dred Police at Track.

ST. LOUIS, Mo., July 25.-Proceeding

upon instructions issued to the St. Louis

police department by Governor Folk to

see that there be no violation of the anti-

pool selling law at Delmar race track.

about 100 police officers under command

of Captain McNamee, marched into Delmar

track today, meeting with no resistance

in their entry. Eleven arrests were made.

A rumor that armed resistance might be

the guns were not made use of.

were not given out.

police force at Delmar race track yester-

county and the plaintiffs deny the authority

of the city police in the county jurisdic-

Northwestern Men Tell of Effect of

Alleged Trust on Their

Business.

ST. PAUL, July 25 .- In the hearing of

of the General Paper company before Spe-

cial Examiner Taylor, appointed by the

United States court, today A. C. Weiss,

general manager of the Duluth Evening

Herald: Mr. Conde Hamlin of the St. Paul

Pioneer-Press, and W. J. Murphy, pub-

lisher of the Minneapolis Tribune, testified

that their experience had been strenuous

since the formation of the General Paper

ompany. All questions asked of the wit-

Webs testified to his despair of ever being

able to do business with the General Paper

ompany on an equitable basis. He said

that prior to the organization of the de-

fendant company there had been competi-

tion between the paper companies of the

northwest, but since that time there had

been no competition. Mr. Hamlin was

asked if he was aware that there were

paper mills operating in the northwest in-

dependently of the General Paper company.

He said he was, but that freight condition

mills unavailable as sources of supply.

any publishing company.

same lines of the other witnesses.

or other considerations made the small

It developed later that the small inde-

pendent mills were not of a sufficient ca-

pacity to afford security for a full supply to

Mr. Murphy's testimony was along the

At the afternoon session Lucien Swift

Thompson of the St. Paul Dispatch, testi-

fied that the cost of paper to them had in-

creased from 27 to 50 per cent since the

SINGLE COPY THREE CENTS.

PRISON FOR MITCHELL

Oregon Senator Sentenced to Six Months in County Jail.

FINE OF \$1,000 IS ALSO ASSESSED

Charge is Misusing His Influence as Federal Official.

AGAIN HOLD ANY OFFICE CANNOT

Court Takes This in Consideration in Fixing the Penalty.

EXECUTION WILL AWAIT AN APPEAL

Convicted Senator Placed Under Bond of Two Thousand Dollars Pending Hearing of His Case by Higher Court.

PORTLAND, Ore., July 25 .- United States Senator Mitchell, convicted of using his office of United States senator to further the law practice of the firm of Mitchell & Tanner of this city, was today sentenced to a pay a fine of \$1,000 and six months penal servitude. Pending a review of the ase by the supreme court of the United be placed under ball to the amount of

Remarks by the Court. In pronouncing sentence upon the aged United States senator, Judge DeHaven

The statute under which the indictment was found provides that the offense shall be punished by imprisonment of not more than two years or by a fine of not more than \$10,000. It also renders the defendant incapable of again holding any office of trust or profit in the United States. As I construe the language of the statute the punishment must be both fine and imprisonment, but the court is given great latitude in fixing the amount of fine or imprisonment. The court may make the punishment merely nominal. In pronouncing sentence it is not my purpose to comment on the evidence or the verdict found by the jury. In reaching a conclusion in this case, I have given consideration to the age of the defendant, which may be taken into account in mitigation of punishment, and the further fact that he is nto account in mitigation of pun-, and the further fact that he is hereafter disqualified from holding

office.

In view of these facts, and in consideration of the nature of the offense, the judgment of the court is that the defendant be imprisoned for six months in the county jail of Multonormah county, in this state, and that he be fined the sum of \$1,000.

Land Fraud Trial in Montana. HELENA, Mont., July 25.-The trial of R. M. Cobban of Missoula, under the indictment returned by the United States jury four years ago, charging subornation perjury in connection with timber land entries in western Montana, began before Judge Hunt today. Special Assistant United States Attorney Maynard, in outlining the case to the jury, said it would be shown that Cobban and C. Griswold entered into a conspiracy to induce many men and women to enter upon land to be afterwards transferred to Cobban. The land was subsequently acquired by Ser Clark, and in another suit now before the government is seeking to set aside Clark's the trouble and worry it took to secure it, title to the land. Mr. Griswold is a government witness, the indictment against him having been annulled.

HARRIMAN ISSUES STATEMENT

President of the Union Pacific Railroad Company Talks of the Equitable Affair.

NEW YORK, July 25,-Respecting the Equitable Life matters, E. H. Harriman said today while no one had pointed out anything that required any explanation on his part, still before leaving the city he would make the following statement:

would make the following statement:

Thore has been nothing in the relations of myself and the interests i represent relative to the Equitators Life Assurance society and its alised companies that will not bear the closest scritiny. We have never requested or received a favor from them. The financial transactions between our interests have been insignificant and never on terms that could not have been readily obtained elsewhere. On the other hand, we have given the Mercantile and Equitable Trust companies many valuable trusteesings and all the transactions between us have resulted in material advantage and profit to the Equitable and its alited companies.

I personally nad one loan with the Equitable Life which could have been obtained without difficulty at any like responsible institution on as good or better terms. It was hald because the rate of interest was higher than I was willing to ; ay and without liny even attempting to have it reduced.

There is nothing in the Union Pacific

There is nothing in the Union Pacific preferred stock syndicate that can be criticised. An opportunity was availed or by Mr. Hyde to john myself and associates in the acquisition of Union Pacific preferred stock on a favorable basis. There was no profit or advantage to any one member of the syndicate over the other and neither the Equitable nor any of its allied companies or any one cise was ever requested to in any way aid in financing the syndicate.

The Equitable controversy was started by an attempt on the part of the present Alexander faction to oust the Hyde faction, and it was during that contest that the main body of directors became informed for the first time of the prevailing methods of conducting the company's business by both those factions. This led to the appointment of the Frick committee, of which I was a member, and to the Frick report which I signed and which fully expressed my views. I believe the new management will correct the extravagint methods of conducting the company's business pointed out in that report. In my opinion these methods involved a vast greater loss to the policy holders than the particular transactions dwelt upon so extensively by the public press.

There has been too much mystery sur-cunding the Equitable affairs. I have lways been ready and willing to answer my questions select by any one entitled o do so and have never tried in any way o avoid it, and will return in ample time o give any testimony that may be de-ired.

KELLY FILES NEW BOND

Prospect that State of Kansas Will Have Two Treasurers Intil Court Decides Matter.

TOPEKA, Kan., July 5.-State Treasurer T. T. Kelly tonight filed with the secretary of state \$881,000 of personal bond. The amount of bond required from Kelly by the governor and which he could not secure from the bonding companies was \$750,000. The state executive council will meet tonorrow morning, when Kelly's bond will be considered, along with that of S. W. foore, who is thought to have been apointed treasurer by Governor Hoch.

The chances are that the state will have courts will have to decide which is entitled to the office.

NO WHITEWASH FOR ANYONE YELLOW FEVER IS SPREADING ELEVEN ARRESTS AT DELMAR CITY COUNCIL PROCEEDINGS NEBRASKA WEATHER FORECAST DEMANDS OF

Secretary Bonaparte Speaks of Investigation to Be Held on Bennington Accident.

WASHINGTON, July 25.—Secretary of the Navy Bornoarte, when asked today for the FIFTY CASES NOW UNDER TREATMENT in the subject of the damage whater to the mington, promised the public would be no whitewash and that an the service itself was concerned bould make a scapegoat of no one. I

arge by example as well as by I wh precep yety one, whether in or out of service refrair truthfi no no subject so delicate, so hard t wastend, so painful. I ask all good to have patience, and if it that there has been failure of dut the put of one shall be whitewashed and the service that no one shall be made a scapegoat.

The Navy department today received the following dispatch from Captain Drake at

Iris arrived. No more deaths. Wounded improving. Several serious cases. Strange (Feter), ordinary seaman, turned up this morning alive; was counted as unidentified dead. Complete list survivors forwarded by mail last night.

A telegram received at the Navy depart-

ment from Captain Drake states that the

wharf. He adds that a thorough examination of the ship will be made at once, SAN DIEGO, Cal., July 25.-There is lit- Miss. tle hope that the burial chapter of the Bennington incident is finally closed, for States execution of the sentence will be half a dozen badly injured sailors are lindeferred. In the meantime Mitchell will gering between life and death and for some of them there is little chance for recovery. The six men who are battling bravely for life are receiving every comfort and assistance that skill and sympathy can give. A well equipped temporary nospital has been arranged at the army barracks in the city and to this all the injured who could be safely moved were taken from the hospitals last night. The sufferers are not in want of comforts or whatever luxuries are good for them.

> for those who are permitted to smoke, are offered in abundance to cheer them. The removal of the Bennington to a position alongside a pier will facilitate examination of its interior. The supply ship Iris from San Francisco arrived this morning. It has on board divers and diving outfits, and the work along the bottom of the gunboat will be begun today. As soon as the Iris came alongside the condemning board began work on the stores taken out of the flooded aft storeroom, the useful stuff being put on the supply ship. All of the equipment, including the ammunition and batteries, with the exception of the main guns and mounts, will be transferred in order to lighter the Bennington sufficiently to permit the making of reto Mare Island.

Flowers, fruit and delicacies, with cigars

CITY SECURES MORE CARRIERS

Department Grants the Request of Postmaster Palmer for Increase of Four.

(From a Staff Correspondent.) WASHINGTON, July 35 .- (Special Telegram.)-Four additional letter carriers will made the following statement relative to go to work October 1 in the Omaha postoffice. "This order made today by Assistant supreme court of the United States, the Postmaster General DeGraw is worth all the trouble and worry it took to secure it," quarantine plant Sunday morning, and four said Postmaster Palmer, as he beamed on of her crew were taken and placed in the The Bee representative, "and a former editor will be one of the carriers," continued Captain Palmer. "Sandy Morrison, who used to run a newspaper at Louisville, Cass ounty, but who has been 'subblug' for some time, will be one of the four men selected to become permanent employes of the United States on October 1. I believe there are in the neighborhood of fourteen eligibles on the carrier list and from these four men will be selected to go on the permanent roll, while a like number will be chosen as 'subs.' I am greatly elated over my treatment by the department and having demonstrated by figures that Omaha the public health and marine hospital was entitled to an increase as asked for it.

was comparatively easy sledding." Captain Palmer has reconsidered his fhtention of going to Fortress Monroe to meet the governors of the soldlers' homes and will leave for Omaha tomorrow night. The secretary of the interior has exscuted a contract and approved the bond of the Deadwood Construction company of Deadwood, S. D., for the construction of division 4 of the interstate canal in the North Platte project in Nebraska and

Deadwood Construction company was \$32,-Rural carriers appointed for Iowa routes: Mapleton, route 4, Charles R. Brady carrier, Edward Cradit substitute; Miles, ro Lewellyn Slade carrier, William Sodeman substitute.

The application of Bert Winter, S. Havris, A. A. Crane, J. A. Nelson and G. G. Fuller to organize the First National bank German Rejected at Immigrant Staof Veblen, S. D., with \$15,000 capital, has been approved by the comptroller of the currency

First Lieutenant Charles W. Weeks, Thirtieth infants , has been detailed as profes-Heigh, Amunda Willie

SWIFT CASE IN NEW FORM Suit Against Harvester Trust Dismissed in Pederal Court and

Refiled in State Court. CHICAGO, July 25 .- Before United States

Judge S. H. Bethea, Attorney Hiram T. Gilbert, counsel for Mrs. Margaret G. Swift dismissed a bill containing charges of fraud and bribery against the International Harvester company. The dismissal followed on its voyage. the announcement by Judge Bethea that he would overrule a motion to remand the TEAMSTERS GIVE UP FIGHT case of the state courts.

state courts another bill for accounting and injunction against the managing directors. of the Harvester company, and in doing so repeats all principal allegations of the bill dismissed in the federal court. Apparently the chief difference is an attempt to keep out of the United States courts. the method being omission of any mention of the affairs of the International Harvester company of America, one of the subsidiary corporations.

SECRETARY WILSON IS ILL Confined to His House by Attack of Acute Indigention, but is

Improving.

was taken ill yesterday with an attack of partment during the afternoon.

Thirty-Four Deaths Reported at New Orleans Since July 13.

Emergency Hospital Equipped and Detention Camps Established-Suspicious Cases on Vessel at Mobile.

NEW ORLEANS, July 25.-Tonight, in response to the request of the State Board of Health, the City Board of Health compiled the figures of suspicious and actual cases of yellow fever and deaths and the figures as issued by the state board show between July 13 and July 21 there were about 100 cases, suspicious and positive, and twenty deaths. Since then there have been fifty-four cases and twelve deaths up to July 24, making all told 154 cases and thirty-two deaths. Today there were two deaths, making thirty-four to date. There are about fifty cases under treatment

Dr. George B. Young of the United States marine hospital service has been assigned Bennington was floated at 6:30 o'clock yes- to take charge of the inspection of trains, terday afternoon and is now alongside the to co-operate with the states and localities which have instituted quarantines, and he will make his headquarters in Jackson,

Emergency Hospital Equipped.

The emergency hospital on Dumaine street was equipped today and placed in committee of the City Board of Health began active work today and will have gether with five other men whose names portation companies. immediate charge of the work of ferreting out the psw foci of infection and carrying out the sanitation and isolation, should any develop. It will also have general supercisterns and houses, etc.

Surgeon Whife and Surgeon Guiteras of tention camps along the different railroad lected their assistants. The equipment is "held for the chief." on the way. In view of the complications over outside and inside quarantines, the state board will tomorrow quarantine the state against the city of New Orleans and incidents, and after the final race everysuch territory in the immediate vicinity of body departed. New Orleans which desires to maintain open communication with the city. This in the St. Louis circuit court for \$25,000 will result in relieving the quarantine damages against Governor Joseph W. Folk, which Mississippi has placed against the the members of the St. Louis Board of whole state, and which Dr. Tabor of threatened. Lieutenant Colonel Kiely, alleging trespass. Maus, U. S. A., has sent his report to Lieutenant General Chaffee as to the soldiers at Jackson Barracks, and tomorrow Jay. The track is located in St. Louis will inspect Fort St. Philip. He sees no reason to remove the troops.

Suspicious Cases at Mobile.

MOBILE, Ala., July 25 .- Dr. Henry Goldthwaite, health and executive officer of the quarantine board of Mobile Bay, returned today from his visit to the quarantine plant in the lower bay, and has the reports that have been in circulation in regard to fever at the quarantine plant; screened hospital. The cases were not diagnosed as yellow, fever and were held as a matter of precaution for observation. as a matter of precaution for observation. The Colombia proceeded to the city, where she was unloaded under police supervision and with an extra medical inspection on board, and returned to the quirantine station, thirty miles below the city, before

ghtfall.

Then her return to the quarantine statile vessel was remanded with the sick
of Ship Island quarantine station, which
sixty miles or more west of Fort Morgan and in the gulf of Mexico.

Surgeon Wasdin Ordered to Front. WASHINGTON, July 25 .- A report received here today from Surgeon White of service, who is stationed at New Orleans and who, under instructions of the acting surgeon general, is engaged in an effort to determine the exact condition with regard to yellow fever in that city, says that the city authorities concede twelve cases and eight deaths, but he adds that there probably are many more cases. Those so far observed are of a wirulent type.

Surgeon Wasdin, stationed at Memphis who rendered signal service during the epidemic at Ocean Springs in 1897, has en-Wyoming. Division 4 consists of two miles tered upon a careful inspection of condimain canal, for which the bid of the tions along the gulf coast from Mobile to Pass Christian, Miss., and Past Assistant Surgeon Young has been ordered from Chicago to Jackson, Miss., to confer with the Mississippi health authorities relative to train inspection.

DEPORTEE ENDS HIS LIFE

tion Jumps from Ship and is Drowned.

NEW YORK, July 26 .- A desire to escape e syndicate.

Like many others of the fifty-two discipled many others of the fifty-two discors. I attended the regular meetings high were held quarterly, but was not member of any committee nor active in the management.

The Equilable controversy was started any Clarks, Robert R. McDouglas; Ne. Brown of immigrants declared unfit to enter the state of the present the present that the state of the present the present the state of the present the state of the present the state of the present t on board the steamer Grosser Kurfurst, Nebrasks postmasters were appointed to- was passing through the narrows one of a Wife of Broker Shoots Herself While the United States suddenly leaped over-The liner was stopped and for nearly fifteen minutes a lifeboat rowed back and forth over the eddy-marked path first cry of "man overboard,"

the victim's name. It could not be ascer-

Mrs. Swift later in the day filed in the All Boycotts Are Lifted at Chicago and Local Unions Are Ordered to Declare Strike Off.

CHICAGO, July 26.-The Teamsters' Joint Council held a meeting last night to consider the action of the members of the Employers' association in declaring that no more union teamsters would be employed until the strike had been called off by all of the local unions in the city. The postfeeling among the unions, and before the eeting tonight there was strong sentiment a meeting that lasted well into this morning and which was at times marked by son of the Department of Agriculture, who all of the local unless that had failed to obey the order to call off the strike to do Jany boycotted houses in the city.

Men Are Charged with Violating

Anti-Pool Selling Law-Hun-Lower Ninth Street.

PROTESTS FILED AGAINST THE GRANT

Property Owners Affected by Plan to Lay Tracks Object to Scheme and Mayor May Be Restrained from Signing.

acountered caused a patrol wagon bearing a number of riot guns to be be sent to the scene, but beyond twelve officers shouldering guns and telling the crowd of spectators around the entrance to stand aside Earlier in the day Detectives Millian and Cabanee, who for several days past attended the race track at the request of Governor Folk, for the purpose of gathering evidence, secured warrants for the arrest of six men on the charge of having violated the anti-pool selling law. These warrants were placed in the hands of Sheriff Herpel of St. Louis county for affected is suitable only for wholesale and Not until after the second race did the

other business requiring railroad facilities. Not until after the second race did the providing that the tracks authorized be try and twenty-four hours after disemmarched through the open ga'eway into free for t. . . se of the rallroads. He said barking take their seats in the executive the race track. Chief of police Kiely had issued orders to arrest the six men ing charges when they had cars sent in or island." for whom warrants had been issued, on out over other lines. He admitted that this The memorial calls for no change in the sight, and Mark Gumberts, who was acquitted at Clayton, yesterday, of the gifts in the past, but said if it were legal which consists of thirty-five members charge of having registered bets; John he would favor an ordinance putting all elected by the people. charge of Dr. Hamilton F. Jones, who had charge of the isolation hospital in 1867. He Shannon and Chris Brockmiller were taken has as his assistant Dr. L. J. Faget, a into custody. A force of pk e officers of tracks and charges is one for the roads for the protection of the municipalities and noted yellow fever authority. The advisory put them into a patrol wagon and took to solve and that sinnce January 1 the the granting to them of autonomy. Several to the Four courts in this city to- charges have been absorbed by the trans- speeches bitter in tone were made against

Objections to the Grant. Sheriff Herpel entered protest that he Objections in writing to the grant were held warrants for the custody of the first filed by the Carpenter Paper company by six mentioned, and declared that they Attorney B. G. Burbank, stating that the vision over the campaign of education and should be turned over to him. Chief Kiely concern owns a 132-foot lot at the corner the cleaning up of the city, screening of upheld him in this protest and the six men of Ninth and Harney streets on which it were given into the custody of Sheriff is proposed to build a warehouse five or Herpel's deputies, in the Four courts, and six stories high, costing from \$100,000 to the marine hospital service have completed taken to Clayton, in St. Louis county, \$150,000; that the proposed tracks will "hinall plans for the establishment of the de- where they secured bond. The other five der, harass and damage" them and force men were locked up at the Four courts them to abandon the site, William H. trunk lines, and have selected the phy- police station, and while no specific charges Eurnham, owner of lots on the southwest sicians in charge, who have already se- were placed against them, they were slated corner of Ninth and Farnam, protested to the same effect through Kennedy & The races were run according to schedule Learned, and stated he would look to the and were watched by a large number of city for damages. police officers, but there were no further

The Delmar Jockey club teday filed suit

PUBLISHERS ON THE STAND

Ing:
Thirty-seventh street, Farnam to Dodge,
Nebraska Bitulithic company, asphalt,
class B, \$1.79; Barber Asphalt company,
asphalt, \$1.675; Hugh Murphy, asphalt,
\$1.89; brick, \$1.69; brick block, \$1.98.
Lake street, Eighteenth to Twentyfourth, Nebraska Bitulithic company, asphalt, class C, \$1.85; Barber Asphalt company, asphalt, \$1.89; Hugh Murphy, asphalt,
\$1.95; brick \$1.75; brick block, \$1.79; C, E,
Fanning, brick, \$1.70; brick block, \$1.79; C, E,
Howard street, Thirty-fifth avenue to
Thirty-sixth, Nebraska Bitulithic company,
asphalt, class B, \$1.79; Barber Asphalt company, \$1.674; Hugh Murphy, asphalt, \$1.89; the investigation of the business methods

pany, \$1.67%; Hugh Murphy, asphait, \$1.88; brick, \$1.96; brick block, \$1.98.

Seventeenth street, Davenport to Webster, Nebraska Bitulithic company, asphait, class C, \$1.81; Hugh Murphy, asphait, \$1.96; brick, \$1.72; brick block, \$1.74.

Twentisth street, Dodge to Farnam, Nebraska Bitulithic company, asphalt, class A, \$2.65; class C, \$1.88; Barber, asphalt, class A, \$2.65; class C, \$1.88; Barber, asphalt, class A, \$2.65; class C, \$1.89; barber, asphalt, class A, \$2.55; brick block, \$1.98 and \$1.91; brick block, \$1.98 and \$1.71; C, E, Fanning, brick, \$1.98 and \$1.72; brick block, \$2.02 and \$1.73.

Dewey avenue, Thirty-eighth to Thirty-ninth, Nebraska Bitulithic company, asphalt, class B, \$1.78; Barber, asphait, \$1.67%; Hugh Murphy, asphalt, \$1.96; brick block, \$2.05.

Twentieth street, Dodge to Cass, Nenesses were objected to by the defense, Mr. \$1.9

11.98. Thirty-fifth street, Harney to Dewey avenue, Nebraska Bitulithic company, asphalt, class B, \$1.79; Barber, asphalt, \$1.874; Hugh Murphy, asphalt, \$1.98; brick, \$1.98; brick

E.25.

Harney street, Thirty-third to Thirty-sixth, Nebraska Bitulithic company, as-phalt, class B, \$1.79; Barber, asphalt, 16.75; Hugh Murphy, asphalt, \$1.98; brick, 16.96; brick block, \$1.38; E. D. Van Court, macadam, \$1.21 and \$9 cents. An ordinance was passed ordering the of the Minneapolis Journal, and George paving of Seward street from Thirty-eighth to Forty-first with asphalt and one intro-

Fortleth street from Hamilton to Frankorganization of the General Papar com-Voting Machine Contract. The investigation closed late in the after toon when an adjournment was taken until fal'. The government will apply to the circuit court for an order compelling the directors of the General Paper com pand, who refused to testify, to answer the

NEW YORK WOMAN ENDS LIFE Husband is Absent from Boom.

questions of the prosecuting attorneys.

NEW YORK, July 25.-Within five minwhere the immigrant went down. The utes from the time Charles Marshall, a sailors recovered nothing except a life Wall street broker, left his wife apparbuoy, which had been thrown out at the ently sleeping soundly in bed today the woman wrote her husband a note telling The tug William J. McCaldin drew up him not to let the world blame him for alongside the Grosser Kurfurst and what was going to happen and shot herlearned the details of the tragedy, but not self. She was unconscious before Mr. Marshall could reach her bedside from another tained whether the lost immigrant was a room and died in a short time. Mrs. Marman or a woman. The steamer proceeded shall was formerly Miss Grace Starr and is highly connected in New York social circles. No cause for her suicide has been

The tragedy occurred in the Raleigh, ashionable family apartment hotel overlooking Central park at Ninety-second street.

CHICAGO OUT FOR BUSINESS Considers Alleged Discrimination of Southern Roads in Favor of New York.

CHICAGO, July 35 .- A conference to take tion taken by the employers caused strong up the matter of alleged discrimination which for the last quarter century southern roads have maintained against Chicago and in favor of calling all the union teamsters other northwest points in favor of New of the city out on a general strike. After York and other points on the Atlantic seaboard, was held here today. Today's conference was attended by the members of fierce debate, the council decided that the the teading Mercantile association of Cin-WASHINGTON, July 35. Secretary Wil- strike should not be ----- a, and o, dered cinnati, the Business Men's league of St. Louis and Chicago Shippers' association. The Chicago-Ohio river lines recently two treasurers after tomorrow and the acute indigestion, has almost entirely re- so at once. In addition, the council issued made reductions in rates to the Ohio river covered. He spent some time at the de- an order declaring that there are no longer and now it is sought to have roads south

Union Pacific Granted Right of Way Along

The ordinance giving the Union Pacific the right to lay down a single track on Ninth street from Jones to Farnam and a double track from Farnam to Capitol avenue on the same street was passed by the council last night by a vote of 7 to 1, President Zimman objecting and Councilman municipalities today says this is the seventh with it the right to construct cross-overs, Porto Rico and complains that the preawitches, etc., in connection with the track. The committee on railways, telegraphs and executive council composed of heads of telephones reported in favor of the ordi- departments appointed by President Roose-

this would protect shippers from switch- council and determine the fate of the

It was stated by Councilman Hoye that he understood the St. Philomena cathedral officers had withdrawn their objections to the trackage.

A court order restraining Mayor Moores Police Commissioners and Chief of Police ordinance. The suit is based on the raid of the city Bids on Paying.

> mercial Land company and E. D. Van worth and Sioux City. Court submitting bids on most of the curb-

k block, \$2.05. wentieth street. Dodge to Cass, Ne-ska Bitulithic company, amphalt, class \$2.05: Barber, asphalt, \$1.94; Hugh Mur-, amphalt, \$2.05; brick, \$1.96; brick block,

block, \$1.98.
Twenty-seventh street, Farnam to Dodge,
Nebraska Bitulithic company, asphalt, class
B, \$2.31; Barber, asphalt, \$2.66; Hugh Murphy, asphalt, \$2.75; brick, \$2.21; brick block,

Mayor Moores signed the resolution and contract for thirty-six United States Standard voting machines, making complete the

duced for the same kind of improvement on

transactions whereby the cities of Omaha and South Omaha and Douglas county buy seventy-nine machines for use beginning at the fall election, to be paid for at the rate of \$650 each, in annual installments for Resolutions were adopted by the council

proclaiming that owing to the exhausted condition of available funds no more grading of streets or changes of grades will be authorized unless petitioned by abutting property owners, who must agree to pay all the expenses. An exception is made for work considered absolutely essential by the city engineer. Street Flushing Apparatus

The vexed question of buying 500 feet of cose for street flushing was given another turn by the adoption of a resolution authorizing the purchase of 500 feet of Eureka hose through A. C. Powers as agent. As this hose is cotton jacketed and the street commissioner wants rubber hose, the difference must be reconciled. This will probably be done by a veto and the readvertise ment for bids. A resolution adopted, introduced by

Councilman Nicholson, directs advertisements calling for bids for two street flushing wagons, according to specifications furnished by the city engineer. At the request of Assistant Superintend

ent Nelson the hearing of the Western Enton Telegraph company in the attempt to reassess its Omaha franchise for 1994 and 1905 taxes at \$100,000, went over for two weeks so as to give the company time to prepare its case.

City Engineer Rosewater sent in a letter saying that the records of the defunct Board of Public Works and Advisory board had not been turned over to him, as directed by the charter. He asked that the council order this or relieve him from responsibility as custodian. The latter was referred to the legal department for an

The Chicago-Ohio river lines recently CHICAGO. July 25.—Miss Neille V made reductions in rates to the Ohio river and now it is sought to have roads south of the river make corresponding reductions.

CHICAGO. July 25.—Miss Neille V Walker of this city has been commissioned to execute a \$1,000 monument to the memory of the late W S. Stratton of Colorad of the river make corresponding reductions.

Showers Wednesday and Thursday Temperature at Omaha Testerday:

Hour. Deg. Hour. 1 p. m 74 5 n. m 61 6 a. m 60 2 p. m a. m..... 63 8 n. m 65 5 p. m..... 10 n. m..... 69 11 n. m 71 12 m..... 73

PROTEST FROM PORTO RICO Convention of Municipalities Asks Larger Share of Self-Government for the Island.

SAN JUAN, P. R., July 25 -- A memorial to congress adopted by the convention of penderance of power still rests with an

."These heads of departments." It says "arrive here knowing nothing of the President Zimman urged an amendment language, customs or needs of the coun-

composition of the House of Delegates,

centra"zing the power in the island in the hands of the secretary of Porto Rico and the executive council.

LOOKING INTO REBATE CASES

Charge that Large Drawbacks Are Paid Merchants in Missouri River Cities Being Investigated.

KANSAS CITY, July 25 .- At its session n this city tomorrow the Interstate Commerce commission will commence an investigation of reports regarding the George Russia's consideration. The peace terms, L. Thomas merchants transportation bureau of New York, whereby, it is claimed, the big shippers of Kansas City alone of Japan and his counsel. receive in the neighborhood of \$225,800 a the east. Kansas City, however, is but one of many cities on the Missouri and Mississippi rivers said to have merchants inrouted to the 100 shippers who compose it. The Missouri river towns whose large ship-

EIGHT CHARRED BODIES FOUND Great Oil Fire at Humble, Texas, is Practically Extinguished-Two Tauks Burn at Beaumont.

HOUSTON, Tex. July 3.-The fire in the have been. Texas company's tanks at the Humble oil statesman. fields is practically extinguished tonight. There is still a bit of oil in the bottom of the eleventh tank, but this, it is thought, will be burned out before morning. The charred remains of eight persons have been

found and the search still continues. BEAUMONT, Tex., July 25 .- The loss suffered by the Texas company at the Humble oil field by the burning of approximately 2,500,000 barrels of oil was further augmented this afternoon at Sour lake, where lightning struck a tank containing 130 000 barrels belonging to the same con.pany and another tank containing 100,000 barrels, all of which will be a total loss. Danger of spreading is obviated by the isolation of the two tanks struck. The loss is \$50,000.

HEROIC SON LOSES HIS LIFE Rescues Mother and Sister, but is Overcome by Flames in New York.

NEW YORK, July 25 .- After having saved his mother and sister, who, with a score of others, were for a time in great peril from fire, Nathan Newman, 20 years old, today lost his own life in a burning Brooklyn tenement house. Half a dozen families, all of them Hebrews living in the building, were asleep. When the fire started Newman got Mr. Sato laughingly asked: through in safety, but returned for his mother and sister. He assisted them to a safe place, but was himself cut off by the flames. All the other occupants of the said: house escaped. The property loss was

HILL ROAD GETS RIGHT-OF-WAY Great Northern and Homer Line Settle Their Differences.

SITTLE L

SIOUX CITY, Ia., July 25 .- (Special Telegram.)-The Great Northern railroad and the Sloux City, Homer & Southern road. have settled their dispute as to the Northern's right to cross the Indian reservation and the Northern will proceed at once with its work on the Ashland extension. A hearing was to have been held today before the secretary of the Interior but It was called off because of the withdrawal of the protest against the Northern's invasion of the territory. The secretary of

\$600,000 for Alleged Violation of State Law.

LITTLE ROCK, Ark., July 25.-Attorney General Rodgers today filed suit in the Pulaski county circuit court against the nternational Harvester company for penal- baron's apariments. ties aggregating \$600,000 for alleged infringement of the anti-trust law passed at the last session of the general assembly. The rival, and later in the week the baron complaint recites that the company is a monopoly, within the intent and meaning | Barof the act, for the purposes of regulating

Movements of Ocean Vessels July 25. At New York—Arrived: Rotterdam, from Rotterdam; Mesaba, from London. Salled: Grosser Kurfurst, for Bremen; Carpathia, for Liverpool, Victorian, for Liverpool, At Leghorn—Arrived: Algeria, from New Glasgow-Arrived: Siberian, from At Antwerp-Arrived: Vaderland, from New York. Ponts del Dalgada-Salled: Canople.

promptly should report to 'Phone 897.

Mikado's Envoys Will Insist Upon the Payment of an Indemnity.

KOMURA'S SPOKESMAN MAKES STATEMENT

Feeling that Part of Enormous Expense Should Be Paid by Russia.

SAYS NEGOTIATIONS WILL BE A SUCCESS

First Subject Considered Will Probably Be an Armistice.

RELATIONS WITH THE UNITED STATES America is Regarded as an Ally Without a Treaty-Future of China Also Dis-

cussed.

NEW YORK, July 35.-That Japan wh. demand an indemnity of Russia in the negotiations for peace and that the war will be declared at an end at the conclusion of the negotiations at Portsmouth N. H., next month is the belief of Baron Komura, head of the Japanese peace delegation, who arrived here today, as voiced by Almar Sato, who is the official spokesman for the baron on this mission. Mr.

Sate in an interview tonight, said: Sate, in an interview tonight, said:

I am confident that peace will be successfully negotiated by the appointed delegations. The Japanese will be guided by moderation, and no excessive demands will be made, but the sentiment in Japan and Russia is for peace and in the interests of humanity and propriety there must be because

pence.
The cost to Japan has been very great.
On both sides the loss in men has been 570,000, Russia losing 370,000 of these. The war is costing Japan 31,000,000 a day, and there is a feeling that there ought to be an Indemnity:

Armistice is Probable. Asked as to the probability of an armistice, Mr. Sato said that probably would be among the first questions the plenipotentiaries would consider. Basing the form of the negotiations on previous treaty negotiations, Japan will make the demands for while held inviolate by those who knew

their text, were formulated by the emperor Mr. Sato was asked that if in the flush year in rebates on freight shipped from of victory the Japanese people would not feel entitled to more than any treaty would

allow. He replied: A court order restraining Mayor Moores from signing the ordinance is anticipated today. An opinion exists that even should the order not come the mayor will veto the low opinion or the mayor will veto the low opinion or Mr. Sato further said that the Japanese would prefer to have the negotations in Bids for paying on ten streets were pers are included in the bureau are Kansas the English language, as neither Baron opened and announced as follows, the Com- City, Omaha, St. Joseph, Atchison, Leaven- Komura nor himself speaks French. The matter, however, would be settled after President Roosevelt had met the two rep-

resentatives. As to the attitude of the Japanese members toward the Russian delegates, Mr. Buto said:

We admire M. Witte and Baron Rosen. The announcement of M. Witte's appoint-ment to the peace party was more welcome to us than that of any other person could

Future of China.

Of the future of China Mr. Sato said: if the central government could work in power, but at present that seems to b Japan's attitude toward China was most friendly, said Mr. Sato, and while maintaining no moral Monroe doctrine over the empire it felt that it was more or less

by way of illustration, Mr. Sato said, was not so strong over China as that of the inited States over South America." Mr. Sato emphasized the announcement made frequently before that Japan does not seek territorial aggrandizement and on

under Japan's protection. This protection,

this point the speaker; said: "We will want in Manchuris equal opportunity, or what Mr. Hay called the 'open In response to further questions Mr. Sato said Japan is over-populated and that in the opening of Manchuria and

Corea an attractive field for immigration would be nearer home than offered in Hawali or America. Mr. Sato said that while a desire for

perice was the sentiment of Japan, it was not a desire for peace at any price. Attitude Toward America.

As to Japan's attitude toward America "You mean the yellow peril?" and then became more enthusiastic in his conversa-

tion than upon any previous topic. He We are almost boyish in our enthusiasm We are almost boyish in our enthusiasm and friendship for America. While we are friendly with China as orientals, our greatest friends are America and England. Why, the first monument ever srected to any foreigner in Japan was that to Commodore Perry, and the policy and conduct of the American people for the last fifty years has been one of help to us. We regard America as an ally without a treaty.

The question was put to Mr. Salo as to any possibility of conflict with the United States in the future, as suggested by some of the American Press at the outbreak of the war, and Mr. Sato asked what could bring about such a conflict. When it was suggested that Japan might cover the Philippine Islands, he laughed heartily, and replied that Japan would not have the Phipippines as a gift, even though a bonus

accompanied the gift. Baron Komura Arrives, "

Baron Komura and his party arrived early today from Chicago, and proceeded the interior has approved the Northern's at once to the Waldorf-Astoria, where they will be quartered until his departure for Portsmouth. There was no demon-SUIT AGAINST REAPER TRUST stration beyond the presence of a few Japanese merchants and members of the Attorney General of Arkansas Asks Nippon club, who shook hands with the members of the party. When the party arrived in New York from New Jersey about 100 Japanese cheered the baron as he entered a carriage and was driven away. The baron met his colleague on the commission, Kogoro Takahira, minister at Washington, and they lunched today in the

Tomorrow President Roosevelt will be officially notified of Baron Komura's ar-

will make an informal visit to Ovster There is no stated program mapped out the prices of harvesters and fixing their for the distinguished Japanese pending the arrival of M. Witte, who is expected to arrive next week. Baron Komura will accept no invitations to dinners or public functions of any kind. Tonight he dined informally with Consul General S. Uchida

at the Nippon club. Interview with Count Ceasint,

Count Cassini, former Russian ambassador at Washington, expresses the pinton, according to the Herald's that correspondent, for Boston.

At Liverpool—Sailed: Caronia, for New York; Lake Maniteba, for Montreal.

At The Lizard—Passed: Deutschland, form New York, for Hamburg.

Paris correspondent, that all now depends on the Japanese and that if their demands at the coming peace conference New York, for Hamburg.