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THE OMAHA DAILY BEE.

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BORROWS THE STOCK

Nontaxable Securities Taken from New York Life Vault at Assessment Time.

PERKINS TELLS OF JUGGLING ACCOUNTS

Morgan's Partner Gives History of Some Syndicate Deals.

KEEPS EXPENSE ITEMS OFF BOOK

Profits of Certain Transactions Never Go on Record.

M'CURDY'S RESIGNATION IS DENIED

Vice President Gillett Says that President's Son-in-Law, Louis Thebaud, Will Retire First of Year.

NEW YORK, Nov. 27.—One of the most interesting features of the life insurance investigation developed only a few minutes before adjournment of the Armstrong committee today, when Theodore F. Banta, cashier of the New York Life Insurance company, testified that about the beginning of 1901 Edmund D. Randolph, treasurer of the company, opened the vaults of the company, removed New York City stock valued at $700,000 and put a check of the Central National bank for $700,000 in its place. Mr. Banta said he helped to open the vaults at the order of Mr. Randolph and that he supposed Mr. Randolph acted for the finance committee. The stock was kept out for a few days and was then returned and the check withdrawn. The transaction was not recorded on the books of the company so far as Mr. Banta knew. The effect of the operation would be that any one having that stock would have $700,000 worth of untaxable property at the end of the year. Mr. Banta did not know who received the stock. Mr. Randolph is expected to be one of the witnesses tomorrow.

Perkins Tells of Juggling Accounts.

George W. Perkins, vice president of the New York Life Insurance company and member of the firm of J. P. Morgan & Co., bankers, described to the committee the transaction which resulted in his receipt of $40,193 from Kidder, Peabody & Co. of Boston as half the profits of the sale of $2,000,000 worth of bonds of the Mexican Central Railroad company. Milton W. Mattison, a bookkeeper of the New York Life company, had previously testified that $830,000 of the life insurance company's money was used in that transaction and that Mr. Perkins got the profit. Mr. Perkins said today that he went into the transaction for the Nylic fund, which is owned by the agents of the New York Life company, and that he invested the profits for that fund. The life insurance company, he said, profited to the extent of 5 per cent in the loan of $830,000. He stated that the company had no right to the $40,193 profits.

Mr. Perkins said also that J. P. Morgan & Co. had taken up notes of Andrew Hamilton and E. E. McCall, formerly justice of the New York state supreme court, amounting to $56,310, at the request of President John A. McCall of the New York Life company, and that the amount, with interest, was paid to Andrew Hamilton by the New York Life company for the proceeds of a syndicate in United States Steel corporation stock.

Keeps Expenses Off Books.

President John A. McCall told the committee today that he had told the Central National bank and E. E. McCall that Hamilton was good for $50,000 and that they had then taken Hamilton's notes. President McCall said the New York Life Insurance company owed Hamilton the $56,310 and took the syndicate profits to pay him. The result was that the payment did not appear on the books of the company. The reason was that he wanted to keep Hamilton's expenses down.

Much evidence was given both by Mr. Perkins and President McCall about the New York Security and Trust company's participation in the United States Steel corporation syndicate to the extent of $3,150,000, having the deposits of the New York Life Insurance company for about that amount. The New York Life company got 85 per cent of the profits and Mr. Perkins contended that it was a safe and profitable venture. President McCall said the life insurance company should have participated directly instead of indirectly.

Says McCurdy Has Not Resigned.

Dr. Walter Gillett, vice president of the Mutual Life Insurance company, today denied reports that Richard A. McCurdy has resigned the presidency of the Mutual Life and that Robert H. McCurdy had retired from the general managership of the company. Dr. Gillett said, however, that Louis A. Thebaud, son-in-law of President McCurdy, had relinquished the position of the company's general agent for New York. There is, said Dr. Gillett, no truth in the report that the Mutual Life presidency has been offered to J. B. Forgan of Chicago.

MARSHALL FIELD, JR., IS DEAD

Son of Chicago Merchant Succumbs to Wound Due to Accidental Shooting.

CHICAGO, Nov. 27.—Marshall Field, jr., died at 5 o'clock tonight at Mercy hospital.

Mr. Field, who was the only son of Marshall Field, the multi-millionaire of this city, was accidentally shot on the afternoon of Wednesday, November 22. He was examining a new revolver he had purchased when it was discharged, the bullet striking him in the right side, perforating the liver and spleen and injuring the spinal cord. He was hurried to Mercy hospital, where an operation was performed and the bullet removed. The physicians from the first entertained but slight hopes of ultimate recovery, although the patient for two days seemed to hold his own.

At 9 o'clock this morning a decided change for the worse took place and Mr. Field rapidly grew weaker until his death.

CARNEGIE IS FINDING FAULT

Writes Letter to Syracuse Library Board Criticising Action of One Commission.

SYRACUSE, N. Y., Nov. 27.—In a letter to the Syracuse library board congratulating the city upon the completion of its new $300,000 library building Andrew Carnegie, the donor, takes occasion to criticise the commission that erected the building for the expenditure of $18,000, or nearly 10 per cent of the cost of the building, for inspectors' fees, attorneys' fees and architects' fees. Mr. Carnegie says he never heard of such things and knows nothing as to attorneys in connection with the building of his libraries and intimates there has been a waste of funds.

AMERICAN IS ABUSED BY MOB

Second Secretary of Legation at St. Petersburg is Beaten by Rowdies.

ST. PETERSBURG, Nov. 27.—5 p. m.—Robert Woods Bliss, second secretary of the American embassy, who has just returned here after a three-months' vacation in Paris, was the victim of an outrage by rowdies in one of the most fashionable streets of the capital last night, and only escaped being beaten to death through the timely arrival of the police.

Charge D'Affaires Eddy has reported the affair to the authorities at Washington, but as the incident was a plain case of rowdyism he probably will not make official representations at the Foreign office here until instructed to do so. Mr. Bliss was returning to the embassy on foot from the Yacht club, where he had been dining. On the Horse Guard boulevard opposite the barracks of the Chevalier Guard the secretary was suddenly set upon by two men, who sprang out of the darkness of the trees. Mr. Bliss knocked down one of his assailants, but was seized by sympathizers of the rowdies, who had been attracted to the spot by the disturbance, and he was getting the worst of it when three policemen and a house porter came to Mr. Bliss' rescue and seized his assailants. The rapidly gathering crowd, however, which promptly sided against the police, rushed at the officers and rescued the prisoners. The police managed to stand off the crowd and cover the retreat of Mr. Bliss, who was badly cut about the face, but not seriously injured.

Today a police captain visited the embassy and apologized for the attack on Secretary Bliss, but he warned the members of the embassy that the streets were very unsafe, especially the boulevard, which is the rendezvous of rowdies and soldiers and sailors in civilian clothes. The captain advised the members of the embassy to go armed in future and not to venture in the streets at night except in carriages.

Second Secretary Robert Woods Bliss of the American embassy at St. Petersburg comes from New York and was formerly American consul at Vienna.

LIBERALS MAY GET TOGETHER

Sir Edward Grey Trying to Reconcile Differences Between Rosebery and Campbell-Bannerman.

LONDON, Nov. 27.—Lord Rosebery's emphatic repudiation in his speech at Bodmin, Cornwall, November 25, of the home rule policy of Sir Henry Campbell-Bannerman, leader of the liberal party, as outlined by that statesman, who, speaking at Stirling, Scotland, November 23, which seems to have widened the breach in the party at the moment when a dissolution of Parliament is threatened, owing to the split in the unionist party over the fiscal question, is the latest sensation in the political circles of the United Kingdom.

Sir Edward Grey, who was under secretary for foreign affairs in the liberal administration of 1892-95, speaking at Newcastle-under-Lyme today, attempted to dissipate the widespread impression that the positions taken by Lord Rosebery and Sir Henry Campbell-Bannerman are irreconcilable. He said he thought Lord Rosebery had put a wrong construction on Sir Henry's speech at Stirling and that undoubtedly an explanation from the latter would prove there had been a misunderstanding. Sir Edward said the policy of the liberal government should be along the lines followed by Premier Balfour, George Wyndham, former chief secretary for Ireland, and Sir Anthony P. MacDonnell, under secretary to the lord lieutenant of Ireland, in giving Ireland the widest possible scope for the development of its local institutions. He declared, however, that he distinctly repudiated the idea of home rule for Ireland as part of the liberal policy.

Austin Chamberlain, chancellor of the exchequer, speaking at Redditch tonight, said that the crisis in the cabinet existed solely in the imagination of the newspapers. There was no such crisis, he declared, and he added that he was unable to say when the general election would take place.

KING HAAKON TAKES OATH

New Ruler of Norway Promises to Govern According to the Constitution.

CHRISTIANIA, Nov. 27.—King Haakon, before the Norwegian Parliament at noon today, took the oath to support the constitution. The king entered with the queen on his left arm and surrounded by their suites, and bowing to President Berner, the king and queen ascended the tribune and the former seated himself on the throne, the queen seating herself on a chair beside the king.

President Berner, approaching the king, delivered a brief address. Then in a loud voice the king pronounced the prescribed oath. In a subsequent speech his majesty said his motto was, "All for Norway."

He hoped the whole nation would cooperate in his efforts to benefit the country and said he would govern according to the constitution and the people's will as represented by Parliament.

Among the congratulatory dispatches from the heads of other nations received by King Haakon was the following from King Oscar of Sweden:

In thanking your majesty for the telegram announcing your accession to the throne of Norway, I beg that you be persuaded that every effort looking to good relations between our two countries will be given a sympathetic reception on my part.

GREAT DAMAGE IN BRITAIN

Many Vessels Driven Ashore by High Wind and Sailors Are Drowned.

LONDON, Nov. 27.—Great damage was done to coast towns of Great Britain by last night's storm. Many vessels were driven ashore, but thus far only a few lives are reported to have been lost.

During the night huge waves swept the sea fronts of many favorite resorts. Sea walls and promenades were washed out and houses and hotels along the sea fronts were flooded. In some cases houses collapsed. The small coasting steamer Peridot of Glasgow, was totally wrecked on the island of Magee. The crew was lost. Seven bodies have been washed ashore. The telegraph wires are down and the telephone line to Paris is interrupted.

The Red Star line steamer Kroonland and the Hamburg-American line steamer Patricia, bound for New York, embarked their passengers at Dover this morning, after which they continued their voyage, interrupted by the storm.

CUXHAVEN, Germany, Nov. 27.—A great storm, accompanied by lightning and hail, is raging in the North sea. The regular English service is overdue and shipping from this port has been entirely stopped. There has been great damage.

ABDUL HAMID BACKS DOWN

Sultan Accedes to the Demands of the Allied Powers.

SPECULATION AS TO FLEET MOVEMENTS

Program Called for Occupation of Island by Allied Forces at 1 O'Clock Sunday Afternoon Unless Otherwise Ordered.

BULLETIN.

VIENNA, Nov. 27.—The Neue Frie Presse today published a dispatch from Constantinople saying that the sultan, through Tewfik Pasha, the foreign minister, has announced to Baron von Calice, the ambassador of Austria-Hungary, that Turkey accedes to the demands of the powers regarding the financial control of Macedonia.

CONSTANTINOPLE, via Sofia, Bulgaria, Nov. 27.—The instructions to the commanders of the international fleet were to land detachments and occupy Mitylene at 1 o'clock Sunday afternoon unless contrary orders reached them in the interim. Presumably, therefore, the capital of the island is now in the hands of the allied forces.

It was arranged in the interview between Tewfik Pasha, the minister of foreign affairs, and the British and Austrian ambassadors, on Saturday, that if by 8 o'clock Saturday night the ambassadors received a written notification from the foreign minister promising acceptance of the demands of the powers, the ambassadors would telegraph to the fleet at Mitylene to suspend further operations until Monday. No communication, however, was received, so it was suggested that instructions staying the hand of the international fleet had not been dispatched.

Fleet Seizes Customs House.

LONDON, Nov. 28.—The Daily Mail publishes the following dispatch from Mitylene, dated November 27: "Eight warships of the combined fleet arrived here at 8 o'clock this morning. Admiral Ritter von Jedina, accompanied by the Austrian consul, proceeded to the government house at 10:30 o'clock and handed an ultimatum to the governor. At 1 o'clock this afternoon 500 sailors landed and seized the customs and telegraph office. Everything is quiet."

Interest in Washington.

WASHINGTON, Nov. 27.—The situation between Turkey and the European powers having become so serious during the last few days, great interest is felt in military and naval circles in the question of Turkish defenses of the Dardanelles. Turkey has spent a good deal of money on the defenses of this narrow straight and it is expected that it can put up a successful fight against a modern fleet.

The principal fortifications of the Dardanelles, which is a narrow strait of about three miles in length, are found on the end nearest to the sea of Marmora. At the entrance in the Aegean there are two old castles, transformed into new fortifications, armed with Krupp guns of 15, 24 and 28 centimeters. The straits at that point are about three miles broad, then growing larger, and afterward grow again much smaller, and at that point the chief fortifications are built. The Dardanelles at that point is divided into two straits by a small island. On the European side there are nine fortifications. The first one of these has twenty-one Krupp guns of 21 to 35 centimeters. On the Asiatic side there are three well armed fortifications. One of these has twelve Krupp guns of 35 centimeters each. These fortifications are manned by two regiments. Their position is strong and, as they are situated on the high banks of the straits, they are able to hold up a much larger naval force without great danger to themselves. The only way to make them harmless would be by attacking them from the hill high on the land side. To prevent this a continual line of fortifications has been built, closing the peninsula off from the European side. These fortifications have all been built under the supervision of European military authorities and are well armed with the newest guns. An attacking fleet will have the disadvantage of having to proceed one by one and, although it is very likely that the combined nations could take some of the Turkish islands, the opinion of many naval officers here is that they will not be likely to try to sail up to Constantinople.

NEW YORK TRUCK DRIVERS QUIT

Employes of Team Owners' Association Go Out and Many Thousand Men May Be Affected.

NEW YORK, Nov. 27.—A general strike of truck drivers was begun in New York City today, 320 union teamsters quitting work before noon. The strike is against the Team Owners' association, which employs several thousand drivers and does most of the heavy trucking in wholesale districts and about the steamship piers. It resulted from a resolution last night of the Teamsters' union calling a general strike unless the owners immediately forced their nonunion employes to join the union. Policemen were placed on many wagons with nonuion drivers today.

Police Commissioner McAdoo said today he feared 15,000 drivers would go out on strike. In anticipation of this he had ordered all police reserves in Manhattan in their station houses tonight.

There was no disorder during the day. Val Hoffman, president of the Teamsters' union, said tonight that the men had been locked out and that the action of the employers had come as a complete surprise. He denied that the lockout was precipitated by a resolution of the union calling for a strike unless the shops were unionized.

After a meeting of the Employers' association tonight it was said that arrangements had been made for a conference with the workmen's delegation that a settlement was probable.

SUITS AGAINST EDWARD ADAMS

Government Takes Steps to Recover Gold Dust Stolen by Seattle Mint Employe.

SEATTLE, Wash., Nov. 27.—United States Attorney Frye today served papers on George Edward Adams in a civil suit for the recovery of $80,000, a portion of the amount alleged to have been embezzled from the assay office by the former cashier. The amount of the suit is based on the property and cash Adams is known to possess. It was stated today that the defalcations will foot up to $153,000. This sum was arrived at through the examination of the bank records by Superintendent Leach of the San Francisco mint and Secret Service Operative Connell.

Adams today is denying that he made two full confessions. He is trying to secure counsel to defend him. Mrs. Adams has retained counsel to protect her property in the government proceedings.

BURTON WANTS NEW TRIAL

At Request of Defense Judge Will Not Impose Penalty Until Wednesday.

ST. LOUIS, Nov. 27.—On motion by counsel for the defense, Judge Vandevanter in the United States circuit court this morning postponed the passing of sentence upon United States Senator J. R. Burton of Kansas, convicted of having acted as a paid attorney of the Rialto Grain and Securities company before the Postoffice department, until 10 o'clock next Wednesday morning, when the defense will present its reasons for asking a new trial.

In presenting his motion for a new trial Attorney Lehmann asked that the court would not give the matter immediate consideration. He said that the purely mechanical labor of preparing the record of the trial, an absolute essential to the preparation of a bill of error, would not be completed for a day or so, and asked that the defense be given a week to present its reasons for a rehearing of the case.

Judge Vandevanter replied that it would be impossible for him to remain in St. Louis later than Wednesday night, but that if counsel thought the transcript and bill of exceptions could be completed within that time he would postpone the passing of sentence.

The court then suggested to Attorney Lehmann that the record of the case, which will be filed in the appellate court in the event a new trial is denied, be as brief as possible, eliminating all reasons given by him in overruling motions by the defense and all argument by counsel for both sides, confining it strictly to the facts that an objection had been made, that it had been overruled and that an exception had been allowed.

Judge Vandevanter then said that it might be of some assistance to the defense to know that in passing sentence he would impose a penalty upon one of the counts, charging Burton with agreeing to receive compensation and upon one of the counts charging that Burton received compensation. The court said that the terms of imprisonment would be concurrent, beginning and ending at the same time. Judge Vandevanter said that whether or not he would impose a fine was a matter that he would give further consideration. Attorney Lehmann gave notice that he would file a motion in arrest of judgment. In the event that sentence is passed the attorneys for the defense will then file a motion asking a stay of execution, pending the decision by the court of appeals.

Senator Burton seemed in exceptionally good spirits. There was color in his cheeks, and for the first time since the trial began last Monday, he voluntarily talked with the newspaper men reporting the proceedings. Before court opened he walked up to the table where they were sitting and exhanged several remarks upon general topics.

MRS. ROGERS MUST HANG

Supreme Court of United States Refuses to Interfere in Case of Vermont Murderess.

WASHINGTON, Nov. 27.—The supreme court of the United States today affirmed the decision of the United States district court of Vermont in the case of Mrs. Mary Mabel Rogers, who is under sentence of death in Vermont for the murder of her husband. The effect of the decision will be to again place the responsibility of dealing with the case in the hands of the state authorities, and if in the meantime neither the governor nor the state courts take action in Mrs. Roger's behalf, her execution must occur on the day set, which is December 8.

The court held, in effect, that it was without jurisdiction in all the points raised.

In his opinion Justice Day laid no stress upon the sex of Mrs. Rogers, but dealt with the case upon purely legal grounds. Regarding the case he took up the various contentions made in the woman's behalf, holding each in turn to be ineffective.

On the point that Mrs. Rogers has been held in solitary confinement for more than three months he said the record does not show that she is so held, though admittedly held in close confinement. This course was, he said, within the rights of the state and could not be used as ground for interference by the federal court. He also said that the state supreme court could not be required to fix a time for execution; that whether the state supreme court should sit in Bennington county is a matter of state practice only and also that there is no merit in the contention that fixing a date for execution when granting a reprieve is a violation of the federal statutes.

The opinion concluded with an order that the mandate issue at once. This will obviate the raising of the question of possible postponement of the day of execution.

WALDEN, Vt., Nov. 27.—Governor Charles J. Bell, when informed today of the decision of the supreme court of the United States in the case of Mrs. Mary Rogers, stated that he stood on the same ground that he has maintained heretofore in this case.

"I shall not interfere in any way," he said, "with the regular arrangements for the execution of Mrs. Rogers on the date set, December 8.

TO BETTER PUBLIC SERVICE

Civic Federation Committee Will Examine Municipal and Private Plants at Home and Abroad.

NEW YORK, Nov. 27.—The committee of twenty-one, formed by the National Civic federation, to investigate the comparative results of private and municipal ownership and operation of gas, electric light and water plants, and street railways, met here today. Among those present were August Belmont, president of the National Civic federation; M. E. Ingalls, Cincinnati, chairman of the committee; W. M. Moffatt, Indianapolis; Talcott Williams, Philadelphia; W. D. Mahon, Detroit; Walton Clark, Philadelphia; Edward W. Bemis, Cleveland; John H. Gray, Evanston, Ill.; Walter L. Fischer, Chicago; Frank Parsons, Boston; John R. Commons, Madison, Wis.; F. J. McNulty, Washington, D. C.; Albert E. Winchester, South Norwalk, Conn.; Charles L. Edgar, Boston.

It was resolved by the committee to visit in a body such of the municipal plants in this country as may be selected as fairly representing the measure of financial and operative success or failure attained by muncipally owned and operated plants in America, also to visit such privately owned gas, electric, street railway and water supply plants as may be open to its inspection and later to visit Europe in a body and examine into the operation and effect of the various forms of management of public utilities.

It is the intention of the committee to begin, probably in the early part of January, the examination of conditions in this country and to meet in London on the first day of June next, it being their intention in the meantime to send a subcommittee to England and to the continent to prepare the work in advance.

ANTI-COMPACT LAW VALID

Judge McPherson Is Reversed in Iowa Insurance Case.

CONGRESSMAN POLLARD IS DISAPPOINTED

Member from the First Discovers that Road to Good Committee Places Is a Hard One to Travel.

(From a Staff Correspondent.)

WASHINGTON, Nov. 27.—(Special Telegram.)—A decision of far-reaching importance was handed down today by the supreme court affirming the constitutionality of an Iowa state law, passed in 1898, prohibiting insurance companies from entering into an agreement to fix rates of insurance or amount of commissions to be paid to agents. The case came up from the circuit court for the southern district of Iowa, presided over by Judge McPherson, which is reversed.

The case decided today is that of Beryl F. Carroll, auditor of state of Iowa, against the Greenwich Insurance company of New York and others. In the suit, instituted by the insurance company, it was asked that the auditor of state of Iowa be perpetually enjoined from commencing proceedings against the fire insurance companies under the terms of the law. Under the general law the auditor is empowered to proceed against companies violating the express provisions of the act and should the companies refuse to comply with the request of the auditor as to alleged violations of the statute then he is empowered to revoke the authority of the companies to do business within the state of Iowa. The Greenwich company and five others, all foreign companies, sought to have sections 1754, 1750, 1756 and 1757 of the Iowa code declared invalid on the ground that they infringe and violate certain provisions of the constitution of Iowa and also section 10, article 1 of the constitution of the United States, as well as article xiv of the amendments to the constitution. In an opinion by Justice Holmes today the supreme court reversed the court below and sustained the constitutionality of the Iowa law.

Pollard Fails to Land.

Congressman Pollard is rapidly learning the ways of members of the lower house. Today he had his first seance with Mr. Cannon, who will be the next speaker of the house, largely to talk over the subject of committee assignments. Mr. Pollard is young, active and virile and if there are any good things to be had for the First Nebraska district and the state he wants to get his share. The talk with Speaker Cannon, however, was not productive of that peace of mind Mr. Pollard had anticipated. In fact the speaker told Mr. Pollard that he had better amend his wishes as to committee assignments and bring them within the possibilities. Mr. Pollard modestly asked for a place on the committee on agriculture, but "Uncle Joe" showed him there were no vacancies on the republican side of the committee, that custom warranted the re-appointment of those on the committee unless they personally desired other assignments. Mr. Pollard will begin a systematic study of committee places now that he has had a heart-to-heart talk with the speaker with a view of getting the best committee position possible. The congressman from the First district is frank enough to say that he never reasoned what a scramble it is to get good committee places on the part of new men. He has courage, however, and nothing daunted will see "Uncle Joe" in a few days with some new thoughts.

No Increase in Deposits

The First National bank of Beatrice wanted to increase its government deposits from $25,000 to $50,000 and asked Senator Millard to look after the matter. The senator saw Secretary Shaw and was told that it could not be done. No reason was assigned except that quite 200 National banks had asked for the same increase and all had been refused. It is understood that the secretary believes the treasury should go slow in permitting National banks to increase their government deposits on the theory that if the government should need the money for any emergency it should be immediately available.

Place for Judge Van Orsdel.

Senator Warren of Wyoming, who arrived here last evening, was at the Department of Justice in behalf of Judge J. A. Van Orsdel of the Wyoming supreme bench, who has been an applicant for a federal position in that department. As a result Senator Warren sent a message to Van Orsdel this evening notifying him that it had been decided to appoint him United States attorney for the court of claims to succeed Louis A. Pradt of Wisconsin, who has tendered his resignation to engage in private practice. Mr. Pradt's resignation will go into effect February 1. The position is worth $5,000 a year.

Postal Matters.

Rural carriers appointed: Nebraska, Clatonia, route No. 1, Arthur C. Kloepper, carrier; Lewis Kloepper, substitute. Iowa, Amana, route No. 1, Henry Emanuel, carrier; Lewis Emanuel, substitute. Crawfordsville, route No. 2, Samuel C. Fletcher, carrier; Clark Fletcher, substitute. Elliott, route No. 2, George M. Kirby, carrier; Orlaff R. Kirby, substitute.

Paymaster Ordered to Omaha.

Captain Abraham P. Buffington, First infantry, has been detailed for service in the pay department and will proceed at the proper time to Omaha for temporary duty in the department of the Missouri, to take effect December 17.

Decision on Land Patents.

Justice McKenna today handed down the opinion of the supreme court of the United States in the case of Larry McCune against N. Fred Essig and wife, a claim for an undivided half interest in a quarter section of land in Lincoln county, Washington, taken up in 1889 by the father of Mary McCune. He died before the land was patented and the patent was issued to his widow. She afterwards sold it to the Essigs, and suit was brought on the ground that the daughter was entitled to a half interest, the land being "community property." The court of appeals decided against her, holding that the widow had all the rights in the property that her husband had had, and the supreme court affirmed the verdict. Justice McKenna said that the case is one in which national law must control, regardless of state statutes.

Japanese Resident at Seoul.

TOKIO, Nov. 27.—3 p. m.—Several names are mentioned for the resident generalship at Seoul, but nothing will be known regarding the appointment until the return of Marquis Ito. It would not be a surprise should M. Katsura, the present premier of Japan, be appointed to the position. The premiership would then go either to Marquis Ito, now president of the privy council, or to Marquis Saionji, the president of the constitutional party.

FORECAST FOR NEBRASKA

Snow and Much Colder Tuesday; Wednesday, Fair and Warmer.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	34	1 p. m.	39
6 a. m.	35	2 p. m.	39
7 a. m.	36	3 p. m.	40
8 a. m.	36	4 p. m.	41
9 a. m.	37	5 p. m.	42
10 a. m.	39	6 p. m.	44
11 a. m.	39	7 p. m.	48
12 m.	40	8 p. m.	50
		9 p. m.	52

FIRST BLIZZARD OF SEASON

High Winds and Heavy Snows Interfere With Traffic in Minnesota and the Dakotas.

ST. PAUL, Minn., Nov. 27.—The first blizzard of the season struck St. Paul late this afternoon and tonight is raging with unabated fury. High northwest winds sent the snow in such terrific gusts that pedestrians were all but blinded and traveling really impeded. From all parts of Minnesota, North and South Dakota, came reports of heavy snow and wind, with consequent partial demoralizing of railway traffic.

GRAND FORKS, N. D., Nov. 27.—Snow has fallen all day in the northern half of the state. Tonight a strong wind is drifting the snow badly and railroad traffic is greatly delayed. Tuesday's Great Northern train from the coast has been abandoned. All trains reaching here tonight are from one to five hours late.

DULUTH, Minn., Nov. 27.—A severe storm prevails here tonight. A fifty miles an hour gale is blowing from the northeast and snow is falling rapidly. The vessel officials were warned during the day not to allow the vessels to clear. There is a tremendous sea running on the western portion of Lake Superior.

MISSOULA, Mont., Nov. 27.—A severe blizzard, accompanied by strong winds and a decided fall in temperature, has been raging in western Montana since early Sunday morning.

BROAD HINT TO OLCOTT

Platt's Candidate for New York Chairmanship Visits Washington and Gets Hunch to Drop Out.

WASHINGTON, Nov. 27.—The question of the choice of a chairman of the New York county Republican committee occupied much of the time today of President Roosevelt, who was twice visited by Representative J. Van Vetchen Olcott of New York, a candidate for the place. During a portion of the first interview, which occurred in the morning, Secretary Root was present. Mr. Olcott's second interview with the president occurred at 6 o'clock in the evening. Mr. Olcott also had two interviews with Senator Platt, who is backing him for the place of chairman of the county committee. None of the principals to these conferences would discuss what conclusions, if any, were reached regarding the question. There is a general impression, however, that it has been intimated to Mr. Olcott that for the sake of harmony and for other reasons it would be well for him to withdraw from the race. Mr. Olcott left for New York tonight.

CHANGES ON WABASH ROAD

L. J. Tower, Freight Agent at Des Moines, Is Made Contracting Agent at Kansas City.

ST. LOUIS, Nov. 27.—The following changes are announced in circulars issued today by General Traffic Manager Ives of the Wabash railroad:

R. W. Owens, contracting agent at Kansas City, has been appointed commercial agent at Salt Lake City, in charge of the Utah and Idaho territory; L. J. Tower of Des Moines will succeed Mr. Owens at Kansas City.

R. L. Porter, who resigned from the service of the Burlington to enter the service of the Wabash, will go to the Wabash-Pittsburg terminal and the Wheeling & Lake Erie, in charge of the auditing department.

Robert N. Collyear, division freight agent at Detroit, goes to Buffalo as general agent, and J. J. Mossman, division freight agent at Buffalo, is to be transferred to Detroit.

COTTON MARKET IS BOOMING

New High Records Are Made at Sensational Opening in New York.

NEW YORK, Nov. 27.—New high records for the season were made at the opening of the cotton market today, with trading sensationally active and excited. The movement was caused by a circular issued by the former bear leader on Saturday to the effect that he had covered his short contracts, and also by the big advances in Liverpool, where a small failure was announced. The first prices here were 26 to 35 points higher, with March selling at 11.88 cents, or 11 points above the previous records.

Realizing was exceedingly heavy at the early advance and during the middle session prices eased off about 12 or 13 points from the best, with March selling at 11.75 cents. Sentiment remained of a bullish average and the leading bulls bought liberally. The market firmed up in the afternoon, with March selling at 11.97 cents.

GREAT FLOOD IN ARIZONA

Twenty-four Hour Rain Raises All Streams in Vicinity of Phoenix to Torrential Proportions.

PHOENIX, Ariz., Nov. 27.—Rains of the past, culminating in a twenty-four hours' storm, have raised all streams to torrential proportions. The Phoenix & Eastern railroad bridge across Salt river at Tempe has gone out. It was a temporary structure serving in place of the steel span that dropped into the river last spring. The new steel bridge on the Maricopa & Phoenix railroad, half a mile below, is intact, but just above it is the old bridge recently abandoned, a portion of which is washed away. There is danger that more of it may go, injuring or destroying the new structure. The Arizona canal diversion dam, badly injured last summer, is supposed to be all right, and the water gauge is eight feet over the dam, with the river still rising.

Movements of Ocean Vessels Nov. 27.

At New York—Arrived: Amerika, from Hamburg; Columbia, from Glasgow.

At Glasgow—Arrived: Caledonia, from New York via Moville.

At Liverpool—Arrived: Tunisian, from Montreal via Moville.

At London—Arrived: Minnetonka, from New York.

At Naples—Arrived: Algeria, from New York.

At Leghorn—Arrived: Algeria, from New York.

At Cherbourg—Arrived: Kron Prins Wilhelm, from New York.

LIEB WALKS PLANK

President Removes Assistant Treasurer of United States from Office.

CHARGE VIOLATION OF CIVIL SERVICE LAW

Official Evades Provisions of the Act and Hampers Its Execution.

ILLEGAL APPOINTMENTS ARE MA

Relatives and Friends Placed on Payrol. in Irregular Manner.

PRESIDENT WRITES A FORCIBLE LETTER

Chief Executive Tells Mr. Lieb that He Must Vacate Office Because of Persistent Wrongdoing.

WASHINGTON, Nov. 27.—President Roosevelt today removed from office William S. Lieb, assistant United States treasurer at Philadelphia, for "constant and persistent violation of the civil service law while in office."

In a formal statement issued at the White House today by President Roosevelt Mr. Lieb's removal is announced. The president gave Mr. Lieb a hearing last Friday at the request of Senators Penrose and Knox of Pennsylvania. Mr. Lieb submitted a long statement in answer to the charges made against him and was supported in his defense by Representative Patterson of Pennsylvania.

The statement says:

Statement from White House.

After careful consideration of all the facts developed by the inquiry, the president decided to remove Mr. Lieb from office, it being shown, according to the statement, that there was "constant and consistent effort on your (Mr. Lieb's) part to evade the provisions of the civil service law, to hamper its workings as far as possible and to obstruct in every way the action of the commission."

The president declared that the evidence showed fraud in the civil service examinations, the fraud in one instance implicating Mr. Lieb's sister. After reviewing the case the president concludes:

Under these circumstances of persistence in wrongdoing on your part, it seems to me that there is no alternative but to remove you from office. You are accordingly hereby removed from the position of assistant treasurer of the United States.

President Roosevelt's statement, which is in the form of a letter to Mr. Lieb, is as follows:

WHITE HOUSE, Washington, Nov. 27, 1905.—Sir: I have carefully considered the papers in your case and the statement made by you in your own behalf, and the Mr. Cooley on behalf of the Civil Service commission. It appears to me very clear that there has been a constant and consistent effort on your part to evade the provisions of the civil service law, to hamper its workings as far as possible and to obstruct in every way the action of the commission. I expect on the one hand that the commission shall endeavor not to hamper, but to aid, the other public servants of the government in doing their work successfully, and on the other hand I expect in return that the other public servants shall co-operate with the commission and aid them in their efforts to carry out the civil service law. In your case it seems to me clearly established that you have sought continually to take advantage of every kind of technicality in order to avoid carrying out the law in good faith. In taking advantage of these technicalities you have kept upon the roll in almost continuous positions certain of your own relatives and at least one person whose appointment was evidently pressed merely for political reasons, instead of making any proper effort to carry out the law as it applies to appointments within the classified service. It clearly appears that in one examination held upon information furnished by your office there was such clear evidence of fraud that it had to be cancelled. The evidence as to the fraudulent character of the examination implicated your sister, two persons from your own town and one person who was at that time serving in your office under temporary appointment and who was subsequently dismissed from the service for swearing falsely.

Continued Objectionable Methods.

The president here quotes a letter sent by Secretary Shaw to Mr. Lieb, calling attention to irregularities, and then concludes his own letter as follows:

If the case had at that time (when Shaw's letter was sent) been called to my attention my belief is that I would then request your resignation. Most certainly after receiving such a letter, to which you failed in any way to make any answer clearing yourself or traversing the facts alleged by the secretary, it was your duty so to conduct your office that no possible criticism could come upon you. Instead of so conducting it you have continued exactly the methods that previously obtained; your sister, for instance, having been again temporarily appointed last August as money counter, and, notwithstanding the fact that this is a permanent position and that there were two eligibles on the register when you were notified that the appointment must be made from these eligibles, you in some manner secured their designations and thereupon, on September 27, again temporarily appointed your sister, and she is in office at this time so far as the records of the Civil Service commission show.

Under these circumstances of persistence in wrong-doing on your part it seems to me that there is no alternative but to remove you from office. You are accordingly hereby removed from the position of assistant treasurer of the United States.

Very truly yours,

THEODORE ROOSEVELT.

Hon. William S. Lieb, Subtreasury, Philadelphia, Pa.

FATAL FIRE IN ILLNOIS

One Person Burned to Death and Six Injured in East St. Louis.

EAST ST. LOUIS, Ill., Nov. 27.—One man was burned to death and six persons were injured in a fire that destroyed the interior of the South End hotel early today. The shell of the building was left standing, with little outward evidence of the conflagration within. The charred body of Patrick Mesner, aged 50, a steel mill puddler, was found in the ruins. Howard Rheimfrank, aged 19, son of the owner of the hotel, was badly burned. His mother also suffered severe burns and bruises. Four others received slight injuries in jumping from windows. The cause of the fire has not been determined. The property loss was only $5,000.

BANK MERGER IN ST. JOSEPH

National Is Absorbed by First National of Buchanan County as Result of Litigation.

ST. JOSEPH, Mo., Nov. 27.—The National Bank of St. Joseph was absorbed tonight by the First National Bank of Buchanan County. The sale came as a surprise as is the result of sensational litigation among heirs of the Burnes estate, valued at $1,000,000. W. P. Fulkerson of St. Joseph, cashier of the First National, quietly secured the stock of Mrs. C. C. Burnes, daughter, Marjorie, of Chicago, and Kenneth Burnes of St. Louis, which gave control of the National Bank of St. Joseph. The absorption thereafter was easy. Five hundred dollars a share was paid for 1,000 shares of stock.