

OAKS GROWER IN CORNS
—BEE ADS BUILD BUSINESS

THE OMAHA BEE

BIG BUSINESS OR LITTLE—
BEE ADS WILL BOOST IT.

ESTABLISHED JUNE 19, 1871. OMAHA, TUESDAY MORNING, AUGUST 1, 1905—TEN PAGES. SINGLE COPY THREE CENTS.

SUIT FOR SURPLUS

Attorney General of New York Files Bill in Equitable Affair.

DIRECTORS ACCUSED OF IRREGULARITIES

Charges Made that They Failed to LooT Treat

FUNDS ARE IMPROPERLY EXPENDED

Complaint Demands that Money be Returned

DEPOSITS MADE IN FOREIGN BANKS

Charges that Annual Reports are Falsified, Showing that Money on Deposit was Loaned on Collateral.

NEW YORK, July 31.—An action was instituted today by State Attorney General Julius M. Mayer in the supreme court, New York county, in the name of the people of the state of New York against the Equitable Life Assurance Society, its officers, directors and members of the executive and finance committees, all of which are named in the complaint. The defendants are: The Equitable Life Assurance Society of the United States, John H. Alexander, John H. Alexander, Jr., Charles M. DeWitt, Louis C. DeWitt, George H. DeWitt, Thomas D. Jordan, Charles E. Smith, Valentine P. Snyder, Alvin W. Kirsch, William Alexander, Edward Blair, Braxton Ives, Melville E. Inghall, James H. Hyde, James H. Hyde, Jr., Jacob H. Schiff, James J. Hill, T. Jefferson Coolidge, Alfred G. Vanderbilt, John Jacob Astor, William C. Vanderbilt, J. P. Morgan, Jr., Marvin Huggitt, Charles B. Alexander, Thomas Dewitt Cuyler, Marcus Hartley Dodge, John F. DeWitt, Brudish Johnson, Joseph F. Low, John A. Stewart, Edward H. Harriman, Levi P. Morton, August Belmont, David P. Mills, Robert W. Lincoln, George J. Gould, John B. Moore, George J. Gould, Thomas W. Ecker, William McLintyre, Henry M. Alexander, Henry C. Frick, Samuel M. Inman, Henry C. Harriman, David H. Moffatt and Henry H. Winthrop.

GERMANS ACTIVE IN MOROCCO

Attempt of Kaiser's Subjects to Gain Concessions Causes Distrust in France.

PARIS, July 31.—The activity of the German commercial agents and officials with reference to the Moroccan situation is causing grave doubts on the part of the French people as to Germany's good faith. Despite the decision of the two governments not to interfere with the efforts of the international conference meets the Germans are trying their utmost to extract commercial concessions from the sultan, hoping thereby to strengthen Germany's position at the conference. Inquiries in well informed circles, however, show that it is not believed that Germany is officially authorizing these efforts to secure advantage, though differences are likely to arise from this action, with consequent protraction of negotiations. Count von Tattenbach-Ash appears to be furthering the efforts of the German agents, which already have resulted in securing a concession for the construction of wharves, while strong efforts are being made to obtain a cable concession and the acceptance of a German loan. Such proceedings, it is believed here, do not tend to hasten a friendly understanding, but the approaching interview between Premier Rouvier and Prince von Radolin, the German ambassador to France, is expected to result in the dispelling of doubts and the completion of a satisfactory arrangement.

TELLS OF FIGHT IN AFRICA

Germany Receives Official Report of French Soldiers.

BERLIN, July 31.—An official report from the governor of Cameroon was received today by the colonial division of the Foreign Office concerning the fighting on the French Congo frontier. It says the Senegalese soldiers forcibly closed the German station at Misum Misum and plundered merchandise. Captain Scheumann, who was at the time in the southern part of the district, was forced to march to Misum Misum by French Senegalese troops and the Germans returned the fire, killing five and capturing four. The governor of Cameroon upon receiving a report of the affair from the commander of German troops, Colonel Mueller, sent a protest to Bagou, the residence of the French local governor, and also communicated with the governor general of the French Congo in Brazzaville, who proposed that a joint commission should immediately be sent to the spot to investigate the trouble and to arrange for the prevention of such incidents. To this the German administration assented.

AMERICANS VISIT VATICAN

Pope Pius Receives Delegation of Pilgrims—Good Words for People of United States.

ROME, July 31.—The Pope this afternoon received in private audience the American pilgrims headed by the Rev. John J. McGinnis in a manner flattering to all Americans. After giving each member of the party his hand to kiss, the pontiff made quite a long address, saying that he loves all Americans, even the non-Catholics, the latter for the liberty they allow the church. He ended by saying: "America has a good right to be called the eldest daughter of the church, for although she has given proofs of her loyalty, devotion and tolerance, the Catholics in America are not only protected but respected. He had therefore sent his blessing to all Americans, and the Pope was photographed, surrounded by the entire pilgrimage. He then took his leave after having shown what may be considered entirely unprecedented benevolence.

JEWISH SOCIALISTS PROTEST

Delegates to Zionist Congress Issue Circular to the Jewish People.

BASEL, Switzerland, July 31.—The socialist sections of the Zionist congress have issued a circular to the Jewish people protesting against their treatment during the meetings of the congress. They met today and expressed their disagreement with the decision adopted by the congress yesterday not to accept the offer of Great Britain of a tract of land in East Africa for the Jewish settlement. They decided to form a special organization with the purpose of taking over the territory. Meanwhile the main body of the congress elected an organization committee of which Dr. Henry Friedland of Baltimore and Dr. J. M. Magens of Brooklyn were appointed members. During the discussion of the program Dr. Magens on behalf of the American delegates requested the reconsideration of the Jewish proposal.

ROJESTVENSKY LEAVES HIS BED

TOKIO, July 31.—Admiral Rojestsvensky's condition has made satisfactory progress since the operation was performed on his forehead. He was able to leave his bed and sit in a chair yesterday. Pain is one foot, however, prevent his walking freely today no cause for uneasiness exists. The admiral has expressed his sincere satisfaction at the treatment accorded him.

JAPAN TURNS POINT IN COREA

SEOUL, Korea, July 30.—(Delayed in Transmission.)—Japanese influence has finally secured free coast and interior navigation privileges in Korea. The concession was passed by the cabinet after several weeks' consideration. Several cabinet ministers who were unwilling to grant the concessions resigned and thus shirked an unavoidable responsibility.

DETCH PUNISH SOUTH SEA ISLANDERS

AMSTERDAM, July 31.—The Dutch expedition sent against the rebellious native state of Boni, in the island of Celebes, one of the Sunda Islands in the East Indies, is returning to the Netherlands with 200 of whom were killed. The fortifications of Badjoewa, one of the chief towns, were raised by the guns of the warships.

WILLIAM AT COPENHAGEN

COPENHAGEN, July 31.—The German imperial yacht Hohenzollern, with Emperor William on board, arrived here today. The emperor was received by King Christian, Crown Prince Frederik and Prime Minister Christensen and proceeded to Bernstorff castle, where he will reside during his stay.

PASSENGER STEAMER ON ROCKS

TORONTO, Ont., July 31.—The passenger steamer Argyle is on the rocks near Oshawa and will probably go to pieces. The 150 excursionists on board were taken off without difficulty. The Argyle is valued at \$40,000.

BOARD OF CROP STATISTICS

Secretary Wilson Announces New Plan of Collecting and Compiling Information.

WILL COMMAND CONFIDENCE OF ALL

Bureau to Be in Charge of Four Experts, Two of Whom Will Be from the South.

OYSTER BAY, N. Y., July 31.—Secretary Wilson will reorganize thoroughly the crop statistics of the Department of Agriculture, according to information here tonight. Already he is seeking men of high standing and education to conduct the work of the bureau—men in whom the farmers and growers of the country will have explicit confidence, and who will place the report of the bureau on a standard of excellence never heretofore achieved. One man he has found, although he does not at this time wish to publish his name. He has three hopes to secure in a short time. Two of them will be southern men, and both will be experts in cotton and tobacco statistics. This, in brief, is one of the ideas which Secretary Wilson elucidated to President Roosevelt today. The reorganization will be in response to invitations twice extended. Secretary Wilson visited the president at Sagamore Hill this afternoon. He arrived here on the Long Island train at 12:30 p. m., and with Baron Rosen, the Russian ambassador, was conveyed to the president's home. Prior to his conference with the president, Secretary Wilson was not communicative. It was known that he had come to Oyster Bay to discuss with the president, the situation in the Department of Agriculture as developed by the investigations now in progress in the bureau of statistics and of the French Congo frontier. It says the Senegalese soldiers forcibly closed the German station at Misum Misum and plundered merchandise. Captain Scheumann, who was at the time in the southern part of the district, was forced to march to Misum Misum by French Senegalese troops and the Germans returned the fire, killing five and capturing four. The governor of Cameroon upon receiving a report of the affair from the commander of German troops, Colonel Mueller, sent a protest to Bagou, the residence of the French local governor, and also communicated with the governor general of the French Congo in Brazzaville, who proposed that a joint commission should immediately be sent to the spot to investigate the trouble and to arrange for the prevention of such incidents. To this the German administration assented.

WILL NOT RESIGN

At the conclusion of his conference, Secretary Wilson talked frankly about some phases of the work in his department. He was asked whether he was minded to resign in his early relinquishment of his portfolio as secretary of agriculture. He replied with a smile: "Do you remember the story of Andrew Fairbairn, in Sir Walter Scott's 'Rob Roy'?"

HENEY BEGINS HIS ARGUMENT

Defense in the Case of Williamson. Gessner and Biggs Rest—Runaway Witness Testifies.

PORTLAND, Ore., July 31.—In the trial of Williamson, Gessner and Biggs today, Williamson's nephew, Ernest Starr, testified that there had been an understanding between Gessner and himself, that Gessner should pay \$500 for Starr's claim when he secured his patent from the government. Starr is the witness who surrendered Saturday after pursued into the mountains east of Eugene, Ore. In the course of his testimony he stated that he left Portland so quickly after giving the evidence at the previous trial partly because he feared to escape again testifying against his uncle. Dr. Gessner was recalled to deny Starr's testimony and Marion Biggs verified testimony previously given, after which Prosecutor Henev began his arguments for the government. Mr. Henev's argument was masterly and direct. At times he grew caustic, especially when he alluded to Congressman Williamson as the arch conspirator, and accused him of having planned the whole scheme. At the conclusion of the district attorney's speech, court was adjourned until tomorrow when the arguments for the defense will be commenced.

ORDER OF FORESTERS MEETS

Suitable Tribute Will Be Given to Supreme Regent Who Has Filled Office for Twenty-Five Years.

ATLANTIC CITY, N. J., July 31.—The Independent Order of Foresters' international convention here today. Mayor Story welcomed the delegates. The meeting devoted its time to lengthy reports. There were 150 members who received the supreme court degree and were admitted as royal Foresters. Committees were appointed and a resolution was offered to give a suitable tribute to the supreme regent, who has filled the office twenty-five consecutive years. He is a full-blooded Mohawk Indian named Ononiyahka. The order, it is announced, has surplus funds of over \$2,000,000 and has paid out \$9,000,000 in benefits of all kinds. The national fraternity congress has assets of \$27,000,000.

MORE TROUBLE FOR HOCH

Cincinnati and St. Louis Authorities Making Inquiries Regarding the Alleged "Bluebeard."

CHICAGO, July 31.—With the possibility of Johann Hoch, reprieved wife murderer, securing a retrial and acquittal here on the charge of murdering Mrs. Marie Weicker-Hoch, the authorities of Cincinnati and St. Louis have been in communication with State Attorney Healy relative to crimes of bigamy and murder that Hoch is said to have committed in those cities. Even in event of the convicted man escaping sentence already passed upon him it is said that enough prosecutions in Cook county and elsewhere confront him to consume several years to come.

FUNERAL OF BISHOP JOYCE

Body of Methodist Prelate Laid to Rest—Addresses by Bishop Berry, Merrill and Walden.

MINNEAPOLIS, July 31.—The funeral of Bishop J. W. Joyce was held today, beginning with private services at the family home at noon and continuing with a public service at 2 p. m. at the Wesley church. Rev. Dr. Fayette L. Thompson directed the services. At the church addresses were made by Bishop Joseph F. Berry of Buffalo, N. Y., Stephen M. Merrill of Chicago and John M. Walden of Cincinnati. Interment was at Lakewood cemetery.

PREPARE FOR UTAH OPENING

Chicago Detectives Arrive to Help Help Preserve Order at Grand Junction, Colorado.

GRAND JUNCTION, Colo., July 31.—Eight private detectives have arrived in Grand Junction to assist the local authorities to keep order during the excited rush of land seekers to register for the opening of the Utah reservation. Major Rutling has appointed many special police officers, and it was intended to give lawbreakers and criminals who come here during the period of registration the closest attention. Gambling has been prohibited.

SANTA FE FILES ANSWER

Railroad Makes Reply to Charge of Violating Federal Court's Injunction.

COLORADO COAL CASE GONE OVER

Published Rate Included Price of Fuel, but This Was Not Due to Any Desire to Give Rebate.

KANSAS CITY, Mo., July 31.—The Santa Fe railroad's answer to the proceedings begun in the federal court here charging it with contempt of court in violating the court injunction against giving rebates was filed today. The arguments in the case will probably not be heard until some time in the fall. The complaint against the Santa Fe was that it granted rebates to the Colorado Fuel and Iron company on coal shipments after having been enjoined from such practices along with half a dozen other railroads. The institution of the suit is the result of an investigation on the part of the Interstate Commerce commission. In its answer the Santa Fe admits that it at one time did give rebates, but that it has not offered in that respect since the injunction was issued. Its arrangement with the Colorado Fuel and Iron company, it says, was a perfectly legitimate one. The Santa Fe accuses a rival of the Colorado Fuel and Iron company of being the instigator of the suit against the road. The Santa Fe's answer says: "Test of the Reply. Prior to the filing of the bill for an injunction in the above cause, competition between the different railroad companies for the transportation of grain and packing house products from the middle western states, and to secure such traffic, the defendant and manifestly that defendant was satisfied that the published tariff rates of rates upon grain and packing houses, were being secretly cut on such commodities, and in order to protect its own traffic and to secure to itself the carrying of such commodities, as against its competitors, it found that it was necessary, owing to the deception practiced by other carriers, to also secretly cut its own published tariffs upon its own line where it found the same necessary to secure to itself the traffic in the above said commodities, and that when an investigation was made by the Interstate Commerce commission, as referred to in said injunction, in regard to the secret cutting of rates upon grain and packing houses, Paul Morton, its second vice president, and then in charge of its traffic, freely laid before said commission the methods adopted to secure traffic in said commodities in competition with the other carriers, and it might be fully exposed and a stop put, if possible, to such practices. Agents Instructed to Obey. The answer says that immediately upon the issuance of the restraining order the traffic managers of the various Santa Fe lines notified the traffic agents of the company of the order and instructed them to comply with it. The Santa Fe's answer contains the following: "The Colorado Fuel and Iron company is a result of the desire of smelters and other industries to use the El Paso & Southwestern road to use the kind of coal mined by the Colorado company, which is better than the coal of the Santa Fe. The Santa Fe has lines to the Colorado company's mines, but the smelters do not use their coal, because it is not a good steam coal. In order to secure this coal traffic the Santa Fe made an agreement with the El Paso & Southwestern to haul coal to connecting points with the latter road for the purpose of securing to the latter its proportion of the hauls \$2.50 a ton. The smelters and other industries agreed to the Colorado company \$1.15 a ton for this coal. Violation Due to Mistake. When the restraining order was issued a tariff was published covering this agreement. It is alleged that the Santa Fe violated this published tariff and on this point the answer says: "In preparing said joint tariff said traffic manager inadvertently, but without any desire to evade such tariff, included in said joint rate prescribed in said tariff the price or cost of the coal carried, but that all rates after that time received upon the coal so carried under such joint tariff are the property of the Santa Fe. The answer contends that the practice of collecting from the smelters the price of the coal and the freight charge was to facilitate business and not to afford a vehicle for rebates. The answer names the Caledonian Coal company, whose coal, the answer says, the smelters would not use, as the instigator of the interstate commerce hearing that resulted in the suit against the Santa Fe.

NEBRASKA WEATHER FORECAST

Fair and Warmer Tuesday, Wednesday Fair.

Temperature at Omaha Yesterday:

5 a. m.	60	1 p. m.	82
8 a. m.	65	3 p. m.	84
11 a. m.	72	5 p. m.	83
2 p. m.	73	7 p. m.	81
11 p. m.	77	9 p. m.	78

PACKING HOUSE BURNING

Plant of Swift and Company at St. Joseph Catches Fire—Poultry Department Destroyed.

ST. JOSEPH, Mo., Aug. 1.—Fire which started about 1 o'clock this morning in the beef beds of Swift and Company's plant of South St. Joseph has completely destroyed the poultry department, which is said to be the largest in the world. The beef beds are also entirely consumed.

The fire spread rapidly from the beef beds to the poultry department and a second alarm was immediately turned in. Five hose companies were soon on the ground and made a hard fight to get the flames under control.

At 1:40 the fire was still burning fiercely, but was said by the office of Swift and Company to be under control.

At 1:55 the fire again got beyond control and was said to be spreading to the oil rooms. If the flames reach the oil rooms there is little chance of any of the buildings being saved.

At 2:25 a. m. Swift and Company estimate the present loss at \$250,000.

How the fire originated is as yet unknown.

DEVLIN'S CREDITORS CONFER

No Action is Taken in Meeting of Attorneys at Kansas City.

KANSAS CITY, July 31.—A meeting of the creditors of Charles J. Devlin, the former millionaire coal operator, was held here today. There was no action that the creditors could take except to hear a report, in part, from the receivers and to discuss possible methods of realizing rapidly on the property. About the time the receivers were appointed a call for this meeting was issued by some of the men who were anxious to save the property from being scattered. All three of the receivers were present at the meeting. The three receivers have their appointments in such shape that the Kansas receivers are recognized in Illinois and the Illinois receivers in Kansas, and, while appointed separately, they really form one board of receivers.

Most of those attending the meeting are lawyers, attorneys for banks, trust companies, brokers or others from whom Mr. Devlin borrowed money. George R. Peck, general counsel for the Chicago, Milwaukee & St. Paul, is one of the lawyers interested in his own behalf. Mr. Peck was interested in some of Mr. Devlin's enterprises.

John Horne of Chicago, who presided at today's meeting, represented several Chicago interests, some of them large.

JEROME MAKES A STATEMENT

He Desires Another Term as District Attorney, but Will Not Be a Party Candidate.

NEW YORK, July 31.—District Attorney W. T. Jerome tonight issued a formal statement in which he declares that he is a candidate for the office of district attorney, and that he does not desire to be a candidate for the office of mayor of New York. This declaration sets forth that if "there are 2,000 electors in the county of New York who wish for him to retire from public office there will be no choice but for him to return to the practice of the law. "But," he said, "I do not propose to remain in office by the grace of any man or group of men, such as I have indicated, and I shall resign from office only in consequence of the mandate of the people."

FIVE ARE HURT IN A WRECK

Second Section of Rock Island Train Strikes Open Switch Near Joliet.

JOLIET, Ill., July 31.—Five persons were injured in an accident to an eastbound passenger train on the Rock Island railroad today about a mile west of Joliet. It is thought none of the injured will die. The train was a second section, due in Chicago at 7:25 a. m. The accident occurred at a switch which had been opened for a work train at a gravel pit. The passenger train ran on the side track, striking the work train. A section of the Pullman sleeper was broken out. Physicians from Joliet were summoned and the injured were brought to the city. The injured: Mrs. M. Murch, 13 Water street, Hyde Park, Mass., head hurt. Mrs. Thomas C. Smiley, Portland, Me., head and shoulder cut. Joseph Bernbe, Lake Michigan, Canada, back hurt. Mrs. —, Iron, Winsor, Canada, shoulder hurt. John Smith, Jersey City, a dining car waiter, leg broken.

WESTERN MATTERS AT CAPITAL

St. Louis City Man Gets Appointment in the Reclamation Service.

WASHINGTON, July 31.—(Special Telegram.)—Newton Small of St. Louis, Ia., was today appointed an engineer in the reclamation service and assigned to duty at Yuma, Ariz. Quartis Mott has been appointed postmaster at Vincennes, Lee county, Ia., vice R. W. Cruze, resigned. Rural routes ordered established October 2: Iowa—Carson, Pottawattamie county, routes 2 and 4, population 76; houses 18; Spirit Lake, Dickinson county, route 4, population 515, houses 102. South Dakota—Sisseton, Roberts county, routes 1 and 2, population 1,178, houses 234; Wilnot, Roberts county, route 1, population 503, houses 106.

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FIGHTING THE FEVER

Officials at New Orleans Report Progress in Effort to Drive Out Plague.

ONLY FIVE DEATHS REPORTED YESTERDAY

All of the Victims Are from the Italian Quarter.

TWO NEW CASES OUTSIDE CITY

One of Them at Morgan, La., and One at Lumberton, Miss.

QUARANTINE LINES DRAWN CLOSER

Passengers Coming Through New Orleans Will Not Be Permitted to Stop in Alabama—Cleaning Up Continues.

NEW ORLEANS, July 31.—The official report of the yellow fever situation shows: New cases to date..... 211 Cases to date..... 204 Deaths to date..... 5 Total deaths to date..... 5

Of the 211 cases, 186 occurred in the Emergency hospital and all five bore Italian names. Another new case was discovered outside of the city, being that of an Italian who left here a week ago, with several others, and took up his residence in Morgan City. On their arrival there they were quarantined and one of them was taken sick four days ago. Today Dr. Tarleton, president of St. Mary's Parish Board of Health; Dr. Goldberg of the marine hospital service and two Morgan City physicians diagnosed the case as yellow fever, and it was so announced. Nothing has been heard from Dr. Brady, who has gone to Lake Providence, opposite Vicksburg, to investigate reports of two suspicious cases there.

The Plaquemine's Lumberton, Miss., special says: "Dr. Warden and Donald de Orleans case of yellow fever here yesterday evening. The patient, who is an Italian, is doing well and will soon be up. There are no other cases, not even a suspicious one. Fortunately the infected house is now practically isolated and only five others were with the sick man or in any way exposed.

Dr. Richardson of the marine hospital service, who is in charge of fumigation, oiling and screening of houses in the original focus of infection and whose reports are also made under inspection reports that up to date he has made 2,500 inspections and found thirty-nine cases of fever, most of which were sent to the Emergency hospital in the screened ambulance.

Alabama has taken a new tangent. The following dispatch shows even more stringent restrictions than ever before adopted: "Alabama health authorities decline to allow passengers coming from points beyond the outbreak and are represented by the Illinois receivers in Kansas, and, while appointed separately, they really form one board of receivers.

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