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OMAHA, THURSDAY MORNING, FEBRUARY 22, 1906-TEN PAGES.

President Mitchell Says He Sees No Way of Avoiding Suspension.

DECLINES TO MAKE DETAILED STATEMENT

Says He Will Not Meet Bituminous Operators While in Pittsburg.

WILL NOT CALL NATIONAL CONVENTION

Executive Board Will Meet Before April 1, but Act is Not Unusual.

DOLAN'S OFFICE DECLARED VACANT

After Consultation with Local Committee Mr. Mitchell Orders Election of New District President.

PITTSBURG, Feb. 21 .- "As far as 1

know now there will be a strike." President Mitchell of the United Mine Workers of America, who arrived here today from New York, made the above statement to the Associated Fress at noon today at the Hotel Henry.

"I am not here to have any conferences with the bituminous operators. My visit to Pittsburg is to investigate the trouble existing among the officers and delegates of the Pittsburg district organization. I will announce myself later in the day regarding the Pittsburg situation."

"Will it be necessary to reconvene the national convention before a settlement can be made between the miners and coal operators under the Ryan resolution adopted at the national convention at Indianapolis?" President Mitchell was asked. The national president interprets the laws of the miners' union," he replied.

settlement in any district?" "Ask Secretary Wilson," said Mr. Mitch-

"You mean, then, that you can effect a

Wilson Not Talking. "And the secretary is not discussing the question at this time," Secretary Wilson replied.

Will there be a strike on April 17" President Mitchell was asked. "As far as I know now," answered President Mitchell, with considerable hesitancy,

"there will be a strike." In both the bituminous and anthracite fields?" he was asked.

I will positively say nothing more. Notwithstanding the denials from you and F. L. Robbins, leader of the bitu-

ous operators, reports are still persistent that you will hold a conference with Robbins," Mr. Mitchell was told. "There is nothing in the reports," he replied. "Being in Pittsburg, of course, I

will see Mr. Robbins, probably some time today. President Mitchell held a conference with the special committee representing the delegates of the Pittsburg miners this morning. He said at the noon adjournment that he would confer with the at-

torneys of the delegates, after which he would likely be in a position to make a statement. Mr. M. Schools M. Santal - Harrison with the report current here yesterday that a conference with the bituminous coal operators would be held today, that he had made no errangements to meet the coal operators

"How is the New York conference progressing."

Affairs are getting along smoothly." vention?

The national convention will not reassemble," said he emphatically.

"Has the executive board been called disgrace. together for a meeting?"

"Yes, the executive board will meet some time before April 1. The meeting is essential and must be held, but there is no unusual significance attached to the meeting," replied Mr. Mitchell.

Dolna No Longer President. Later in the day when he had concluded his conferences. President Mitchell gave ut a statement in which he said:

out a statement in which he said:

The miners convention of District No. 5, having removed the president, vice president, secretary-treasurer and executive board, the national organization recognizes their right to do so. Mr. Dolan is no longer president of District 5 of the United Mine Workers of America.

Pending the results of the elections, I have appointed a committee of three to take charge of the work in this district. The appointees are Thomas Haggerty, national board member from District 2: William Little, national board member from District 5 and Jos. Sharp, national board member from District 13.

President Polan on being informed of

President Polan, on being informed of

the move made by Mitchell stated that he would still continue to do business as the legally elected head of the district. President Mitchell left this city at 10:15 tonight. Before boarding the train he

A strike in the bituminous fields is in-Francis Robbins, chairman of the executive board of the Pittsburg Coal Company, left on the same train.

FATAL WRECK IN CALIFORNIA Two Men Killed and Four lujured

in Smashup Near Delta.

REDDING, Cal., Feb. 21.-Southbound express train No. 15 on the Southern Pawas partially derailed by a landslide near Delta last night. Two persons were killed and a few injured, though others had narrow escaises

At first a large number of fatalities were eported, but later accounts have reduced the number of victims to the following:

JAMES T. KEISER, a printer, of Spo-Winh Injured:

Engineer C. E. Wickes Fireman James Peters, Stromen Richard Miller, Mail clerk, name unknown

LAND FRAUD IN SOUTH DAKOTA Five Minnesota Men Charged with

Saking Frandulent Entries in Chamberlain District.

MANKATO, Mint., Feb. 21, James Mec. han. Abram Catlin. John Bildengorff. P. R. Stiles and Henry Groth, of Triumph, Martin county, were brought to the city this afternoon and arraigned before United the charge of having made false affidavits his friends have acquired the lion's share the final proofs in homestead entries made by them in the Chamberlam, S. D., and district. They were indicted by the oderal grand jury at Sloux Falls. S. D.

MINERS WILL STRIKE MAY BE SENT TO THE HAGUE PUTS IT UP TO THE SENATE Moroccan Affair Will Probably Not Be

Settled by Delegates at Algeeiras. Feb. Il -An important Span-

is authority for the state- COMMITTEE TOLD TO SETTLE DIFFERENCES & question is now mooted of ment Hague arbitrary tribunal chargic ent of the Moroccan conthe apparent inability troversy, Algeciras to secure an of the dev papers say that while accord. T Y Franco-German cone in a state of controversy kee, stant uneasing

PARIS. Feb. 1.- The Foreign office considers that the Franco-German situation is stationary and does not expect notable developments until the proposed Moroccan reforms are discussed in open conference. BERLIN, Feb. 21,-The Colonge Gazette today expresses the opinion that a possible solution of the Moroccan police question lies in the appointment of French and Spanish officers over a native force. the officers themselves to be under an inspector to some neutral power but in the Moroccan service. This newspaper's relations with the foreigners give this suggestion significance, as probably reflecting the final effect of Germany to satisfy France's wishes.

The Gazette also says an agreement between France and Germany had been subsequently secured on the bank question, but the French representatives suddenly assumed an irreconcilable position under strong pressure from outside sources.

SECRET CONSISTORY AT ROME

Pope Hastens Allocation to Set at Rest Rumors us to His Feelings.

ROME, Feb. 21 -The pope held a secret onsistory today, chiefly to create nineteen French bishops in the dioceses vacant through the Franco-Vatican struggle. He also preconized the Right Rev. W. O'Connell, condittor to the archbishop of Bos-ton, as archbishop of Constance, and the Right Rev. A. S. Bernard as bishop of St. Hyacinth, Can. The whole ceremony was in line with the Vatican's attitude toward France. The pontiff delivered an allocution, summarizing the ideas set forth in his recent encyclical, showing that necessity hastened its appearance, as "certain publications may have deceived the faithful regarding the real intentions and feelings of the Holy See," evidently alluding to the pastoral letter of Monsignere Bono melli, archbishop of Verona, who advoeated the principle of the separation of

church and state. The pope was much affected while delivering his allocution. He said he was compelled to accomplish a painful duty of his office and summarized his recent encyclical, saying that the law providing for the separation of church and state in France was contrary to divine right and contrary to the welfare of society, which must live in peace with religion He expressed the hope that better times

would come. OFFICERS ARE TO BE PUNISHED

Russians Who Surrendered to Japa-St. Petersburg

ST. PETERSBURG, Feb. 71.-Unprecedented regulations to purge the army of officers accused of cowardice and surrendering during the war for no reasonable cause were announced today by the military organ, the Russky Invalid. Captive "Do you think. Mr. Mitchell, it will be officers returning from Japan will, unless necessary to reconvene the national con- they were wounded when captured, be tried before courts of honor and unless reinstated by the unanimous decision of their fellow officers will be dismissed in

"Contusions," a frequent excuse for surrendering, will not be accepted. The higher officials who were responsible for the surrender of their organizations must secure a vindication from a court of honor and the minister of war. Such cases will be submitted to the emperor individually. The troops which composed the garrison at Port Arthur are exempt from these provisions, the responsibility for the surrender of that fortress falling upon General

DAKOTA DIVORCE IS VALID British High Court of Justice Passes on Case of Two

Americans.

LONDON, Feb. 21.-The validity of a Dakota divorce in England was today affirmed by Sir John Gorrell Barnes, judge of the divorce court division of the high court of justice.

The question was raised in the case of Mrs. Armytage, who petitioned the court to declare her marriage to Edward Army tage valid. She formerly was the wife of Charles Gillig, an American living in London and North Dakota and South Dakota, where she obtained a divorce on the ground of desertion and subsequently married Mr. Armytage. Mr. Gillig also renarried, but last year began proceedings o nullify his marriage on the ground that the divorce which his first wife obtained in South Dakota was not binding upon him and that consequently his second marriage was invalid.

Justice Barnes has now decided against Mr. Gillig's contention.

CASTRO AGAIN ON WARPATH President of Venezuela Preparing to Seize Property of Two British

Corporations.

WILLEMSTADT, Island of Curacao, Feb. 21.-A well informed official of Caracas, in a letter received here today, says that President Castro, encouraged in his war against foreigners by the fact that the United States and France have taken no action against Venezuela, has given orders to prepare the documents to institute proceedings against the La Guayra harbor corporation and the La Guayrn-Caracas railroad. These companies are both owned by British subjects and are largely capitalized. The writer of the letter referred to adds that they probably will suffer the same fate as the asphalt

and other concerns. The Venezuelan government has created monopoly of the manufacture of ciga- of the meeting of the policyholders of the rettes, obliging all manufacturers to join New York Mutual Life Insurance Co. States Court Commissioner Eberhart on a trust, in which President Castro and held in this city today, a printed call has

ST. THOMAS. D. W. L. Feb. 21.-Auother very severe earthquake shock was Life Policyholders' association, recently or-Each defendant gave a bond for \$1,000 for felt at noon today on the British West ganized in Washington and asking all his appearance at the term of the federal Indian island of St. Lucia. Slight shocks policyholders to become members to court which convenes April 4, at Sioux have been felt there at frequent intervals end that the company may bereafter be since February 19.

President Will Make No Attempt to Prevent Amendment of Hepburn Bill.

If the Rate Mensure, When Passed, Does Not Meet with Approval of

the Executive He Will Veto It.

WASHINGTON, Feb. 21.-When the senate committee on interstate commerce meets on Friday to vote on a rate bill the announcement will be made authoritatively that President Roosevelt will not attempt to prevent amendment of the Hepburn bill; that he will leave the committee free to exercise its best judgment and if possible compromise its differences; that if a bill is reported which does not meet his approval and in that form is passed by congress he will content him self to exercise his veto power. This announcement will be made as the result of a conference here today between the most active persons supporting the house bill without amendment, but will be delivered to the committee by a senator who has supported an amendment providing for judicial review of an order of the Interstate

Commerce commission.

The conference at the White House is one of the many that have been held there in the last week for a discussion of the railway rate question. It was attended by Senators Dolliver and Clapp, Speaker Cannon, Representative Hepburn and Attorney General Moody. They had under consideration an amendment said to have been drafted by Senator Knox and revised by the attorney general. The draft in its. revised form, however, is said not to be satisfactory to its author. It was offered in a spirit of compromise and the president and attorney general | wanted to know whether it would be acceptable to the embers of congress who are making a fight to prevent the adoption of any amendpropose to enact into law.

Briefly stated, the amendment aims to

of the amendments suggested seemed to be an improvement. They said that if the bill specified the conditions under which complaints could be taken into court, the court might refuse to take cognizance of matters not specified in the bill. They said they preferred to leave open every feature on which an aggrieved person might desire to go into court. Attorney General Moody, it is said, coptended that the Hepburn bill is constitutional and that there the United States supreme court. He would bill, taking the position that that is a

function outside of his official province. Dolliver and Clapp Stand Pat. After Senators Dolliver and Clapp reurned to the capitol they told certain colleagues that they would go into the committee on Friday and make a firm stand to have the bill reported without amendment. When asked concerning the attitude of the president, they said that they believed he is satisfied with the bill as it stands, but that it is too much to

say that he is opposed to any amendments whatever. The president was described by them as might be offered and willing to listen to any proposition up to the time the bill is placed on its final passage. They said that if anything should be brought forward which, in the opinion of friends of the bill, would better it and not obstruct its operation, the president would give it careful study

Conservative members of the committee assert that they have the necessary votes o amend the Hepburn bill if they are left free to exercise their individual judgment, so that they will not be put in the position of opposing the president's policy. Under these conditions, Senators Elkins, Foraker, Crane, Kenne, Aldrich, Carmack, Foster and McLaurin will vote for an amendment providing for judicial review. Seven votes is a majority of the committee. Senators Cullom and Carmack will not be present when the committee meets on Friday, but as Senator Cullom is opposed to the amendment this will not affect the

An informal meeting of the committee will be held tomorow, but it is agreed that no important amendments will be considered until Friday.

VANDIVER CHARGES BAD FAITH Trustees of New York Life Company Accused of Seeking Proxies

for Re-election.

JEFFERSON CITY, Mo., Peb. 21.-State and Oil company. Superintendent of Insurance Vandiver tonight made public a letter he sent today to the general solicitor of the New York Life Insurance company, in which he declares that the action of the company in allowing its agents to solicit, on a whole sale scale, proxies for use in the election

of a board of trustees, is an act of bad faith. The letter in part follows: The printed form of proxy which policy holders are asked to sign, is in the name of John Claffin, O. S. Strauss and C. H. Mackay-all three members of the board of trusteer, under whose management, or

Mackay—all three members of the board of trusteer under whose management, or lack of management, the gross extravagance, graft and other forms of lilegal disbursements grew to scandalous proportions. Now, they ask policyholders to give them proxies to re-elect themselves.

Perhaps your army of agents may collect proxies enough to do this, but in my judgmont, it is an act of bad faith on the part of the company and renders it difficult. If not impossible, for any except those in control of the machinery of the company to exert any appreciable influence in its management, it may not be in my power to prevent the consummation of this scheme, but I feel it my duty to protest against it and to let the policyholders of Missouri know that the theory of mutual control of the New York Life is a farce so long as the present methods are in voontrol of the New York Life is a long as the present methods are

BALTIMORE, Md., Feb. IL-As a result been issued by General John R. Gill, Douglass H. Gordon, Bernard N. Baker, Doyld Ambach and Douglas H. Thomas leading financiers, endorsing the Mutual conducted in the interests of the insured.

TO REPUBLICAN VOTERS.

My friends, the enemy, Jim Allan, ex-deputy United States marshal, and others are circulating the story that I am about to withdraw from the race for mayor in favor of some other candidate. I positively deny this, as I am in the race to stay, fully believing that the people are tired of the old ring-

These same parties also threaten that they will upset the new primary law and go back to the system of nominiating candidates by conventions. I believe this new law to be a great improvement over the old and shall gladly submit my name to the republican voters and abide by their decision.

My motto is a "square deal" for all and no "graft," and my friends will fully understand that I am A. H. HENNINGS.

AMERICAN STUDENT MISSING Nephew of Former Senator Bard of California May Have Been

Murdered.

NEW YORK, Feb. 21.-That Albert M. Bard, a nephew of former l'alted States Senator Bard of California, has dropped completely out of sight in Brussels, Belgium, and that he is believed to have met his death through foul play was the state-ment made today by Detective John I. Pegarty, who arrived here on the steamship Zeeland from Antwerp after six weeks spent in Belgium in a fruitless search for the missing man. He went about at the request of young Bard's family and returned without having found a trace of

tion that the young man has been murdered. Young Bard was an accomplished violinist and went to Brossels in August last to take instructions from a master of that instrument. Fogarty brought back among the effects of the missing man two valument which they believe would interfere able violins, one worth \$1,000. They were with the operation of the measure they found in Bard's room in the Brussels house where he lived.

In Bard's room Fogarty found the young give to any complainant authority to file man's violins, music, clothing and other petition in a circuit court asserting that effects. At the hotel he learned that just a rate fixed by the commission was in fact hefore Bard intended to sail for New York illegal, or that an order of the commis- he had drawn out his deposit of \$1,000 in sion was in reality unlawful and author- the Brussels bank where he did business, vides for an adjustment of the sales of iges the court to hear the suit to decide He learned, too, that the young man had certain lands in the late reservation of authority and whether the constitutional stay in Brussels in a young French woman, rights of the plaintiff had been violated. a music student like himself, who lived bill is now before the committee on pubthey had previously announced they in the same hotel. The officer also made lic lands and today Representative Mcwould do, all those called into the confer- an unsuccessful search for the young wo- Carthy, member of this committee, arbill in its present form and said that none report to young Bard's family Mr. Pogarty was asked:

"Where is Bard?" "I don't know," he replied. "Is he dead?"

"Did he meet with foul play?" bands of the king's prosecuting attorney worth. in Brussels."

is no danger of its being overturned by STRANGER'S BODY IS FOUND today concluded its consideration of the since October last, and the two other pris- tion of books at 1 papers?" the United States supreme court. He would not been in Idaho for years. "I did not." not pass upon the wisdom of amending the Police of Chicago Cashot Tell to the house. The committee reduced the There was in the information no word of "Did you say Whether Murder or Suicide Was Committed.

CHICAGO, Feb. 21 .- The body of a man, apparently about 45 years of age, was found today in the gutter at the corner of Twenty-first street and Calumet avenue. in the heart of one of the fashionable residence districts on the south side of the city. There was a bullet hole above the right ear and a cheap revolver lay near the corpse, but the police are unable yet to state whether it was a case of murder or suicide. The only clues to the identity of the man are the initials "A. F. ready to consider any amendment that stamped in the sweathand of a hat found near him. The hat bears the name of "B., K. & Co., Milwaukee." There was a bullet hole in the hat, but the police were unable to fit the hat upon the head in such a manner as to bring the perforation directly over the builet wound. The

hat was also very small for the man. It is the opinion of the police that the man may have been slain by footpads and his body brought from a distance. MILWAUKEE, Feb. 21.-With every feature of clothing and bodily appearance tallying with that of Andreas Frederickson, a lay reader in the Methodist church, it is thought that the man found dead in Chicago with a bullet wound in his head and a revolver lying within a few inches of his hand is the minister who is well known in Milwaukee among Lutheran ministers.

HADLEY BUSY IN MISSOURI Attorney Cannot Go to New Jersey to

Testify Against Standard

Oil Company.

JEFFERSON CITY, Mo., Feb. 21.-Attorney General Hadley today forwarded a letter to the attorney general of New Jersey stating that owing to press of official business in Missouri at this time he will be unable to go to New Jersey and testify

in the ouster proceedings instituted by the state of New Jersey against the Stand-Testimony is desired from Mr. Hadley

in the Missouri ouster suit that the New Jersey Standard Oil company is the parent body of the various Standard Oil companies in the different states. NEW YORK, Feb. 21 .- An adjournment of the Missouri inquiry into the Standard

relative to disclosures made in testimony

Oil Co., was taken tonight until Friday, tomorrow being a legal holiday. The us ual brief session was held this evening.

CONGRESSMAN IS INDICTED Member from North Carolina Accused of laking Fees for Departmental Work.

RALEIGH, N. C., Feb. 21 .- A special from Asheville, N. C., says that the grand jury the special term of the United States and denied that the economic and social district court today returned two true bills against Congressnuth Spencer Blackburn. The bills of indictment charge the Eighth district representative with practicing before, the Treasury department and receiving fees for such service to violation of the laws. He is accused of receiving \$600 from Dinkins and \$100 from A. P. Davis. Each bill contains two counts. No action looking toward the arrest of

Blackburn has been taken. The bills of indictment contain several pages of type-After Sunday Theaters. DES MOINES. In. Feb. 21.—Senator Warren Garst today introduced a measure in the upper house prohibiting the Sunday theater in Iowa. The measure carries with it a fine of \$50 and applies to all places of amusement open on Sunday. to the house. Mr. Hinshaw has secured

BULLETIN FOR FRUIT MEN

Agricultural Department Acts on Recommendation of Congressman Pollard.

EXPERT TO GIVE DEMONSTRATION ALSO

Committee Makes a Cut of Two Thonsand Dollars in Appropriation for Support of the Omaha Indian Supply Depot.

(From a Staff Correspondent.) WASHINGTON, Feb. 21 .- (Specia) Telegram.)-Representative Pollard is a man of action and he has thus far been successful in getting rather speedy results in whatever he has undertaken. Several weeks ago he calld upon the secretary of agriculture and told him it would be a good thing for the fruit growers of the country if a butletin explaining the means of externination and Investment company, and Cameron of the codling moth and dry fungus could C. Wylic, secretary of the company, who be prepared in such form as would be comprehensible to the average fruit grower's secretary of state a fater report of the nind. Secretary Wilson readily fell in with the idea and, obtaining a few practical suggestions from Representative Pollard, set his men at work with the result that a bulletin bearing upon the subject of pests able for such fruit growers as may desire

that he had gained the consent of Secrepartment to the fruit belt of Nebraska to make demonstrations of spraying of apple belt and the endeavor will be not only to show the fruit grower how to spray, but Bard, dead or alive, but with the convicpests which assati fruit trees.

practical farmers in his district will this ords of the insurance company spring experiment with new seed wheat, seed corn and alfalfa of high grade, which experts of the Agricultural department have produced on certain experimental farms.

Bill to Relieve Land Purchasers. Judge Alfred Hazlett of Beatrice, Neb is in Washington in the interest of several hundred Nebraskans who will be ficairies under the Hinshaw bill which prohearing on Friday.

It is agserted that many Nebraska purchasers of these lands paid exorbitant figures, and it is now sought to secure a rebate for them, plus 25 per cent of the

Indian Bill Reported. appropriation for the maintenance of the Indian supply depot at Omaha from \$10,-600 to \$8,000. St. Louis and San Francisco the committee in its effort to prune ap- will be kept in close confinement. propriations. However, the Nebraska delto its former amount when the bill comes before the house. Another cut in the appropriations was suffered by the Indian school at Genoa, \$6,500 being lopped off. Last year \$84,300 was appropriated, this year \$57,800. The usual amount (\$44,162) is carried to carry out the treaty stipulations with the Winnebagoes There is quite a decided increase in the appropriations for Indians in South Da-Last year the appropriation was \$1,229,323, this year the bill carries 1,308,-325. The total amount appropriated for Indians residing in Iowa this year is \$15,-

860 and in Wyoming \$155,025. Dolliver Cannot Come. It was the desire of the McKinley club of Omaha to have the pleasure of hearing Senator Dolliver at its annual banquet early in March. It was supposed Senator Dolliver would be west on a lecture tour about the time of McKinley club's annual banquet would be held and could easily run into Omaha. It appears, however, that Senator Dolliver will not be able to leave duties in the senate. Congressman Kennedy today wired the club that Senator Dolliver cannot accept the invitation.

Legalizing Final Proofs. Representative Burke of South Dakota today introduced a bill providing that all final proofs for homestead lands in the Chamberlain land district made before the judge or clerk of the court of Stanley county, or any United States court commissioner at Fort Pierre, prior to July 1. 1905, shall be accepted and patented the same as if such proofs were made within the Chamberlain land district. This act building field are threatened for the near bearing of the care, the court decided that shall not affect any final proof except only in respect to the place where same ing contractors council the employers de-

was made. Women Ask Investigation. tioned the members of the Nebraska dele- agreements will be ignored. If such acgation to support the bill for an appropria- tion is taken by the employers a lockout tion for a bureau of experts to make a cr a strike is sure to follow. The arbitrascientific investigation into industrial con- tion boards of all the unions in the ditions of women. It is said such a bill ing line have been summoned to a conferwill be introduced soon. The last census ence tomorrow and when the convention reports 5,000,000 women engaged in gainful meets the employers will present their occupations, three-fifths of whom are ultimatum. imployed in factories.

Mrs. Mary G. Andrews, president of the Woman's club, Omaha, says: "This influx of women into the industrial field is a social phenomenon, giving rise to many complex questions. It is asserted that women have affected the labor market to the demoralization of wage rates; that home life has been affected; that marriage has decreased; that divorce is increasing, and that the birth rate barely exceeds the death rate. It is both asserted

army of women wage earners." Mrs. Andrews says that the Omaha Woman's club is of the opinion that sano conclusions can be reached only upon the basis of accurate data and that the results, of the proposed investigation would be of great value as a basis for general as well as local legislation.

welfare of the country is menaced by this

Minor Matters at Capital Mr. and Mrs. Casper E. Yost of Omaha arrived in Washington tonight. They will remain until Monday. Congressman Hinshaw's bill granting a special pension of \$30 to George W. Bedient of Valparaiso, has been reported favorably

(Continued on Second Page)

NEBRASKA WEATHER FORECAST OUEST ON

Rain Thursday, Colder in West Portion; Friday, Fair, Colder in East

Temperature at Omaha Yesterday: 6 a. m 34 Merces 8 a. m 34 10 s. m 41 12 m 46

ALLEGED FRAUDS IN UTAH

9 p. m..... 47

Company Charged with Making Palse Reports.

SALT LAKE CITY, Feb. 21.-The preliminary examination of Hiram Tiree, president of the Continental Life Insurance Apport Bases on Information from are charged jointly with certifying to the company's condition, began today before

Police Judge Diehl. Squires, who is now engaged in an ex- packers case today and made positive dewhich attack apple and pear trees was sent amination of the insurance company's rials of assert one that have been made to the printer and copies will soon be avail- books. He testified that his investigations on the stand by the witnesses for that expended, and that the company previous sations with Fa ward Swift, Edward Morris tary Wilson to send an expert from his de- which was not reported to the secretary of state, and that the accused officials had included in their report to the secretary that information received from the packers and other fruit trees to destroy these pests, of state transactions of later date than These demonstrations will be conducted at December 31, 1904, which was the date of central points in each county of the fruit the report made to the secretary of state, Other witnesses included W. H. Cunning-

ham of San Francisco, secretary of the to give him the formula of the fluid which Western Agencies company, an adjunct of will destroy the codling moth and other the insurance company, and Phillip Harding, former bookkeeper of the insurance Congressman Pollard has also made an company. Both were called for the purarrangement whereby some eight or ten pose of introducing certain books and rec-

ACCUSED MINERS STAND MUTE Moyer, Hayward and Pettibone Refuse to Plead to Information in Ideho.

BOISE, Idaho, Feb. 21.-Charles E. Moyer, William D. Hayward and D. G. Pettibone, leader of the Western Federation of Miners, were today taken to Caldwell, where they representatives of Swift and Company and whether the commission acted within its become intensely interested during his short the confederated Otoc and Missouri tribe were arraigned before the probate judge on of Indians in Nebraska and Kansas. This information charging them with the murder missioner. of former Governor Frank Stuenenberg. Each of the prisoners stood mute, refusing ence made a firm stand for the Hepburn man. Before leaving for Washington to ranged that it should be taken up for to the information and a motion for the mation taken would be regarded as condismissal of the prisoners. The were com- fidential?" mitted without bail.

> E. F. Richardson, representing the prisoners, demanded an immediate preliminary of the information would be used to harm hearing, but it finally was agreed that the Swift and Company?" original price paid. It is asserted that cases should go over until Tuesday when the original purchasers were compelled a further continuance may be ordered. "Yes, I think he did. I could not find a to pay more than an appraised value of Attorney Richardson maintained that the view between Jesse P. Lyman, president trace of him. The matter is now in the the lands; in fact, more than the land was information against the prisoners was not of the National Packing company, and sufficient as the affidavit charged the com- himself. mission of a crime in Caldwell, whereas The house committee on Indian affairs Moyer had not been in the state of Idaho about your power to compel the producconspiracy, he said.

The three prisoners this afternoon were brought back to Bolse and were again suffered a similar fate at the hands of taken to the state penitentiary, where they

egation hopes to have the figure restored SHAW REPUDIATES CHARGES tions to which commissioner Garfield en-Cleveland Official Says Secretary Wa

interested in Selecting Stone

for Public Building. CLEVELAND, Feb. 21.-City Clerk Peter Witt recently wrote a letter to President Roosevelt in which he charged that Secretary of the Treasury Leslie M. Shaw had supported John R. Walsh of Chicago, the financier and quarry owner, in the contest for a sandstone public building in Cleveland. A response from Secretary

Shaw was received today. "Your letter has been handed to the president," wrote Mr. Shaw. "The statement is wholly false and your authority must have known it was false. I did not even know that Mr. Walsh was interested in quarries. You must quit traducing public officials. Mr. Witt, or make information had been secured by the comgood your charges. Name your informant." Witt says he cannot name his informant ers. Commissione Garfield said that much without betraying a confidence, but will of it had been se ured from the bureau of undertake to "put it up to Secretary Shaw animal industry, as well as from cattle Washington at that time owing to his so straight he cannot get away from it."

BIG STRIKE IS PROBABLE prices of retail muts. Chicago Contractors Demand That Building Trades Call Off All Sympathetic Strikes.

CHICAGO, Feb. 21.-A rupture in the re- tween the commis forer and the agents of lations between the building trades unions, his department. espite the fact that torepresenting 50,000 mechanics, and the em- morrow is a national holiday Judge Humphploying contractors of Chicago, has been rey decided to hod court as usual. There caused by the sympathetic strike question are a great mar of the letters to be and labor troubles of wide extent in the identified, and ir order to expedite the future. At a meeting tonight of the build- the work should continue as usual. cided definitely that they will force every man now on sympathetic strikes to return The Woman's club of Omaha has peti- to work or the unions and all existing

NO CHARGES AGAINST ADAM with a crowd of \$ 00 and was draped from Report that Governor Higgins Had Been Asked to Remove Buffalo Executive a Mistake.

BUFFALO, Feb. 21.-No charges of anykind have been preferred against J. N. Adam, Buffalo's new mayor. An announcenent recently to the contrary was an error. The governor has not been asked to re- ernor Cummins so ke nearly three hours, move Mayor Adam. Charges recently were during which the audience gave close atpreferred against the old superintendent tention. A glowing tribute was paid by or police, who resigned.

Movements of Ocean Vessels Feb. 21. At New York-Sailed: Majestic, for Liverpool: Statendam, for Rotterdam, Arrived; Zelland, from Antwerp; Furnessia, from Dover-Salled: Pretoria, for New

Commissioner Garfield Positively Danies Making Promises to Packers.

EDWARD SWIT FLATLY CONTRADICTED

Says Alleged tatement About Confidential

BOOKS NOT SHOWN UNDER COMPULSION

President and Secretary of Insurance Agents Instructed that Such Methods were

OBTAIN EVIDENCE FROM OTHER SOURCES

Butchers, Stock Raisers and Com mission Men, as Well as

The principal witness for the state was | Chilcago, Seb. 21,-Commissioner Gar-Assistant Secretary of State George H. field again held the witness stand in the showed that the company was carrying packers. District Attorney Morrison queson its books as cash \$12,000 which had been tioned Mr. Gardeil regarding his converto December 31, 1964, had expended \$25,000, and various other representatives of the packers, and the commissioner stated posttively that he had never told any of them would be regarded as confidential or that if they did not give up the information desired by his department they would be compelled to do no.

The latter port of the day was taken up by the idertification of letters. It is possible that several days will be occupied by this work, and the letters will be read into the record of the case later.

porations, resu sed the stand in the puckers' case today

said that he exemined the totals only and that no figures were taken from the books. District Attorney Morrison then took up the subject of the conversation between Commissioner Garfield. He asked the com-

"He did not."

"Did you say o Mr. Lyman that all in formation would be confidential and would not be used to I jure the packers?"

tered a direct dealal. No Com ulsion Ordered.

When Commis oner Garfield attempted to tell what instructions he had given to his agents prior to the commencement of the investigation the attorneys for the packers objected strenuously, but after a long argument etween the lawyers the witness was all wed to state what the instructions were. He declared that he told the agents of the department that if access was give t to the books of the packers they we e to go to the books, that no detective nethods were to be used. that there would se on use of compulsory powers or a sugs stion of such a position on the part of he government. If disputes arose they were to be referred to the commissioner for adjustment.

District Attorney Morrison asked what missioner outside of the books of the pack raisers, feeders and commission men.

Many Le ters Identified.

sion of the court being taken up by the identification of ofters that passed be-

CUMMINS OPENS HIS CAMPAIGN Pays Tribute to Senator Dolliver and

Says th Two tre in

decord.

FT DODGE, Is Feb. 21.-(Special Telegram.)-The Cur wins campaign opened here tonight with a speech by the governor. The Midia d theatre, in which the big mass meeting was held, was packed end to end with Cummins banners. The hand played a selection and it 8 o'clock Major Chantland of this city stepped to the front of the tage and introduced the speaker in an in pressive talk in which the tribute was pud to the governor as a man who was orlied unsafe by the big interests of the or mary for the same reason Roosevelt w s called unsafe. Govhim to Dolliver, who he said was striking a memorable blow for righteous govern-He said he wished to make it plain that there was no conflict between

his ambitions and isofliver's "The lasue in I ess and in the national government on w . ch the state and com-At Cherbourg—Sailed: Steamer Kalsor Wilhelm der Grosse, for New York. At Naples—Arrived: Hruolilyn, from New York. At Queenstown—Sailed: Saxonia for Boson. Arrived: Ballied: Saxonia for Boson. Arrived: Ballied: Kalser Wilhelm for Grosse, for New York, via Cherbourg—At Antwerp—Arrived, Vaderland, from New York.

Boston.

At Willemstadt-Arrived: Princess Victoris Laise, from New York.

Information Was Not Made.

Not to Be Used.

from Packers.

James R. Garneld, commissioner of cor-

The opening of the examination was on the books exan ned by Mr. Garfield when he visted Chicago February 3, 1906. The books showed tile assembling of profits and loss accounts of the different packers. He

"Did Edward Swift say in the presence of Charles H. : wift that you had said in to plead. The court overruled an objection previous conversations that all the infor-

> "He did not." The witness her described the inter-

"Did he say that you had said that none

"Did you say anything to Mr. Lyman

"I did not." During the introduction of evidence of the packers affir nation was made by different witnesses to nearly all of the ques-

Butchers were e restioned regarding the

Commissioner G reeld occupied the stand throughout the a ternoon, the entire ses-