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ASKS FOR

Chicago Employers' Association Sends Co: mittee to See Governor Deneen.

OFFICIALS THINK TROOPS UNNECESSAR'S

Mayor Dunne and Chief O'Neil Say They Can Control Situation.

OF TURMOIL AND BLOODSHED

Biots in All Parts of Downtown Districts in Which Seventy-Five Are Injured.

Orivers of Scott Transfer Company Are Not Molested-Each Side Makes Gains During the Day.

CHICAGO, May 3.-Rioting in the streets today was so prolonged and of so fierce a character that many of the leading business men have concluded that there will be neither peace in the city or safety for its business interests until the state militia has been called out to restore order. A committee of members of the Employers' association left for Springfield today to confer with Governor Deneen and to request him to give orders to the state troops. The labor unions have an extensive lobby at the state capital and it is likely that they will also be heard before any action is taken by the governor.

Chief of Police O'Nell says he is confident that he has control of the situation and can keep peace. Mayor Dunne supports him in this view and has declared that in his opinion the emergency has not arisen requiring the presence of troops. On the other hand, the business men point to the long list of injured which marked the rioting of yesterday, and the greater number of those who were hurt today, and declare that this alone is sufficient proof that the police are not, unaided, sufficiently strong to cope with the situation. No complaint is made against the police department, for the officers have dispersed every mob with which they have come in contact and have guarded wagons night and day. But despite their utmost the fighting continues in the streets and is, if possible, more vicious on each succeeding day. While the police have been able to disperse mobs and guard wagons they have not been able to prevent the many attacks that are made on nonunion men in the business portion of the city alone. The situation, the business men claim, will be ten-fold worse when express wagons and retail delivery wagons are sent to remote parts of the city.

Dunne Says Troops Are Not Needed Mayor Dunne was emphatic in his declaration tonight that he will not acquiesce in any call for outside assistance in preserving order, and intimated that he will strongly oppose any attempt to secure armed protection. He takes the position that Chicago must first exhaust every possible resource before R can bland before the world and admit that peace and order cannot be pre- though the defendants were ready. we have by no means reached the limit of reserve. I am empowered to call on every ablebodied citizen over the age of 18 years. Of course. I could not call in the strike or the strike breaker, or their sympathizers, but I would have to draw upon the citizens of good character from the general public. If necessary, I could call in the hundreds of employes of the water pipe extension department, who are employes of the city, and have them sworn to protect its interests. This would give a large additional force. Then I could shut the water collection office for a time and draw upon the employes there. There are also a large number of ex-militia in Chicago to whom I could call. In fact, I could find plenty of men of good character who would be willing to respond to a call to preserve peace. If I should reach the time that I find that we could not convoy wagons and that all of d in the city streets. The mayor said; ould not convoy wagons and that all of resources have reached their limit, then will I call for outside help.

Drivers Armed with Guns. Despite the orders of Mayor Dunne and the prohibition of the city council, many of the wagons of the concerns against which strikes have been declared were handled today by men armed with rifles and shotguns. The first rifle shot fired during the strike went whizzing through a crowded, thoroughfare today. The shot was fired by a guard on a wagon of the United States Express company while it was passing through a crowd of strike sympathizers at the intersection of State and Randolph streets. In driving past the corner the driver of the wagon reined his horses up suddenly. A guard within the wagon poked his head instantly from the wagon and seing a street car conductor stopping as though to throw a missile. pulled the rifle trigger without the slightest hesitation. No person was hit and it de veloped later that the conductor who narrowly escaped death was intent solely on his legitimate work of "throwing a switch."

Police Keep Off Wagons. The request of the employers made today that the police be allowed to ride on their wagons was declined by the chief of police. Positive orders were issued that under no circumstances must the officers mount the wagons, and they will continue to march abreast of the wagons on the street or keep along with them while walking on the ward off criticism. While the officers might do just as good work while riding on the wagons, the chief declared he did not intend to have it said of the department that it was showing partiality or guarding private property especially.

One hundred and fifty wagons of the neven express companies went to and fro across the city today, in many instances completely unguarded, and at no time under the supervision of more than one or two policemen. Every wagon carried a guard, some of whom were armed with rifles and others carried heavy double barrelled shot guns. The guns were in plain evidence throughout the day and no attempt was made to interfere with any of the express wagons. The trucks of the Scott Transfer company were also guarded in the same manner. Men carrying rifles were on every wagon and around their waists were belts loaded with cartridges. The company transacted its business as though there had been no strike against it. Mr. Scott tonight was elated over the success of the day. "I have 280 teams, said, "and the majority of them were on the streets today. I armed the men who handled them and I will continue to do so. My wagons were not molested and if they are I propose to place more guards

Both Sides Make Gains. Both sides made gains today and the result leaves them about as evenly balanced as they were before. The accession to the ranks of the teamsters was made when a trike was declared against the coal firm of Crerar, Clinch & Co. This concern employs several hundred men and delivers soal to a large number of the most promi-

Continued on Fifth Page.)

Judge Orders Them to Appear in Court for Examination Re-

YEW YORK, May 2.-Justice Bischoff ay signed an order directing President V. Alexander, Vice President J. H. Hyde Vice President Gage E. Tarbell of the

garding New Charter.

tabl Lif Assurance society, to apbefore him in the supreme court on 11, for the purpose of being examined taking a deposition as to the facts and istances under which the so-called ed charter of the Equitable society dopted.

The officials of the Equitable are also in structed to produce such books and papers as may relate to the adoption of the amended charter. The order was signed at the request of Herbert G. Tull of Philadel-NONUNION MEN ARMED WITH GUNS phia, a policy holder in the Equitable so ciety. Yesterday the justice refused to sign a similar order, but upon a renewed application today, in an amended form as suggested by the court, the order was signed NEW YORK, May 3 .- President Alexander of the Equitable Life Assurance society today gave out a statement in which he makes a denial of all reports to the effect that any one has been asked to succeed him as president of the society. He said: "All reports that anybody has been asked to be president of the Equitable are obviously false. I have been elected president by the board and have no intention of resigning. There is no body of men having authority to offer the presidency to anybody. Caution should be exercised in accepting unauthorized rumors, many of which are

> H. R. Prewitt of Kentucky and R. E. Folk of Tennessee, members of the executive committee of the National Association of Insurance Commissioners, expect to call on James H. Hyde of the Equitable today. Speaking of the purpose of their visit to

circulated for a purpose."

this city Mr. Prewitt said:

We are here in answer to the demands of policyholders in our respective states that our state insurance department make a first hand investigation of Equitable affairs. We expect to see Mr. Hyde today and later we will taik with Mr. Hornblower and go over with him the litigation that has been begun against the Equitable. As yet we have made so demands for an examination of the books of the society and we have not decided whether such an examination shall be made. Our organization has the power to subpoena witnesses and take testimony. Other members of the executive committee of our national association will arrive in town this afternoon and on Thursday we expect to hold a meeting and decide on some definite plan of action. Policyholders im the Equitable throughout the country are insistent that some outside independent investigation be made of the affairs of the society. this city Mr. Prewitt said:

DEWEY CASES ARE DISMISSED Kansas Stockman Will Not Be Tried

for Killing Members of Berry Family.

NORTON, Kan., May 3.-The celebrated ase of Chauncey Dewey, a millionaire ranchman, and Clyde Wilson and A. J. McBride, cowboys employed by Dewey, word, only the charge of Recorder Goff to who were charged with killing two members of the Berry family, neighboring ranchmen in northwestern Kansas, has been ended in the district court here when the judge dismissed the defendants without trial. The prosecution had failed upon Miss Patterson had risen early and caten several occasions to begin the trial, al- breakfast with her sister, Mrs. J. Morgan

The three defendants were all acquitted a year ago after a sensational trial for the alleged murder of another member of the Berry family.

Chauncey Dewey is the son of the late C. P. Dewey, a pioneer Kansan, and at the time of the killing of the Berrys managed his father's ranch.

POISONED FLOUR IN CHINA Mishap of Smugglers Causes Man; Deaths in Interior of Flowery Kingdom.

SAN FRANCISCO, May 3.-The steamship Coptic brings news of many deaths in the inland country of China. Accordings people waiting to catch one/fleeting glance to a story from Amoy, it has been the smuggle morphia into that section, as the duty on the drug was very heavy. Recently a number of boxes of the drug were smuggled inside a shipment of formed guards in the building was quadflour. In some manner the boxes broke, causing the deadly drug to become mixed and an officer stood with the flour.

Instead of the flour being condemned the stuff was sold to the up-country districts. Within a week, people began to die in Chinese were dying from the poison administered in apparently the most mysterious manner. It is estimated that fully fifty people died of morphia poisoning.

ROBS SENATOR REED SMOOT Man Who Claimed to Be Federal Official Swindles Utah Man Out

of Suit of Clothes.

SALT LAKE CITY, May 3.-A verdict of guilty was returned by a jury in the federal courts here today in the case of J. C. Peltler, charged with impersonating a postoffice inspector. Peltier, who was arrested in Texas several weeks ago, obtained sums of money from several prominent Utah politicians and officeholders, including United States Senator Reed Smoot. He represented The order, Chief of Police that he was a postoffice inspector and that O'Neill explained, was simply intended to he had been sent here at the request of Senator J. C. Burrows to investigate the charges against Senator Smoot. Peltier was entertained several days at the home of Senator Smoot and obtained a suit of clothes from the woolen mills at .Provo at the senator's expense.

BANKER SPEAR IS SENTENCED Cashier of Bank Cheated by Mrs. Chadwick Pleads Guilty to

Falsifying Books,

CLEVELAND, May 3 .- A. B. Spear, cashier of the closed Citizens' bank of Oberlin, today in the United States district court entered a plea of guilty to one count of might the indictment charging him with making false entries in the bank's books. District Attorney Sullivan recommended that all other indictments against Spear, containing fifteen counts, be nolled. Judge Taylor at once sentenced Spear to seven years' imprisonment in the Ohio penitentlary.

GRAIN DEALER GOES TO JAIL Kansas is First State to Punish Violation of Anti-Trust Law with Term in Prison.

LA CROSSE, Kan., May 3 .- E. J. Smiley, secretary of the Kansas Grain Dealers' association, was today placed in jail here to serve a ninety days' sentence of the United that a motive existed then it tends to States supreme court for the violation of the anti-trust law. This case is a noted one, and has been fought through all of the courts to the highest tribunal in the last four years. This is the first instance of a member of a trust being sent to jail

After Thirteen Hours' Deliberation the Jurors Are Discharged by Court.

RUMOR THAT MAJORITY FAVOR ACQUITTAL

Defendant Faints When Announcement is Made-Another Trial is Considered Improbable.

NEW YORK, May 4.- The jury in the Nan Patterson case this morning reported that an agreement was impossible and was

discharged by Recorder Goff. The jury, was given the case at 1 o'clock yesterday, and after deliberating twelve hours came into court at 1:39, o'clock this morning and informed Recorder Goff that they had failed to reach a verdict. The jury declined the recorder's offer to aid them by advice on any point of law regarding which they might be in doubt, and were sent back to continue their deliberations. At 2:20 o'clock the jury again entered the court room, where the recorder and other court officials were in waiting, and the foreman announced that they had failed to agree on a verdict. He added that their disagreement seemed hopeless of ad-Upon this announcement Recorder Goff formally discharged the twelve men composing the third jury that has considered this celebrated case. It is understood that a majority of the jury was for acquittal, but in what proportion they

stood cannot be ascertained. Miss Patterson collapsed on the jury's announcement and fainted dead away. She was assisted from the court by one of her counsel and several court attendants and revived in an antercom.

On the second return of the jury Reorder Goff made a personal appeal to the foreman to endeavor again to reach a verdict. The foreman entered the jury box and polled the jurors in open court, but they were not able to agree. The recorder then asked them again if there was not some point in law or something he could do by which they might be able to reach a verdict, but the jurors remained steadfast and finally declared their verdict a disagreement.

Recorder Goff before dismissing the jury autioned them not to tell how they stood. Future proceedure in the case is uncertain. It has been intimated by the district attorney's office that the people probably would not attempt another trial. Should this be the case, Miss Patterson would be released either on nominal bail or on her own recognizance.

Defendant is Confident. Nan Patterson left her cell in the Tombs for the court of general sessions today to witness the last scenes of her trial on a charge of killing Caesar Young. As Assistant District Attorney Rand had finished his argument as prosecutor yesterday and the defense had already spoken its final

the jury remained. Warden Flynn of the Tombe prison said today that she was a wonderfully composed

The warden's comment was made after frame of mind and was ready to go to the court room some time before she was called for.

The session of the court was opened at 10:30 a. m., and ten minutes later Recorder Goff began his charge to the jury.

Remarkable scenes were witnessed around the critmnal court building today. Early in the day crowds began to gather, and hours before the time for opening of court the corridors were filled with men and women hoping to break through the cordon of guards around the court room doors on the first rush. Even in the streets around the building persons stood waiting. On the Tombs prison side the street, spanned by the Bridge of Sighs, was jammed with of the prisoner as she passed the little, barred, half open window which overlooks the street. As the hour for the opening of court approached the regular force of unirupled, every stairway was guarded outside

every elevator landing. The Patterson trial is not the only case being heard on the third floor of the big building, however, and hundreds of persons, taking adlarge numbers and for nearly a month the vantage of this, gained temporary admission to the upper floors. Time after time the corridors were cleared and the crowds streamed out to the streets, only to return to make other attempts, most of them fruitless, to gain admittance into

the court room. Practically every seat in the body of the court room had been spoken for far in one used the privilege accorded, as there before the prisoner came in and took her place beside her counsel.

Charge to the Jury. In beginning his charge to the jury Re-

order Goff said: This case has nothing extraordinary in This case has nothing extraordinary in it. So far as the testimony goes, two persons most spoken of during the entire proceedings, the deceased, a man by the name of Young, a race track man, had this defendant to live with him as his mistress. The man's death, because of the personality of this man Young, had nothing in it to excite your passions or prejudices. He was a mere gambler, a race track man. Therefore, you should be able to consider the facts calmly, without prejudice and passion. dice and passion.

There is no artificial atmosphere for you to be excited or distracted by. You must decide the circumstances without any thought of the atmosphere, calmly and

with a quiet mind. Continuing, Recorder Goff said:

Continuing, Recorder Goff said:

Of course, gentlemen, you must not think that because of the humble position of this woman you should not give her the same consideration as if she occupied a more exalted position in society. Whatever her position, she is entitled to the same legal rights as the most prominent and most conspicuous. If there be a reasonable doubt in this case on the evidence this doubt must be thrown into the balance for the detendant. A danger lies in the remarks of counsel which might take your mind off the doubt must be thrown into the balance for the defendant. A danger lies in the remarks of counsel which might take your mind off the direct issue. You must avoid this danger. You are not bound to accept the arguments of counsel as to the nature of this crime. You are the judges of the fact, if there was murder, and in what degree. The crucial question is, "Did the man kill himself or did this defendant fire the fatal shot?" If the accused fails to take advantage of her privilege to take a defense, under advice of her counsel, her failure to do so must in no way be held against her. The recorder directed that questions and answers of witnesses which were stricken answers of witnesses which were stricken

out upon objection by counsel must be disregarded "Much has been said relating to the motive which actuated this defendant," he continued. "The prosecution claims that she shot the man because he had cast her off. But it is not necessary to prove moto convict of murder. If it is shown support the circumstances, but to do this motive must be proved, not imagined,"

Refuses to Submit Instructions. Before giving the case to the jury Recorder Goff ruled on the request to

(Continued on Second Page.)

Party Unable to Hunt for Three Days Because of Heavy Snow

and Rain, GLENWOOD SPRINGS, Colo., May 3.-

For three days the president's hunting party has been stormbound in the mountains. Rain and snow have fallen continuously and tonight there is no sign of a break. The roads are muddy and the trails accordingly dangerous for horse-

The hunters intended to move to the East Divide creek on Monday, but as the party will break up Saturday the camp will likely be moved to the head of Garfield creek as soon as horsemen can get through. Mountain streams are raging torrents and most of them cannot be

crossed Grizzly bears are the only kind of game that will be hunted from now on. Thus far this king of the Rocky mountain beasts has eluded the president, and he is very anxious to get one. Ten brown bears have fallen to the party, and some were of good

President Roosevelt is expected here Saturday right instead of Sunday morning. If camp is located on Garneld creek the party will ride to Glenwood Springs, crossing the Grand river at South Canon.

The presidential special will leave Gienwood Springs at 5 o'clock on Monday morning and reach Denver at 5 p. m. that day. This is more than an hour faster than the best passenger schedule. The train will be made up of the private car Rocket, a Union Pacific railroad library car and a baggage car.

A pilot carrying officials of the Denve & Rio Grande railroad and Denver newspaper men will be run ahead of the special as far as Denver.

STANDARD OIL MEN INVOLVED Rockefeller and Rogers Deal is Mentioned in a Connecticut Mining Suit.

NEW HAVEN, Conn., May 3 .- In the suit of Franklin Farrell, the millionaire manu-Thomas Wallis of this city and Robert D. more as could be obtained.

Negotiations followed, it is declared, between the defendants with "William Rockefeller or H. H. Rogers, or the Amalgamated Copper company," with the result be put in. of their insisting on control of a majority amount returned. In making the sales, it this matter to the attorney for advice. is asserted in the papers, the defendants the total amount sold at the returned price of \$40 a share.

NEW TURN IN BEEF CASE Subpoenas Issued for Thirty Traffic Officials of Railroads in the . Middle West.

CHICAGO, May 3.-The testimony of W. J. Young, commercial agent of the Illinois Central Railroad company, before the federal grand jury which is investigating the methods of beef packers, was the direct cause of the Issuance of thirty subpoenas from the office of United States Attorney Morrison today, commanding the appearance before the grand jury of representatives of the traffic departments of various railroads in the middle west who have had 2:30 o'clock and retired. W. H. Poole of dealings with the packing concerns. They were summoned to tell of their knowledge of alleged freight rebates.

All of the subpoenas issued were for witnesses living in western cities, according to the information supplied by a federal official.

It is understood that the new line o investigation is to begin May 10, by which time many miscellaneous witnesses will have been examined.

advance, and it seemed as if every favored BIG DAM BREAKS IN ARIZONA was hardly an inch of room to spare long Great Flood is Rushing Down the Zuni Valley Towards Holbrook.

HOLBROOK, Ariz., May 3.-The big dam across the Zuni river at St. Johns, Ariz., seventy miles southeast of this place, broke yesterday, and a great flood of water by May 30 and remove the fences entirely is rushing down the valley toward Hol- by November, it is possible the matter brook. Another dam at Woodruff, between will not be looked into by the grand jury. St. Johns and Holbrook, is in the path of the flood waters and will be carried be investigated and a revenue case or away, adding to the volume of water. two. In fact, there is not a very great Much damage has already been done to the rich farming valley and the flood is ex- jury, particularly in view of the fact that pected to reach Holbrook late today, when there will be no bootlegging cases, which submerged. Only meagre information has reached here of the damage in the country So far there has been no news of loss of

Late this afternoon a special train over the Santa Fe arrived here with fortyfive empty box cars into which were loaded great quantities of merchandise and other movable property. The train when loaded was run to Aztec, the next station, where it will be safe from the flood.

MISSOURI CLUBWOMEN Mrs. Morris of St. Joseph Replies to Magazine Article Written by

Former President Cleveland. ST. LOUIS, May 3.-The first blennia. convention of the Missouri State Federation of Women's Clubs convened today, being presided over by the president, Mrs. Phillip N. Moore. Previously the conventions have been held annually. The convention

will be in session three days. Mrs. W. B. Norris of St. Joseph, who die cussed "The Development of Women's Clubs," in replying to an article published recently from former President Celeveland, in which he criticised modern club life for women, said: "Notwithstanding the blot upon the escutchen which the eminent and distinguished ex-president has endeavored to give our organization, we shall not call a halt, but simply feel a deep regret for the limited vision of one whose should have given him a broader wisdom. Then Mrs. Norris continued with her dis

CALLS EQUITABLE OFFICERS PATTERSON JURY DISAGREES PRESIDENT IS STORMBOUND WRIGHT BACK ON PAY ROLL

Water Board Employs Former City Attorney to Do Its Work.

HYDRANT OUESTION UP FOR DEBATE

Limitation of Fund Will Curb Any Exuberance that May Exist for the Extension of Mains for a Time.

Carl C. Wright, who resigned as city attorney several months ago to become assistant general attorney for the Northwestern railway, was elected attorney for the Water board at \$1,000 a year with extra remuneration in extraordinary litigation, by the board at a regular meeting last night. One vote was cast for John L. Webster and five for Mr. Wright. The balloting was in secret on the motion of Member Congden.

After electing an attorney the board pro seeded to map out work for him to do. leading off with a resolution directing him to take action to compel the water company to install hydrants. This was introduced by Dr. Hippie and reads as follows: Whereas, The Omaha Water company

has failed to comply with that portion of its contract with the city of Omaha which requires it to construct new mains and locate new hydrants as ordered by the city and.

facturer of Ansonia, and others against that there is a limit of \$100,000 to the tax said, is not advancement in the arts and Grant of Salt Lake City to recover \$600,000, penses, including hydrant rental. The tion, not the bringing of nations together, a second count was put in by the plaintiffs hydrants already in plus seventy-two or- but the glorious consummation of the Lordin the superior court here today, relating dered by the mayor and council before the ship of Jesus Christ over men and nations. the alleged circumstances of the transfer water board got full swing, means a cost J. C. Wharton presided over the exercises. of the Parrott mine to the Amalgamated of about \$98,000 annually. When this L. W. Kratz opened the program with a Copper company. It appeared from the verity was figured out several members solo, and Mrs. Howard Kennedy played an papers that in 1899 Franklin Farrell owned asked audibly where their salaries and organ solo in the interval between the two 63,694 shares of the property and in owner- some other incidentals were to come from, addresses. The diplomas were presented ship by himself and family there were especially if only 90 per cent of current by Dr. Jenkins. The class was the elev-102,459 shares. The plaintiffs, it is said, levies can be used. For these reasons and enth to graduate from the institution. agreed with the defendants for sales of some others Member Hipple's vigorous these holdings at \$50 a share, or as much fight for thirteen new hydrants, including those for Fort Omaha, lost out and it was decided to defer action on the proposition. Member Hipple insisted that all hydrants enumerated are badly needed and should

Street Commissioner Hummell told how before taking the property. The members the water company is refusing to permit of the Farrell family and the defendants the city to use the hydrants for flushing ward the proposed Great Northern cut-off of flushed coffins and coffin material. It secured additional noidings sufficient to and cleaning streets, unless a contract is between Sioux City and Lincoln, passing was these grim objects that saved the raise their total holdings to 116,719 shares, made holding the corporation free from around Omaha, is voiced in the resolutions lives of most of those who escaped death, or a small majority of the 230,000 shares any liability from bursting hydrants, passed yesterday at a special meeting of as they prevented the floors from comoutstanding. The holdings of the de- mains or connection, even though the city the board of directors of the Omaha Grain pletely coming together as they fell. The fendants were then returned as sold at \$40 is willing to pay 5 cents per 1,000 gallons exchange; a share, the total received by plaintiffs for all water used, though the original being given as \$4.528,760. The plaintiffs now contract calls for water for flushing contract calls for water for flushing dreat Northern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company has surveyed a line from Sloux City, Ia., southern Rallway company ha \$5,300,000 or about \$600,000, more than the tary purposes, free. The board referred Chairman Boyd appointed Members Congalso obtained 21/2 per cent commission upon den and Howell and Attorney Wright as a committee to draw up rules to govern the

action of the board. It was announced that Attorneys Wright and Webster are to receive \$500 each for their services in successfully resisting the effort of the water company in the federal court to prevent the board cutting rates.

GRAND JURY IS COMPLETED Empanelled with W. H. Poole Weeping Water as Its Foreman.

After three days' delay the federal grand jury succeeded in mustering enough members Wednesday afternoon to permit its being legally empanelled. The jury was given its instructions by Judge Munger at Weeping Water was elected foreman of the grand jury.

A considerable number of postoffice cases will come before the grand jury for inwill be the Maurice Bass swindling case and the postoffice robbery case of March 21 at Thirty-third and Parker streets, wherein Guy Nestle and one Hossman held up and robbed the postmaster of \$4.05 postal funds. May 8 some ten or a dozen cattle and hog buyers will be called before the grand jury to give some information in the Beef trust investigations from the South Omaha

end of the line. It was expected that the grand jury would be called upon to investigate some of the land fencing cases in the western and northern parts of the state, but as practically all of the cattlemen have not! fied the Department of Justice that, they will open all their fences on section lines One or two counterfeiting cases are to amount of work cut out for the grand portion of the town undoubtedly will be hitherto have composed about 60 per cent of the grand jury investigations,

LOYAL LEGION AT A BANQUET Nebraska Commandery of Military Order Holds Its Annual

Session.

The Nebraska commandery of the Loyal Legion held its annual banquet and election of officers last night at the Her Grand. Forty-five members and invited friends gathered around the tables at dinner and afterward listened to an informal program of short addresses. The speakers were: General C. F. Manderson, Judge Lee Estelle, Rev. L. A. Arthur, Charles J. Greene and Clement Chase. Among the guests were: General T. J. Wint. Major R. S. Wilcox. Charles J. Greene, Judge Estelle, General Daggett, Major Zalinski, Captain Hacker and G. J. Spahn.

The officers elected were: Dr. J. H. Pea body, commander; H. C. Matrau, senior vice commander; J. H. Culver, Lincoln, junior vice commander; Frank B. Bryant, recorder; Edward Updike, registrar; William Wallace, treasurer; W. H. Riggs, chancel lor; Rev. Louis A. Arthur, Grand Island. chapiain.

The officers for the year just past were: Lorenzo Crounse, commander; Dr. J. H. Peabody, senior vice commander; H. C. Matrau, junior vice commander; Frank B. Bryant, recorder; Edward Updlice, registrar; T. C. Shalley, tressurer; W. H. Riggs, chancellor, Rev. Louis A. Arthur, chaptain.

Southwest Portion, Friday Fair and Warmer,

Temperature at Omaha Yesterday: Hour. Deg. Hour. Deg. 5 a. m..... 60 1 p. m..... 76 m..... 66 7 s. m 67 3 p. m..... 80 4 p. m..... 78 5 p. m..... 70 6 p. m.... 72 8 a. m..... 68 9 a. m.... 69 10 a. m..... 70 11 a. m.... 72 7 p. m..... 74 8 p. m..... 70 9 p. m..... 69 12 m..... 74

FIVE STUDENTS GRADUATED Omaha Theological Seminary Sends Out Class of Presbyterian Ministers.

Five young men received diplomas last night at the graduation exercises of the Omaha Theological seminary at the First Presbyterian church. They were John E. Spencer of Rolfe, Ia.; James W. Bean of Fairfield, Ia.; Alexander Black of Good Will, S. D.; Herbert M. Course of Auburn, Kan., and Charles F. Koehler of Falls City, Neb.

Judge Selden P. Spencer of St. Louis delivered the graduation address. His words were full of good cheer for the young ninisters. In part he said:

"The message you have to deliver mer may not hear, but that detracts not a whit from the dignity of your calling. Your city and.

Whereas, The company has furthermore failed to comply with an order of the district court dated May 24th, 1904, commanding it to "erect any and all such hydrants as may be directed by the city of Omaha in accordance with its contracts with said city," therefore, be it

Resolved, By the Water Board of the city of Omaha, That the attorney of the board be instructed and is hereby instructed to take such measures as may be necessary to compel the Omaha Water company to erect without delay such hydrants as have heretofore been ordered or may hereafter be ordered by the city.

Back Form Madage of the King, and the faithful ambassage of the King, and the faithful ambassage of the King, and the faithful ambassage is the measage of the King, and the faithful ambassador is the man who delivers the measage without regard to the manner of its reception. There is more in argument. I have yet to find in all my experience the man who was brought to Christ by argument.

"May you never forget the power of the gospel; may you never preach anything else. Remembering it, you, as messengers of the King, may have the power of the world, the peace of the world, and the message is the message of the King, and

GREAT NORTHERN'S CUT OFF Omaha Grain Exchange Adopts Resolution Concerning Its Route.

The attitude of local grain dealers to-

ward in Nebraska, through Fremont and terminating at Ashland; and, Whereas, Omaha is the metropolis of this state and its citizens are greatly interested in building up its business relations throughout its legitimate territory; there-fore be it

Resolved, That the Omaha Grain exchange carpestly requests the Great North-ern Railway company to build its proposed Nebraska extension into the city of Omaha. Resolved, That the proposed line through Fremont, terminating at Ashiand, would be detrimental to the grain market and other markets in Omaha.

other markets in Omaha A committee, consisting of Messra Wattles, Kirkendall, Jaquith and Updike, was appointed to meet the executive committee of the Commercial club in connection with

OMAHA MAN SHOOTS OFFICER

James R. Egan Arrested at St. Paul Charged with Double Crime.

this matter.

ST. PAUL, Minn., May 3.-Two men, giving the names of James R. Egan of Omaha and Harry Laramie of Los Angeles, were arrested tonight for probably fatally shooting Special Officer Rafferty. The men are vestigation, the most important of which said to have been committing a burglary in a lumber yard early today, when Rafferty came upon them and the shooting followed. Both men affirm their innocence.

> The name of James R. Egan does not appear in the present city directory. In the 1904 edition there was a James Egan, occupation not given, boarding at 1949 Vinton. In the 1966 directory there was a J. R. Egan, laborer, who boarded at the State hotel,

LICENSE TO MUTUAL RESERVE Misunderstanding Explained by Manager Miller and Company Will Continue in Nebraska.

On account of some misunderstanding regarding the annual statement submitted to the auditor of Nebraska by the Mutual Reserve Life Insurance company of New holes were cut in the floors and the debris York, its license was held up. Explanations have now been made by the company through their Mr. Miller, and under an agreement that the auditor shall be alowed to verify the statement the license has been issued

HENRY GOLL IS ARRESTED Absconding Former Assistant Cashier of Milwaukee Bank is Taken at Chicago.

MILWAUKEE, May 3.-Henry G. Goll, the former assistant cashier of the First National bank of this city, was arrested in Chicago today. This is the information given out by the police authorities in Mil-

A warrant was issued for Goll's arrest at the same time the warrant was served on Frank G. Bigelow. Movements of Ocean Vessels May 3.

At New York—Arrived: Ocean Center, from Liverpool; Prins Oscar, from Genoa; Mesaba, from London; Gnelsenan, from Bremen (Nantucket). Salied: Citts Di Milano, for Genoa; Teutonic, for Liverpool; Hamburg, for Hamburg; Statendam, for Rotterdam; Nord Amerika, for Naples,

At Browhead—Reported: Baltic, from New York York for Liverpool, reported by wireless telegraph 16 miles west at 2.56 p. m. At Plymouth—Arrived: Deutschland, from New York. New York.

At Grenock—Arrived: Siberian, from Philadelphia.

At Queenstown—Salled: Caronia, from Liverpool for New York.

At Yokohama—Arrived: Deric, from San Francisco; Forest Brook, from Tacoma.

At Hong Kong—Arrived: Chim, from San Francisco; Empress of Japan, from Van-

NEBRASKA WEATHER FORECAST BAD STORM THREE DEAD

Wind Demolishes Omaha Casket Factory, Leaving Death in Its Wake.

TWO VICTIMS EMPLOYES OF CONCERN

Third is Collector of Collier's Weekly There on Business.

SIX PERSONS ARE INJURED IN WRECK

Workmen See Approach of Storm and Try to Escape Its Dangers.

WIND DOES DAMAGE ALL OVER CITY

Plate Glass Windows Are Crashed, Signboards Go Down and Glass Roof of Railroad Shops Collapses.

HENRY DIETL, of 2045 North Eigh-eenth street, foreman; head and body Grace Streets, assistant shipping clerk; asuil fractured at base.

L. M. MARTIN, of 142 North Forty-seventh street, collector for P. F. Collier & Co.; head crushed.

The injured: Lulu Hinton of 1134 North Eighteenth street; slightly cut about the face; not serious. William Kirschner of Tenth and Grace structed to take such measures as may be necessary to compel the Omaha Water company to erect without delay such hydrants as have heretofore been ordered or may hereafter be ordered by the city.

Back Up on Hydrant Orders.

A majority of the board declined to do anything towards ordering additional hydrants, particularly after Member Howell had called attention to the fact that there is a limit of \$100,000 to the tax which the board can levy to pay all extends to the fact tool, not the bringing of nations together,

Sospel; may you never preach anything it, you, as messengers of the King, may have the power of the world, and the glory that is to come."

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Three persons were killed and six injured in the collapse of the four story brick building of the Omaha Casket company on Grace street between Twelfth and Thirteenth streets yesterday afternoon during the storm which came up about 4 o'clock. Nine persons were in the building at the time. The structure was reduced to a mass of ruins.

Building Exposed to Wind. The building was isolated from any protection from the wind. The windows were all raised. The wind apparently first lifted the roof and as it was blown off it dragged on the timbers of the building and aided the wind in demolishing the main structure, The roof was flat. The first floor of the building was used largely as a store room south wall was razed to the bottom and finished coffins that were in boxes became supports for the wreck and contributed to the escape of those who were on the first floor. There was no fire in the building at the time or, in all probability, none of the

injured would have escaped. The building was a comparatively new one and was erected in the middle of what was at one time a swamp. From the discriptions of those in the factory, the building rocked violently before collapsing, this being due to the unstable character of the

ground. The storm developed so rapidly that it was impossible to lower the windows. The wind had an unbroken sweep of about 300 yards. It struck the building broadside and first lifted the roof, and then seemed, according to statements of William Kirschner, to be shaken backward and forward until all the beams were loosened. It then collapsed with a terrible roar. The interior ecame a confused mass of broken coffins, scattered material and brick, while a cloud of dust arose.

Brewers Rush to Rescue,

It was some time before anyone could reach the building to render aid. The crash of the building first attracted the attention of the employes in Storz's brewery, and the alarm led the management to close the entire plant, and all employes were instructed to go to the work of rescue. When these men reached the wrecked building they could hear groans and cries for help from several points and the first thing done was to tell the imprisoned men that the rescue would be as prompt as possible. The voice of Mr. Simones, the manager, was heard saying:

"I am not very much hurt, but am unable to move. There is apparently a dead man near me. It is Henry Dietl. I am not sure that he is dead, but I have been unable to receive any reply from him." By this time the fire department had arrived and soon afterwards the patrol wagon with a squad of police, with Police Surgeons Wigton and Kennedy. A large number of volunteers joined in the work and soon, under the direction of the officers.

of brick and crushed material was being thrown aside. The first person rescued was "Tony" Loebig, one of the boxmakers. He was caught by the legs between the falling floors and was unable to move. The floor had arched itself above him and he was almost choked by the dust. W. A. Smith, the shipping clerk, was next reached, and it was at first thought that he was dead. as the blood streamed from an ugly scalp wound. He said he at first was in a daze and did not suffer much pain. From these

an idea as to the probable location of some of the other persons was determined. The first dead body reached was that of J. L. Kirschner. He was covered with brick and crushed in among the fallen and broken coffins. It required some time to loosen his body. He probably was struck by the fallen walls after he had been thrown from his feet, as the base of his skull at the back of his head was crushed

William Stewart was very fortunate in falling in such a way that the floors arched above him and he escaped with a severe blow on his right side and a

number of abrasions. Miss Hinton is Lucky.

Lulu Hinton, the stenographer, was the Inckiest of all, as she escaped with only a few scratches on her face. But it was some minutes after the work of rescue began before the clearing away of the debris enabled her to be lifted from her cooped-up position.

Miss Hinton said the collector for P. F. Collier & Co. was in the office and that she At Liverpool-Sailedt Friesdant, for Phil-adelphia; Majestic, for New York.

At Cherbourg Sailedt Kniser Wilhelm II.

Standing. There were some custom near