in which he was sleep- E. N Graves.

ing was on fire and it was with the great-The impressive oath of office was administered to the members of the senate by Justice Fuller and the organization was

It is not known how the fire originated completed by endorsing the following caucus selections: Secretary, L. M. Simons of Davison; first assistant, W. C. Rempfer of Hutchinson; second assistant, R. L. Lock-Recently smallpox broke out in hart of Deuel; bill clerk, Henry Koehn of Bonhomme; chief of engrossing force, A A. Rowan of Turner; first assistant, Henry among the sufferers from the disease, but every member of the family recovered and Billings of Lawrence; sergeant-at-arms, Thomas Bishop of McCook; assistant, Samuel Harter of Union; postmaster, M.

Long Way from Snielde.

ert Oliver of Lake; watchman, W. D. Hussong of Day; messenger, McKay of Clark; chaplain, John Askin of Hughes. Following the organization the senate adjourned to the house chamber to meet with

Long Way from Satelde. Because she thought her lover, a colored man, had forsaken her. Kittis Claire, a white woman. Ilving at 911½ Capitol ave-nue, took a dose of carbolic acid late yes-terday afternoon. Neighbors heard her thrashing around the house and notified the police that something was the matter. Drs. Arnold and Wigton attended her and soon had her out of all pain. Kittle took only a little of the burning acid, as she said ft burned too much. When seen about forty-five minutes after the attempted suicide she was contentedly smoking a cigarette. that body in joint session to review the messages of Retiring Governor Herreid and Governor Elrod.

pleted as to the necessary officers for the



Pains in the side, back, under the shoulder blade, smothering sensations, palpitatio the heart, a tired feeling in the mornin poor appetite, coated tongue, blotches BRILLIANT INAUGURAL AT PIERRE poor appetite, costed tongue, blotches and pimples. 30 days' treatment 25c. All drug efsts. AMUSEMENTS. D'S WOODWARDANS TUNILAI AND INJASDAY-MATINEE TODAY-THE BRILLIANT COMEDY

YOUR GRAY HAIR

But there is relief from it. In

Four Days it can be Restored

To Its Natural Color by using

It is not a dye, but in a natural way it acts on the roots, compelling the secretion of the pigments that give life and color to the hair—in four days—\$1 a bottle, at all druggists.

If you have any defects of skin, scalp or general ealth, write me. Correspondence solicited. Ars. NETTIE HARRISON, Dermatologisf

140 Geary St., San Francisco

For sale by Sherman & McConnell Drug Co., S. W. Cor. 16th and Dodge, Omaha.

Will Cure the Following Symptoms:

13 West 27th St., New York City

BURKHARTS

Man. hattie Harrison

Hair Restorer

4 - Dav

NOT WANTED

Gray Hair Is a Bas

and to Pleasure





Every Night-Matinees Thurs., Sat., Sun

Modern Vaudeville 8 Colini-Ciairons, Aleide Capitaine, Binns, Binns and Binns, Chas. Leonard Flatcher, Happy Jack Gardner, Fox and Foxie, Mitchell and Love and the Kinodrome. PRICES 10c, 25c, 50c.

KRUG THEATER Prices 15-25-50-758 MATINEE TODAY-ALL SEATS 25c. TONIGHT AT 8:15-

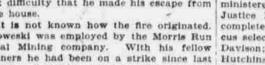
MASON & MASON

In Their Latest Musical Comedy Buccess FRITZ AND SNITZ Thurs.-J. H. Stoddard in BONNIE BRIAR BUSH. Seats on sale at our usual prices.

Roller Skating Auditorium

Every Day This Week Afternoon, 2 to 5 Evening, 7:30 to 10:30 Admission, 10c

The house organization was only com-



miners he had been on a strike since last April. Morris Run. Noweski and his family were

the quarantine had just been raised from their home.(H. Barnes of Minnehaha; assistant, Rob-

Noweski was employed by the Morris Run Coal Mining company. With his fellow

ernment's position is a difficult one. It

has enemies ready to take advantage of

whatever course it adopts and peace under

mination to continue to the bitter end.