NEW LOCATION
THE BEE BUSINESS OFFICE
Ground Floor Corner
The Bee Building - 17th and Farnam

THE OMAHA DAILY BEE.

NEW LOCATION
THE BEE BUSINESS OFFICE
Ground Floor Corner
The Bee Building - 17th and Farnam

ESTABLISHED JUNE 19, 1871. OMAHA, FRIDAY MORNING, MARCH 9, 1906—TEN PAGES. SINGLE COPY THREE CENTS.

CONFUSION IN FRANCE

Government Crippled as Result of Resignation of Bouvier Cabinet.

NEGOTIATIONS AT ALGECIRAS DEL

Statement that Crisis Will Not Affect French Moroccan Policy.

REGARDED AS WARNING TO GE

President Fallieres Begins Series of Conferences Regarding New Ministry

RENTES SELL OFF TWENTY CENTIMES

New Cabinet May Be Compelled to Temporize with Those Who Object to Present Church Laws.

PARIS, March 8.—The government finds itself without a ministry at the culminating stage of the Moroccan conference at Algeciras. A semi-official statement on subject says: "The ministerial crisis does not affect French policy at the conference."

This is designed chiefly to warn Germany not to take advantage of the situation. The fact is that the ministerial hiatus confuses matters and threatens the agreement which otherwise might have been reached today.

The vote in the Chamber of Deputies last night, resulting in the defeat of the government and the resignation of the cabinet, also requires that the government temporize with the church manifestants who are becoming increasingly demonstrative, particularly the peasants.

President Holds Conference.

President Fallieres today began a series of consultations relative to the formation of a new ministry. He first conferred lengthily with M. Duborst, president of the senate, and later received M. Doumer, president of the Chamber of Deputies. No announcement of the president's course of action has been made, but the names most mentioned are those of Leon Bourgeois, the former premier; Alexandre Millerand, the former minister of commerce; Raymond Poincaire, former minister of public works, and Senator Clemenceau. There is some talk also of M. Delcasse, the former foreign minister, who is supported by the Anglo-French enthusiasts, but his appointment is impossible, owing to German hostility to him.

M. Rouvier wants to retire from the premiership, but he may be induced to retain the portfolio of foreign affairs or that of finance, under another premier.

Rentes went off 20 centimes today, but recovered, showing that the operators on the Bourse were not seriously disturbed by the resignation of the cabinet.

Holy See is in Doubt.

ROME, March 8.—The Vatican authorities received throughout the night letters from France regarding the cabinet crisis, in which the pope and Papal Secretary Merry del Val were most interested, although it was admitted that it was difficult to establish whether the issue would be a victory for the Holy See or the inauguration of an even stronger anti-Catholic regime in France.

Feeling in Berlin.

BERLIN, March 8.—The fall of the Rouvier ministry is now regarded in Berlin as affecting only the internal politics of France and as not likely to change the relations between Germany and France or render more difficult an agreement on the subject of Morocco.

M. Rouvier was liked by the German public men and his defeat in that sense is regretted.

Interest in Russia.

ST. PETERSBURG, March 8.—The fall of the French cabinet created much interest in government and diplomatic circles here because of its possible influence on the negotiations at Algeciras and the dual alliance. At the Foreign office the crisis was attributed to interior conditions and it is not believed that it will affect France's foreign policy. The French cabinet's attitude towards the new Russian loan negotiation is important to Russia at the present time. Minister of Finance Shipoff has summoned the prominent Moscow and St. Petersburg bankers and they are in conference with him on the question of a new interior loan. Herr Mandelsohn, the Berlin banker, is also here in consultation with Premier Witte and M. Shipoff.

M. Davidoff, chief of the department of credit operations of the ministry of Finance, said today:

"If the political situation improves the government will have no difficulty in borrowing what is needed. If the situation does not improve it is useless to speculate upon what will happen."

ARMOUR MADE COMPLAINTS

Told Agent Robertson Movements of Packers Were Being Watched by Government.

CHICAGO, March 8.—Special Agent Robertson today resumed the stand in the packers' case and was again cross-examined.

Asked if J. Ogden Armour had complained to the witness in 1904 that the packers were being watched and their movements dogged by the government secret men, the witness said Mr. Armour made such a statement to him.

Mr. Robertson continued on the stand until the adjournment of court and his cross-examination was still unconcluded. Late in the day, when Mr. Hynes was conducting the examination for Swift and Company, he asked the witness where he procured a list of twenty names which was given to the Department of Justice. Mr. Robertson said he obtained many of the names from the men themselves, but the greater part of them he received from T. G. Lamont of this city and M. Flayto of Kansas City.

The defending lawyers announced that they will seek for these men and if they do not substantiate the testimony of Mr. Robertson they will be placed on the stand to rebut it.

PRIMARY AT KANSAS CITY

Democrats Nominate Robert L. Gregory for Mayor on Cheaper Gas Platform.

KANSAS CITY, March 8.—Robert L. Gregory, a wholesale grocery man of this city, was nominated for mayor over William T. Kemper, a grain dealer, in the democratic primaries today. Mr. Gregory has waged his campaign on a platform favoring cheaper gas and no extension of any franchises without compensation.

AMERICANS UNDER ARREST

Two Stock Brokers Accused of Conspiracy to Defraud People of London.

LONDON, March 8.—Harry Sampel Simmons and Franklin Everhart, Americans, were arrested here today and were each remanded in $10,000 bail on charges of conspiracy and obtaining large sums of money by fraud. The prisoners are described as stock and share brokers and are alleged to have issued forged shares and certificates in connection with Alaska, Oklahoma, Cripple Creek and Manitoba mining companies.

According to the police evidence, Everhart is vice president of the Mining Securities and Investment corporations, alleged to be registered at Oklahoma City. The pair have been in London a few months.

OKLAHOMA CITY, Okl., March 8.—The Mining Securities and Investment company had an office here about a year ago for a short time, but little is known here of either Simmons or Everhart. They left Oklahoma City several months ago.

COLORADO SPRINGS, Colo., March 8.—Franklin Everhart, one of the men arrested in London today on a charge of obtaining money by fraud, is said to formerly have been connected with the United States Cereal company of New York, which was closed out by the United States postal authorities in 1904 on similar grounds. The company is said to have gained 150 per cent on funds invested.

GROWTH OF BRITISH EMPIRE

Population Increases Hundred and Fifty Millions in Forty-Five Years.

LONDON, March 8.—As the outcome of a suggestion by Joseph Chamberlain when he held the post of colonial secretary, a unique blue book was published today recording and tabulating in 300 pages forty years' growth of the British empire, as revealed by the census of 1901. The blue book shows that since 1861 the area of the empire has increased from 8,500,000 to nearly 12,000,000 square miles and the population from 250,000,000 to 400,000,000, of which only 54,000,000 are whites and 58,000,000 Christians. The tables convey interesting information as to birth rate, proportion of sexes, religious and social conditions in various parts of the empire.

BRIEF FOR ELLIOTT F. SHEPARD

American Will Not Go to Jail Until Final Hearing is Ended.

PARIS, March 8.—Edmond Kelly has completed his brief for presentation to the minister of justice, M. Chaumie, concerning the case of Elliott F. Shepard, who was fined and sentenced to three months imprisonment on October 26 last for killing Madeline Marduel, who was run over by Mr. Shepard's automobile at St. Ouen April 24, 1905. Maitre Cruppi, who is associated with Mr. Kelly, had previously secured the assurance that the minister would carefully consider the brief. Until the minister decides the case it will remain stationary, the sentence of imprisonment not beginning until M. Chaumie's decision is rendered.

Nine Thousand Seals Taken.

ETTANG DU NORD, Magdalene Islands, March 8.—Reports received here today indicate that 9,000 seals were taken at different points on the Magdalene Islands yesterday. This is considered a most auspicious opening of seal fishing and hunters predict the season will show a large catch.

OIL CASE IN SUPREME COURT

Company and State Both File Motions in Missouri Asking for Orders.

JEFFERSON CITY, March 8.—Attorneys Hagermann and Eddy for the Republic Oil company, today filed a motion in the supreme court for a re-hearing of the decision rendered by the supreme court last week that the officers of the Republic company should testify and answer all question asked them before Commissioner Anthony in the Missouri oil inquiry.

Attorney General Hadley filed a motion in the supreme court also today asking that officers of the Republic company be directed to testify before Commissioner Anthony on March 19.

The motion for a rehearing filed by counsel for the Republic Oil company alleges many errors in the opinion handed down in which the position of the attorney general was upheld by the supreme court.

The court held that a foreign corporation cannot plead the unconstitutionality of the anti-trust statute in Missouri.

The attorneys for the oil companies allege this an error. They contend the court was wrong in holding that when a foreign corporation comes into the state it impliedly agrees to obey a law the character of the anti-trust law. They allege the law is in violation of the constitution of the United States.

SUSPENSION AT ST. LOUIS

Two Sergeants and Eight Policemen Out of Office, Charged with Grafting.

ST. LOUIS, March 8.—Two sergeants and eight patrolmen were today suspended from the police department by Acting Chief of Police Gillaspy, pending charges, it is said, that will be formally preferred against them before the police board. The suspended men are: Sergeant Henry Meyers, Sergeant Patrick Monahan, Patrolmen Dennis O'Leary, Henry Traffert, Patrick Nolan, John P. Sullivan, Thomas Dorris, Ed. Fagan, James T. Massey and Richard Stender.

All the men were, until recently, on duty in the central district, which is the center of the grand jury investigation into charges of grafting.

RACE RIOT AT ZEIGLER, ILL.

Negro and Hungarian Miners Fight with Guns, Knives, Razors and Clubs.

DUQUOIN, Ill., March 8.—A lively race riot occurred last night between negroes and Hungarians employed in the coal mine at Zeigler and several combatants on both sides received severe injuries, but no deaths have been reported. It is said the riot resulted from ill feeling that has been brewing for some time between the two classes over labor differences. Guns, knives, razors and clubs were brought into play, but finally order was restored and the outbreak was not resumed today. It is feared, however, that quiet has been restored only temporarily.

DEBATE ON STATEHOOD BILL

Senators McCumber and Patterson Speak Against Joint Features of Measure

MR. BEVERIDGE REPLIES TO CRITICISM

Voting on Amendments Will Begin at 4 O'clock Today and Final Vote Will Be Taken Before Adjournment.

WASHINGTON, March 8.—Today afforded the last opportunity for general debate in the senate on the statehood bill and the entire session was devoted to that order of business. Starting with a speech by Mr. McCumber, which began a few minutes after 11 o'clock, there was no cessation in the speaking until the adjournment late in the evening. The whole time was occupied by three senators, Mr. Beveridge supporting the bill and Messrs. McCumber and Patterson opposing it. The Indiana senator contended that while Arizona and New Mexico were unprepared for seperate statehood it was unjust to keep them out of the union as one state. He took positive ground against the Foraker amendment, which allows each territory to vote separately on the question of jointure. Mr. McCumber opposed the joining of even Oklahoma and Indian Territory, and Mr. Patterson held that Arizona and New Mexico should be admitted as separate states.

Under agreement arrived at a week ago, the senate will begin voting on the amendments offered to the bill at 4 p. m. tomorrow and the final vote will be taken before adjournment for the day. The time previous to 4 o'clock will be devoted to ten-minute speeches on the bill and amendments.

McCumber Opens Debate.

When the hour for meeting arrived not a single seat in the chamber was occupied, but as the vice president and the chaplain entered through the north door, Mr. McCumber and Mr. Gearin appeared at the opposite entrance and Mr. Teller and Mr. Patterson came in a few moments later. Other senators were slow in arriving and at 11:15, when Mr. McCumber began to speak on the statehood bill, less than a dozen senators were in their seats.

Mr. McCumber introduced his speech by presenting a substitute for the statehood bill, creating one state of Oklahoma and another of Indian Territory, the latter under the name of Sequoia, in honor of the Cherokee scholar of that name, and entirely eliminating New Mexico and Arizona.

He made an argument against the consolidation of the territories into fewer states, contending that more western states were necessary to give agriculture and other transmississippi interests strong representation in congress. He predicted in the near future the west would have a much larger population than the east and said that, even if the present boundary lines were preserved, it would still be impossible to secure as many states as there were east of the Mississippi, and that therefore the balance of power in the senate must necessarily be against the western section.

Mr. McCumber declared that the time would come when the east would find its protection in the west. He referred to the influence of foreign immigration in eastern communities and in this connection said that at its last election Chicago had elected a socialist as mayor.

Patterson Favors Arizona.

When Mr. McCumber closed Mr. Tillman gave notice that as soon as opportunity offers he will address the senate on the message of the president sent to the senate on the coal inquiry resolution recently passed by congress on Mr. Tillman's motion. He referred to the presidential message as "a very remarkable document," and said that but for the pressure to proceed with the statehood bill he would ask to be heard at this time.

Mr. Patterson then addressed the senate on the statehood bill, speaking in opposition to the passage of the house bill. He devoted his attention almost exclusively to the portion of the bill providing for the joining of Arizona and New Mexico, and and contended that Arizona as now founded had an unquestionable right to ultimate statehood.

Mr. Patterson, in his speech, alleged that the idea of joint statehood had not originated in either Arizona or New Mexico, and asked whether the idea was the child of the Indiana senator or some member of the house of representatives. He declared that such a union, in view of the pledge to Arizona, would be a grave crime, and urged the adoption of the Foraker amendment for a separate vote as the rational solution of the problem.

Beveridge Replies to Patterson.

Mr. Beveridge, who followed, began his speech with a reply to Mr. Patterson's observation concerning the origin of the joint statehood idea, saying that it was not a matter upon which the people of the territories should be consulted. The people of the entire country were concerned over the creation of states, and the senator contended that congress should proceed upon that theory. He opposed the Foraker amendment, urging that if adopted it would give to 50,000 people in Arizona the power to thwart the will of 250,000 in the two territories combined.

He declared that the Copper Queen Mining company alone employed 10,000 men in Arizona.

Mr. Patterson and Mr. Clark (Montana) united in the declaration that the number did not exceed 2,500, but Mr. Beveridge justified his statement by quoting from the testimony taken by the committee on territories.

Mr. Beveridge urged that while New Mexico and Arizona were not prepared for separate statehood, it was unjust to keep the two out of the union as one state.

Mr. Beveridge had not concluded when, at 5:30 p. m., the senate took a recess until 11 o'clock tomorrow.

HOUSE PASSES INDIAN BILL

Measure Appropriates Nearly Eight Million Dollars.

WASHINGTON, March 8.—The house today passed the Indian appropriation bill carrying $7,785,523. It then proceeded to tangle itself up over the bill to abolish the grade of lieutenant general in the army. The result was an adjournment for lack of a quorum, after members had been locked in the hall for a half hour and the assistant sergeant-at-arms had been scurrying to the various hotels in search of members. The vote to consider the bill showed an overwhelming sentiment in its favor, and as it is the pending business under call of committees, it will probably be reached and passed in due course.

There were only a few verbal and minor amendments made to the Indian bill. Mr. Crumpacker acted as a censor on the measure under the five-minute rule, making many points of order to various paragraphs. In each case, however, he withdrew his objection after an explanation had been made.

REBATES TO SUGAR DEALERS

Attorney General Has Evidence Submitted to Him by New York Newspaper.

WASHINGTON, March 8.—Upon being shown the publication in the New York American today regarding the alleged granting of rebates on the transportation of sugar, Attorney General Moody said:

Some weeks ago a representative of that paper called on me and said that the information was in possession of that paper tending to show that large rebates on the transportation of sugar had been given to the American Sugar Refining company by the trunk lines of railroads running out of New York City and asked if the Department of Justice desired to use the information in legal proceedings. An examination of the matter showed clearly that it was highly important and tended to show the giving and receiving of large money rebates. The subject was then brought to the attention of Mr. Stimson, who had been selected by the president as district attorney for the southern district of New York. Following this, on the date of Mr. Stimson's taking office, a conference was had in New York between the attorney general, the assistant to the attorney general, Mr. Purdy, and Mr. Stimson, when the evidence was gone over with very great care.

It is the purpose of the department to proceed carefully, but with all possible expediency.

It ought to be said that until this information was furnished the department by the representative of the American the department had no knowledge or suspicion of the facts and that the representatives of that paper have aided the officials of the department in all ways within their power.

NEW YORK, March 8.—Evidence of a definite agreement by the railroads running out of New York City upon a division of the sugar freight business and also the payment of rebates was given before the United States grand jury today. Reporters of W. R. Hearst, the complainant in the case, declared that the government was in possession of documentary proof on every point charged and that the United States district attorney's office was in possession of evidence exposing the most startling relations existing between carrying and producing trusts. The Delaware, Lackawanna & Western Railroad company, Lowell M. Palmer of the firm of Havemeyer & Elder (a dock company) and others are defendants in the principal rebate action and other railroads figure in other proceedings. Nearly every railroad with terminals in New York or in Jersey City is concerned in the proceedings.

MOVE AGAINST GRAIN TRUST

United States Starts Suit in California Against Alleged Combination.

SAN FRANCISCO, March 8.—The news of the filing of a suit by the United States government against a number of elevator companies has caused a sensation in California and the west, this being the first legal proceedings of the kind ever instituted out here.

United States District Attorney Robertson, who brought the suit, was located last night at his residence in Berkeley.

In discussing his action he said:

The complaint filed is against the Otis Elevator company and thirty other defendants, who are alleged to be in one concern and operating contrary to the provisions of the Sherman law. The complaint was drawn up by me, but is signed by United States Attorney General Moody, all such actions originating at Washington.

The action is based upon affidavits of men who were formerly in the combine and who state that while the defendants to the action are apparently separate concerns, they in reality are all under control of the Otis Elevator company. The effect of this pooling of interests is to enhance prices and restrict trade with the view to controlling all the elevator business on the Pacific coast, with the probability that this is but a branch of a gigantic trust that controls the elevator output all over the United States.

Such a combination is against the provisions of the Sherman law and we believe that we have ample evidence against the trust to make out a clear case when it comes to trial.

The affidavits of the men set forth in the complaint, whose names I do not now remember, are complete and are based upon personal knowledge. A great quantity of material of firms not in the combine has gone to waste, there being no sale for it.

This case has been carefully prepared and will be pushed vigorously. In every phase of it the attorney general has been consulted and I regard the case as clear and strong against all the long list of defendants.

MUTINY IN NEW YORK HARBOR

Fireman on Board Steamer Massachusetts Killed as Result of Revolver Battle.

NEW YORK, March 8.—A mutiny in which one life was lost occurred today on board the steamer Massachusetts, which was lying at its dock at Brooklyn.

James Slocum, a fireman, was killed during a revolver battle on the steamer's decks, in which the steamer's firemen were ranged on one side, and opposing them were the ship's officers and members of the crew. Sounds of the fighting caused a reserve of police to be hurried to the steamer, but the firemen who had started the trouble had been driven into submission before the police arrived. Six members of the crew were arrested, as were also First Officer Albert J. Evans and Fourth Officer Elmer H. Kerwin. All were held as witnesses. Kerwin's home is in Baltimore, Md. The mutiny has been brewing, according to the officers of the Massachusetts, ever since the vessel left Cardiff, Wales, February 5. The firemen were the chief disturbers, it was alleged, making continual complaints about their food.

The crew, however, sided with the officers. During the voyage from Cardiff there were almost daily fist fights on the steamer, all growing out of the surly tempers of the two opposing factions. The wrangling continued until after the Massachusetts arrived in Brooklyn several days ago.

Several of the firemen spent last night in the city and the quarrel began immediately upon their return to the vessel today. The Massachusetts was expected to sail today for San Francisco.

ARRESTS IN NEW JERSEY

Four Men Accused of Trying to Wreck Train Taken Into Custody.

NEW YORK, March 8.—Four young men who were arrested near Passaic, N. J., today, charged with attempting to wreck an eastbound Buffalo express train on the Delaware, Lackawanna & Western railroad early this morning, have confessed that this was their sixth attempt at train-wrecking. All of the attempts were made in the vicinity of Passaic. They said the only reason for the acts was a desire to witness the excitement which would result.

The Buffalo express today escaped disaster by an exceedingly narrow margin. It was running at a high rate of speed when the engineer saw the obstructions. He managed to stop the train less than a car length from where a number of ties and fishplates were piled upon the track.

PLATFORM FOR HENNINGS

Candidate for Mayor Stands for Honesty and Economy in Administration.

SQUARE DEAL FOR ALL IS HIS MOTTO

E. Rosewater Makes His Farewell Address to Voters Before Leaving on Trip to Europe—Favors Municipal Ownership.

Edward Rosewater was the speaker of the evening at the regular meeting of the Fifth Ward Republican club, held at McKenna's hall, Sixteenth and Locust streets, last evening. A large gathering of voters turned out to greet Mr. Rosewater and others who spoke on the issues of the present city campaign. After William Stockham and W. H. Elbourn had spoken a few words each on behalf of their candidacies for the city clerkship, A. H. Hennings presented his platform with a few remarks of felicitation to the voters. The platform is as follows:

Omaha is a great and growing city and in the next few years should be placed in the front rank with the leading cities of the country. To do this we must have a clean and progressive business administration with every reasonable encouragement to every legitimate business enterprise.

Our city is also a cosmopolitan city, all classes and conditions of people being represented, and under our form of government one person should have the same rights and privileges as any other person. If elected I shall work for the interest of all, and represent the masses rather than the classes. We want to build up the city by increasing our population—not to drive people away. I shall stand for a rational, equitable and conservative enforcement of law, but do not believe it to be to the interest of our city to return, either to the wide open town or to the old puritanical idea and "blue laws" of years ago. Being a firm believer in law, decency and order, I am opposed to anyness and crime, as the chief.

Bring in the nature of a reign of lawlessness and crime, and as chief executive of the city would do everything in my power to keep professional criminals as far as possible from the corporate limits of the city.

Honesty to Be Expected.

It is expected city officials should be honest, and so should the city be honest. All special warrants and other obligations of the city should be paid with the legal rate of interest, so that improvement bonds may be sold at the lowest interest rate possible. This can only be done if we preserve the good name and credit of our city in the eastern markets, and when contractors and those rendering services to the city know they will be paid in an honest dollar the cost of the work done for the city will be materially reduced.

Corporations must not infringe on the rights of the people. The people of Omaha are entitled to the best service and reasonable rates from every public service corporation. They should have the backing of the city government in every reasonable demand and the corporations should have the protection of the city against every hold up and every unjust demand.

Some people carry the impression that city officials have free telephones, free gas, free water, and that they and members of their family ride on street car passes. As city treasurer I have never been offered nor have I accepted any of these privileges, nor would I accept them if I were mayor.

I am in favor of economy in uniting offices and in abolishing sinecures, and as mayor shall attempt to bring the expenditures of the city to the lowest possible notch, thus hoping to reduce the tax levy.

I believe in an honest day's work and honest day's pay and shall insist that city employes render the same service to the city as would be expected of them in any business house.

Having all my interests in Omaha and expecting to remain here it is not necessary to say I favor public improvements and beautifying of the city, as that follows as a natural consequence.

The future record of a public official may be best judged by his past record, and as to a guarantee of my sincerity and ability to do my duty I point to my record as custodian of public money and a collector of taxes. I shall always stand for equal rights to all citizens—"A square deal for all, and no graft."

Sham and Real Reformers.

President Christie of the club then introduced Mr. Rosewater, who placed particular stress on municipal ownership of public utilities as the solution of most of the ills which beset municipal affairs in this and other cities.

Mr. Rosewater explained that his talk was a farewell one before his trip abroad.

"I take no stock in sham reforms or reformers, nor with those whose past records will not square up with present professions," said the speaker. "I have advocated municipal ownership for thirty years and am still of the opinion that if we want a city government of the people, for the people and by the people we must have municipal ownership." He declared that many of those who rode into public office three years ago with a hue and cry of public ownership on their lips did all they could later to defeat public ownership issues when brought face to face with them.

Mr. Rosewater reviewed the water works, gas and other matters of local importance and stated it as his belief Mr. Hennings had the moral courage to serve the people well, hew to the line, enforce the laws with propriety and common sense, and added that Mr. Hennings had already been tried in public office and had not been found wanting in the discharge of his duties.

ST. LOUIS MERGER SUSTAINED

Judge Phillips Decides, Against Stockholders Who Try to Set Aside the Deal.

ST. LOUIS, March 8.—Judge Philips, in the United States court of appeals, decided today against Cella, Adler & Tilles of St. Louis in their effort to overthrow the merger of the United Railways and the Transit company. The suit, brought originally in the state courts and then transferred to the federal court, was directed against Brown Bros. of New York, who brought about the merger. It sought to overthrow the tripartite agreement between Brown Bros. and the United Railways and the Transit company, by which five shares of Transit stock were to be exchanged for two of United Railways, the stockholders also putting up the money to pay the indebtedness of the Transit company.

Cella, Adler & Tilles, stockholders of the Transit company, refused to enter the agreement and alleged misrepresentation against Brown Bros. Judge Phillips holds that there was no misrepresentation, Judges Hook and Trieber concurring.

TYRELL LEAVES THE JESUITS

Refuses to Repudiate Part of Writing Not Approved by His Superiors.

WASHINGTON, March 8.—Father George Tyrell, prominent member for a number of years of the Society of Jesus, has withdrawn from the order, the immediate cause being his unwillingness to repudiate certain parts of his writings which did not meet with the approval of his superiors.

Ivens Case Closing.

CHICAGO, March 8.—Assistant State's Attorney Olsen made his opening address to the jury today in the trial of Richard Ivens for the murder of Mrs. Bessie Hallsteg. Objection to a confession purporting to have been made by Ivens was overruled.

NEBRASKA WEATHER FORECAST

Fair Friday and Saturday.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	38	1 p. m.	52
6 a. m.	37	2 p. m.	49
7 a. m.	37	3 p. m.	45
8 a. m.	37	4 p. m.	43
9 a. m.	40	5 p. m.	42
10 a. m.	44	6 p. m.	41
11 a. m.	49	7 p. m.	41
12 m.	50	8 p. m.	40
		9 p. m.	40

TRUST GETS CARTER PLANTS

Lead Monopoly Absorbs Omaha, Chicago and Milwaukee Concerns for Five Million.

"The Lead trust has consummated the purchase of the three plants of the Carter White Lead company," was the unequivocal announcement of a prominent Omaha business man to The Bee yesterday. "This is straight," he added. "The three plants, at Omaha, Chicago and Montreal, are consumed in the deal and I think the price was $5,000,000, though of the exact figures I won't be sure.

"I cannot say whether the trust will continue to operate the Omaha plant, but my impression is it will, and it may turn out to be a good thing for Omaha.

"I happen to know the independent company made the best fight it could against being absorbed by the trust, but found itself unable longer to withstand the pressure. It was a case of knuckles down and the small ones couldn't hit from taw."

President E. J. Cornish is not in the city just now, but when here last week denied the deal had been made. A similar denial was made about the same time in the New York Commercial, but the Omaha business man claims to have undeniable information the transaction is now complete.

JOHN P. HAINES RESIGNS

Head of American Society for Protection of Animals Retires After Seventeen Years' Service.

NEW YORK, March 8.—John P. Haines, who for seventeen years has been president of the American Society for the Prevention of Cruelty to Animals, with headquarters in this city, resigned his position tonight. Mr. Haines presented a long letter to the board of managers, in which he gives his reasons for retiring as the head of the society. He says he has been assailed of late as though he had committed some act of wickedness by a small but persistent band of people with this one common characteristic, that none of them has ever before been known to care for animal protection.

Mr. Haines incorporated in his letter a statement from a firm of certified public accountants attesting the financial condition of the society and its accounts. This report is introduced, Mr. Haines says, in order that there may be "no possibility of question of the absolute integrity which rules and has ruled in every part of our business."

The resignation was accepted, to take effect May 1.

GEORGE E. GREEN ACQUITTED

Former New York State Senator Not Guilty of Conspiracy to Defraud Government.

WASHINGTON, March 8.—George E. Green, a former state senator of New York who has been on trial in the district supreme court for more than two weeks on charges of conspiracy to commit an offense against the United States and to defraud the government in connection with the sale of time recording clocks to the Postoffice department, was today acquitted by a jury.

The announcement of the verdict, which was returned in court shortly before 4 o'clock this afternoon, was followed by a remarkable demonstration on the part of Mr. Green's friends who overwhelmed him with congratulations.

The verdict was reached after four hours' deliberation.

MARINE ENGINEERS SATISFIED

President of National Association Says Organization Has No Grievances This Year.

DULUTH, Minn., March 8.—Frank A. Jones of San Francisco, president of the National Marine Engineers' Beneficiary association, addressed a large meeting of members here last night. He will visit the lake locals and go on to the Atlantic coast.

"Our association has no grievances this year," said President Jones, "and we are very contented. The National Marine Engineer's Beneficiary association now has 11,000 members, belonging to 163 locals. Three thousand of our members are employed on the great lakes."

MAN BURNED WITH AMMONIA

Paymaster for Strikebound Firm in New York is Seriously Injured.

NEW YORK, March 8.—William A. Malaney, a paymaster for Post & McCord on one of the buildings the firm is erecting with nonunion iron workers, was burned and painfully cut tonight when a man whom he says he recognized as a striker threw a bottle filled with ammonia in his face. Malaney fell to the ground, but as he did so pulled a revolver from his pocket and fired it to attract help. A policeman and several hundred men and boys started in pursuit of the fleeing assailant, who was finally captured. He refused to give his name.

BEARD GOES TO PHILIPPINES

Rock Island Engineer to Take Charge of Railroad in Oriental Insular Possessions.

NEW YORK, March 8.—It was announced today that Edward J. Beard, principal assistant engineer of the Chicago, Rock Island & Pacific railroad, has accepted appointment as engineer of steam railways in the Philippines for J. G. White & Co., the New York engineering firm, which was awarded the $11,000,000 contract for the building of a part of the railway system proposed by the insular government.

MISS ANTHONY IS WORSE

Distinguished Patient is Extremely Weak, but is Resting Comfortably.

ROCHESTER, N. Y., March 8.—Miss Susan B. Anthony is resting comfortably, but is extremely weak. This weakness is the one unfavorable symptom about her condition that causes her friends anxiety.

RATE BILL IN FRONT

Measure Attracts More Attention Than Any Other Issue for Many Years.

ABSORBING TOPIC OF DISCUSSION

Earnest Consideration of Many Propositions for Amendment.

MANY ANSWERS TO MR. BAILEY'S SPEECH

Mr. Nelson Will Take Ground that Texas Plan is Unconstitutional.

DOLLIVER AND MOODY IN CONFERENCE

Iowa Senator Says Bill Will N Be Changed So as to Add to Any Rights Railroads Now Possess.

WASHINGTON, March 8.—Regardless of the fact that the statehood bill was the only question discussed in the senate today the house railroad rate bill continued as an absorbing topic and groups of senators met in earnest but informal consideration of the many propositions that have been suggested in the way of amendment. Without doubt no bill has been before congress in years that has been given so much attention when the issue between the opposing factions has been one that could be settled through the use of so few words. The question is the choice of the words.

Judicial review of orders of the Interstate Commerce commission has from the first been the only real issue between the opposing factions. One faction, that supporting the bill in its present form, declares that it has no objection to railroads having their day in court, and it has made the assertion that this is provided by the present bill. The other positive faction contends that it wants the same thing, but that the bill should provide for this in specific terms. There are other factions which have amendments, such as the Spooner plan of impounding the difference between the commission's rate and the railroad's rate, pending a determination of the equity of the former, and the senators advocating the Bailey proposition declaring for a full review by the courts, but limiting the power of the circuit courts to enjoin the orders of the commission.

Several senators will answer Senator Bailey's speech. Among these is Senator Nelson. He takes the position that Senator Bailey has brought forward a plan that is not in harmony with the constitution.

Dolliver and Moody Confer.

Senator Dolliver and Attorney General Moody conferred regarding the legal points raised yesterday in the senate discussion on the railroad rate bill. The senator would not specify the questions considered, but at the conclusion of the conference expressed the opinion that the friends of the rate bill need have no fear that the senate will adopt an amendment which would add to the rights the railroads now have in the courts.

Democratic senators are disposed not to enter into a general discussion of the rate bill until after Senator Bailey's proposition has been presented. He was called to Mississippi today by the serious illness of his father.

Senator Aldrich, the leader of the republican senators who are seeking to amend the bill, is in New York, called there by the illness of his daughter, Mrs. John D. Rockefeller, jr.

OIL MAGNATES AT WHITE HOUSE

H. H. Rogers and John D. Archibold Confer with the President.

WASHINGTON, March 8.—H. H. Rogers and John D. Archibold of New York, vice presidents of the Standard Oil company, were in conference with President Roosevelt at the White House tonight. Neither of them would discuss the nature of their call. They arrived in Washington early in the evening and expect to leave here tomorrow.

It was impossible to learn anything regarding the conference which the Standard Oil officials had with the president. Very few knew of their visit, and the fact that their engagement was to call on the president was not known. While it is possible that the call had some connection with the subject of the message which President Roosevelt sent to congress yesterday calling attention to the fact that without an extra appropriation and the power to compel the attendance of witnesses the Tillman-Gillespie resolution which he signed to investigate alleged railroad monopolies of coal and oil will amount to very little and might achieve nothing, there was nothing on which any definite statement of the purpose of the conference could be based. Both officials repaired to their hotel after leaving the White House.

FIGHT AGAINST TUBERCULOSIS

Government Takes Steps to Prevent Its Spread Among Employes.

WASHINGTON, March 8.—A crusade against the spread of tuberculosis among the employes of the government service in Washington was today directed by President Roosevelt, who issued an order to the heads of all departments giving them explicit instructions as to their duties in combatting the disease. After referring to the report of the committee appointed by an executive order of December 7, 1905, to prepare a plan for the prevention of tuberculosis in government offices and workshops, the order directs that the head of each executive department in Washington shall see that the printed rules prepared by the committee shall be placed in each federal building under his control; that the names of persons in his department who are affected with tuberculosis be ascertained and a copy of the rules be presented to each; that nonobservance of the rules may, at the discretion of the department head, be considered just cause for separation from the service.

SOO WILL BUILD EXTENSION

Hundred and Forty Miles of New Line to Be Constructed in North Dakota.

MINNEAPOLIS, Minn., March 8.—The Tribune tomorrow will say: The Soo railroad will spend $8,000,000 for improvement and equipment this year. The first great improvement will be the building of 140 miles of new road in North Dakota. Just where these miles of new track will be laid is not yet known.

The growth of the Soo in mileage has led to a vast outlay of money for equipment, which has been ordered for delivery by September 1. No less than forty-seven locomotives, 1,500 boxcars, fifty refrigerator cars and fifteen passenger vehicles of the very latest type have been ordered.