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

THE OMAHA DAILY BEE.

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ESTABLISHED JUNE 19, 1871. OMAHA, FRIDAY MORNING, MARCH 16, 1906—TEN PAGES. SINGLE COPY THREE CENTS.

TILLMAN ON RATES

South Carolina Senator Makes Formal Report on House Measure.

SAYS CHANGES IN BILL ARE NEEDED

Section Defining Method of Determining Rates is Too Indefinite.

SOUNDS EMPHATIC NOTE OF WARNIN

Woe Will Be Harvest of Members W Delay Relief Demanded by People.

DOES NOT VOICE COMMITTEE'S SENTIMEI

Man in Charge of Measure Says Speaks Only for Himself in Suggesting Amendments to the Act.

WASHINGTON, March 15.—The senate today continued consideration of the railroad rate question by listening to a report on the house bill by Mr. Tillman and to a speech on that measure by Mr. Nelson.

Mr. Tillman's report was read at the request of Mr. Aldrich, who said that he was curious to hear the opinion of the South Carolina senator.

Brief attention was given to the message of the president transmitting the report of the secretary of war relative to the recent Moro battle. Mr. Bacon spoke of the killing of the Moros as "slaughter" and Mr. Lodge deprecated criticism on the facts should be made.

The house resolution giving the Interstate Commerce commission authority to administer oaths in connection with its investigation of charges of discrimination made against railroads was read and adopted without resorting to the formality of requiring its reference to committee. Mr. Stone's motion directing an inquiry into the Postoffice department rulings on the admission of college publications to the mails as second-class matter was also adopted.

A large number of private pension bills and some other semi-private bills were passed.

Senator Tillman's Report.

Senator Tillman today presented to the senate his report from the committee on interstate commerce on the house railroad rate bill, which expressed his views, but did not pretend to speak for any other member of the committee.

It embodied the first clear and concise statement of the difference concerning court review features and other proposed amendments that had made a unanimous report from the committee impossible. Without hesitancy the senator declared it to be his belief that the bill should be amended, but that amendments should not be of a character to impair or prevent the accomplishedment of the objections of the legislation, which are set forth best he says, in the president's message to congress. He emphasized the need of regarding the measure as nonpartisan, but predicted that the issue created will be paramount in the next presidential election. As to the effect he said:

"Those who are responsible for delay or inaction in legislation will find that when at last the floodgates of popular wrath and indignation are hoisted there will have been some fine grinding done."

Mr. Tillman prefaced his report by speaking of the peculiar circumstances ruling the committee's action on the house bill, which made it an embarrassing task to submit views that would be concurred in by the committee as a whole.

Absence of Harmony.

Comenting upon the absence of harmony in the committee's deliberations the report says:

Instead of being amended in committee, as is usual, so as to command as a whole the endorsement and support of a majority of its members, the bill was brought into the senate in a form not entirely satisfactory to more than two members. Party lines in the committee were broken down, and the bill is in the senate by reason of the union of five members of the minority party and three members of the majority party in congress who concurred in reporting it favorably, and while these eight senators are agreed as to the general purpose and scope of the bill, there are radical differences among them as to the amendments that ought to be incorporated in it.

This lack of harmony among the supporters of the bill—it would be speaking with more accuracy to say the supporters of the policy involved in the bill—brings about the anonomalous situation in which a member of the minority party in congress is put in charge in the senate of a proposed legislation which is generally regarded throughout the country as the cherished scheme of the president, with whose general policy and principles that member is not in accord. At the same time, the bill is designed to carry into effect his own long cherished convictions and the thrice reiterated demands of the party to which he belongs.

Legislation Nonpartisan.

Emphasizing the claim that this condition is without precedent in legislative history, Mr. Tillman says it brings into prominence the fact that the proposed legislation is nonpartisan, and for this reason he urged that democrats and republicans alike should bend all their energies and lend all that is best in them to perfecting and passing so important a piece of legislation.

He declared that "Woe would be the harvest" of any member of the senate or house whose work in formulating a bill to regulate railroads lacks earnestness or honesty of purpose and who shall seek to belittle the question or kill the bill by subterfuge and deception.

The bill as it came from the house, Mr. Tillman characterized as loosely worded and capable of different interpretations. In thus commenting upon the bill, Mr. Tillman said he can claim to give expression to no opinion except his own. The object sought, he added, best can be outlined in the language of the president, in his last annual message to congress and from this the senator quoted extensively.

Essential Changes in Bill.

After enumerating the essential changes from the existing laws regulating interstate commerce, he stated that the most important is found in section 15, in which power is sought to be vested in the interstate commerce commission, after a hearing on the complaint made, to determine and prescribe what will in its judgment be the just and reasonable and fairly remunerative rate "to be thereafter observed in such cases as the maximum to be charged" and to make an order that the same shall go into effect and remain in force for three years, which order "shall go into effect thirty days after notice to the carrier and shall remain in force and be observed by the carrier unless the same shall be [illegible] or modified or set aside by [illegible] or be suspended or set aside [illegible] competent jurisdiction."

Concerning this section, Mr. Tillman said:

Around the first provision the most

(Continued on Second Page.)

HAMILTON BEFORE COMMITTEE

Former Legislative Agent of New York Life Makes Sensational Address.

ALBANY, N. Y., March 15.—Andrew Hamilton appeared before the insurance investigating committee this afternoon and broke the silence which he has maintained except for his statement, brought from Paris by John C. McCall, ever since his name was first mentioned in the investigation in connection with the great sums of money shown to have been paid to him during the last ten years on account of legal and legislative work for the New York Life and other insurance companies. It would be difficult to exaggerate the sensation produced by his unexpected appearance and by the speech which he made. The intensely dramatic character of the whole episode. His face flushed and his voice trembling with passion, his arms raised and his fists clenched, Judge Hamilton poured forth a flood of denunciation and invective upon the members of the board of trustees of the New York Life Insurance company, several of whom were present, designating them "curs and traitors" and paying especial attention to one unnamed, whom he described as "the Peckskniff of three administrations, the confidant of the Beers scandal and author of the Beers pension—who rotates through one administration and another and thinks that he is going to be an indispensable member of the next another."

"And do you think," he demanded, "that the man who held the same relation to Mr. Beers that I did to Mr. McCall could sit for the thirteen years since and not know how the expenditures that were made, were to be and were disbursed? Yet he and such like him sit, not judging me as peers, but judging me as conquerors, talking about 'yellow dogs.'"

Defends John A. McCall.

The only name he mentioned was that of the late President McCall, in reference to whom and to whose death he displayed marked emotion. He spoke of Mr. McCall as a victim, as having been shouldered with the blame—"the only one, the dead man, killed, the man that they drove to his grave and deserted," and declared that the memory of this man had appealed to him "to come down here and say something for him and just a word for myself." He declared unequivocally that every payment to himself by the New York Life was made with the knowledge and approval of the trustees and of the auditing and finance committees. He pointed out that if there had been anything the matter with his vouchers it was their duty to bring him to book for it, yet he said that "for ten years they passed them, and then when the cry at last comes out, they say: 'Well, we did not know anything about it; this is the fellow, this is the man that has done it all.'

"When they say they did not know what was going on it excites my laughter and derision."

Says Payments Were Proper.

He declared again and again that the payments were proper and legitimate and that he had no apology to make for himself or for President McCall. One of his most interesting statements was that in spite of reports to the contrary the so-called "Paris account" was actually reported and approved by the auditing committee. The first applause of the big crowd that quickly filled the great assembly chamber as soon as the fact of Judge Hamilton's presence became known about the building broke out with a roar of laughter, after his reference to the enthusiasm with which he said his victories for the New York Life were received by the officials of the company. "They would come and pat me on the back," he said, with a bitter sneer. "These men who would not know me now, they would come in and pat me on the back and say, 'You did it.'"

Purpose of Judge Hamilton.

A storm of applause followed his scathing reference to the "yellow dog" as a dog of courage and loyalty. "But the curs who stood around this funeral that has occurred—the curs who knew of these transactions and shrunk into their shoes—they are the curs—and that is the reason that I come before you and say that the great interest of $2,000,000,000 of life insurance and $400,000,000 of assets can never be safely entrusted to the hands and administration of a lot of curs."

This was the ostensible purpose of Judge Hamilton's appearance before the committee—to advocate the pending bill of the committee which would legislate the present boards of directors out of office and provide for a complete reorganization in November next.

Judge Hamilton's appearance was totally unexpected by the committee and he declared both in his speech and to friends before and after it that it was almost as much so to himself—that it was only at luncheon today that the impulse seized him to come before the committee and have his say in favor of the bill referred to, with a word for President McCall and for himself. He arrived unannounced not long after 4 o'clock, sat back in the room and for a time was recognized only by one or two newspaper men. The interest was intense as he passed down to the platform amid silence.

Among those who sat near as he began his bitter arraignment of the New York Life trustees were the following members of the board:

Rufus S. Weeks, vice president and actuary; T. A. Buckner, vice president; D. P. Kingsley, vice president; John C. McCall, secretary, and J. H. McIntosh.

LAWSON'S NOTE OF WARNING

Boston Man Tells Committee that Life Insurance Companies Have Not Reformed.

BOSTON, March 15.—Thomas W. Lawson today forwarded a telegram to Chairman Armstrong of the insurance investigating committee of the New York legislature. In it allegations are made to the effect that interested parties have received assurances that the proposed insurance legislation can be killed. The telegram concludes:

I assure your committee its work was never in greater danger than at present. I have in my custody insurance policies issued within a few days signed by new reform officers and affidavits from the insured that they received them for nothing but a proxy and in some cases, with large rebates.

ALBANY, N. Y., March 15.—Senator Armstrong of Rochester, chairman of the special joint legislative investigating committee, said today that he would not make public the telegrams from Thomas Lawson of Boston.

"Mr. Lawson may publish them if he pleases," said Senator Armstrong. "I certainly shall not. This committee cannot be used by Mr. Lawson as a distributing agency for his news."

Concerning Mr. Lawson's statement Senator Armstrong said he had nothing to say.

DOLAN IS TURNED DOWN

Mine Workers' Executive Board Sustains Action of President Mitchell.

ISSUES BETWEEN MINERS AND OPERATORS

Each Side Demanded Large Concessions and Employers Finally Offered to Sign the Old Scale.

INDIANAPOLIS, March 15.—The international executive board of the United Mine Workers of America at a meeting held today, following the adjournment of the national convention, approved the finding of President Mitchell in the matter of ousting Patrick Dolan from the presidency of district No. 5, western Pennsylvania, and the report of the board tomorrow will confirm the ousting of Dolan by the convention of district No. 5 and the appointment of three members of the executive board to take charge of the district affairs until the office is filled by special election.

After a heated session lasting three hours, behind closed doors, in which Dolan's claims were argued by himself and Uriah Bellingham, vice president of the district, who was also ousted from his office, the board voted unanimously to sustain the action of the president and the district convention.

Sixteen Hundred Delegates Present.

The national convention opened at 10 o'clock today in the German house, with over 1,000 delegates present, representing 1,461 locals. The convention has been called by President Mitchell to consider action which may result in an agreement with the coal operators that will prevent a general strike on April 1, that would bring 25,000 men from the mines. The conference with the operators will begin here Monday next.

At the regular convention, which assembled January 16, the miners had demanded an increase in wages of 12½ per cent, the admission of the southwestern states, a 7 per cent differential between machine and pick mining, a 12½ per cent advance for yardage and deadwork, prohibition of employment of boys under 16 years old, an eight hour day, a one year contract and a run-of-mine basis.

On Troublesome Resolution.

The miners also adopted a resolution offered by Mr. Ryan of Illinois, that no district should sign a wage agreement until all the districts signed. This action, known as the Ryan resolution will come before the convention for action. Unless rescinded the bituminous miners cannot sign a wage agreement until the anthracite miners sign an agreement with their operators.

The operators on the other hand, demanded a reduction of 40 to 15 per cent, protection against stampede strikes and a better system of adjudicating local troubles. On February 21 the joint conference adjourned after the defeat of a motion that the present wage scale be continued. This motion was offered by Mr. F. L. Robbins of Pittsburg, who was principal spokesman for the operators. All of the operators voted for the motion except the Illinois operators, who did not vote and all the miners voted against the motion except Patrick Dolan, who as president of the district voted the western Pennsylvania miners for the motion. He has since been deposed from office, but has refused to resign. His case probably will come before the convention.

Hope of Settlement.

It was announced at the time the call for the present convention was issued that Mr. Robbins and other operators had made an offer to restore the wage scale of two years ago, which would be an increase of 5.55 per cent over the present scale. Since the publication of that offer, operators of Indiana, Illinois, Ohio and other states interested have opposed the granting of any increase whatever. It has been the understanding among miners' officials that the organization would accept the restoration of the wage scale of two years ago.

When the convention met today differences that have appeared to exist between President Mitchell and Vice President Lewis were apparently laid aside and it was the expressed wish of both officials that personal matters should not interfere with the more important work of the convention in order that the miners might present a united front.

The first business of the convention was the work of organization and the work of the greater part of the day was taken up with credentials of the delegates.

President Mitchell Talks.

Informally opening the convention President Mitchell told of conversations with Francis L. Robbins, president of the Pittsburg Coal company, and other persons, in which the wage scale was discussed in an informal way, having from these conversations derived some hope for settlement of the trouble. Aside from this hope, he said, he was justified in calling the present convention by the receipt of the following letter:

THE WHITE HOUSE, WASHINGTON, Feb. 24, 1906.—Sir: I note with great concern the failure in your late convention on joint interstate agreement to come to a basis of settlement of the bituminous mining scale of wages. You, in this business, have enjoyed a great industrial peace for many years, thanks to the joint trade agreement that has resulted from the action of your successive conventions. A strike such as is threatened on April 1 is a menace to the peace, the business interests and the general welfare of the country. I urge you to make another effort to avert such a calamity. You and Mr. Robbins are joint chairmen of the trade agreement committee of the National Civic Federation. It seems to me that this imposes an additional duty upon you both and gives an additional reason why each of you should join in making this further effort.

(Signed) THEODORE ROOSEVELT.

After touching on the responsibility of the delegates in the matter of making terms, or calling a strike, Mr. Mitchell concluded as follows:

As to the power and scope of the convention you have undoubtedly noted from the call which was issued by your international secretary-treasurer that, while the principal purpose of the meeting is to consider our wage agreements, its function is not confined to the one subject. It may, in addition thereto, transact such other business as may be lawfully brought before it.

In the consideration and discussion of all matters coming before the convention it is my earnest hope that acrimonious debate would be entirely eliminated and that we shall stand united in an earnest effort to serve our people and to secure for them a larger measure of the fruits of their toils, that when we leave Indianapolis our organization may have regained any prestige lost as the result of the international dissension and that even those on friendly terms to labor may be satisfied that the United Mine Workers of America is a sane, just, business association, whose highest purpose is not to achieve victories by means of its great strength, but rather through the inherent justice that lies in the cause it represents.

Colorado Refuses Requisition.

DENVER, March 15.—Governor McDonald today refused the requisition from the governor of Massachusetts for Mrs. Isabel Fenwick, charged with kidnaping her neice, Rita Sully, from the home of her uncle and aunt, Mr. and Mrs. George M. Bishop, in Malden, Mass.

MINERS IN FEDERAL COURT

Moyer and Others Present New Petitions for Writs of Habeas Corpus.

BOISE, Idaho, March 15.—Attorneys for the imprisoned leaders of the Western Federation of Miners, Moyer, Haywood and Pettibone, today presented petitions for writs of habeas corpus to Judge Beatty of the United States district court.

The petitions contained practically the same statements that were made before the state supreme court, which on Tuesday, refused grants of habeas corpus.

Judge Beatty this afternoon granted the alternative writs of habeas corpus petitioned for by attorneys for Moyer, Haywood and Pettibone. The writs were made returnable Monday morning when the matter will be argued and submitted. A stipulation was entered by the attorneys for the applicants and the state by which the prisoners will not be required to be personally present at the hearing.

Seven heavily armed guards, five of them bearing rifles, assisted Sheriff Jasper C. Nicholas in taking Harry Orchard from the penitentiary to Caldwell. At Caldwell Orchard was taken into the sheriff's office, where he remained until 2 o'clock this afternoon, the hour of his arraignment before District Judge Frank Smith. The indictment against Orchard was read and proved to be identical with the indictments returned against Moyer, Haywood and Pettibone, charging him with the murder of former Governor Steunenberg by the explosion of a bomb loaded with deadly explosives.

At the request of Orchard an attorney, Ed L. Brent of Payette, was appointed counsel to defend him and the court granted time until tomorrow for the filing of a demurrer to the indictment. Orchard will enter his plea tomorrow.

This afternoon Orchard was again taken before the grand jury to give further information in relation to the assassination of Steunenberg.

The case against Vincent St. John was called in the justice court at Caldwell and continued until tomorrow. If St. John shall be discharged at that time Sheriff J. C. Rutan of Telluride, Colo., will endeavor to take him to Colorado under the extradition granted by Governor Gooding.

DOUBLE CRIME IN NEW YORK

Race Track Man Kills Woman and Ends Life After Imprisoning His Wife.

NEW YORK, March 15.—Louis Nosser, a race track man, locked his wife in a bath room today and while she was a prisoner there shot and killed Miss Stella Reynolds of New Orleans, an actress, who was a visitor at their home, and then killed himself. Miss Reynolds, it was said, was formerly an intimate friend of Nosser.

The murder and suicide was the sequence of a stormy scene last evening when Miss Reynolds called at the Nosser home. Mrs. Nosser, it was reported, objected to the call, and during the argument which followed her husband swallowed a small quantity of laudanum. Both women forced him to take an emetic immediately, and the poison did him no apparent harm. Miss Reynolds then remained with Mrs. Nosser all night. Today, while the wife was in the bath room, Nosser turned the key, and, disregarding her protestations to be let out, he went to Miss Reynolds' room. Their voices, the man's threatening and the woman's pleading, were heard by the wife in the bath room. She sprang to a telephone, which ran from this room to the office of the apartment house, and told a maid who answered her ring to hurry to the apartment and release her. The maid entered the apartment too late to save Miss Reynolds' life. As she opened the door she heard Nosser saying to the woman, "There is no use for you and I to live any longer. The best thing I can do is to kill you and kill myself."

Nosser then shot Miss Reynolds in the temple and himself in the forehead, both dying almost instantly. Miss Reynolds' stage name was Estell Young. Nosser was 40 years of age and Miss Reynolds about 25.

FATAL ACCIDENT AT PITTSBURG

Eight Workmen Burned, Three Probably Fatally, When Ladle of Metal Turns.

PITTSBURG, March 15.—Eight workmen were burned, three, it is thought, fatally, by an explosion of hot metal in the converting mill of the Edgar Thomson Steel works at Braddock, Pa., today. The accident was caused by the overturning of a ladle which had just been filled from one of the tapped furnaces and was being swung across the cinder pit. All the injured were foreigners.

They were hurried to this city and placed in the Mercy hospital. The physicians say three will probably die.

LYNCHING PARTY DEFEATED

Police and Deputy Sheriffs Easily Masters of the Situation.

CROWD LACKS A DETERMINED LEADER

Batters Down Door to Jail, but is Driven Back by Officers Inside of Building—Prisoners Had Been Removed.

Bent on lynching the three negroes who are held for the murder of Street Car Conductor Edward Flury, a crowd without a leader or enough determination to carry out its threats, made a desultory attempt to break into the county jail last night and take the prisoners by force. The second of the outer steel doors on the east side of the jail was battered off its hinges, as was a door ten feet inside, by a pole which the crowd got down on the street, but when Deputy Sheriff Haze ordered a handful of policemen inside the jail to resist the crowd the latter melted and within fifteen minutes not a man except the thirty-five policemen, was on the jail or courthouse grounds. Along Harney street, from Eighteenth to Seventeenth, the crowd swayed back and forth, yelling and threatening still to get the negroes and hang them.

Crowd Lacks a Leader.

The crowd in all numbered about 1,000 people, many of whom were spectators and nothing more. Some of these were women with their escorts. The most distinguishing feature of the crowd was that it lacked a leader and fixed determination. There seemed to be a real spirit of anxiety to get at the three negroes and also the four youths held for the murder of Nels Lausten, the Cuming street saloonkeeper. One man, a big fellow, carried a rope long enough to hang several men. He stood in the background until the crowd, numbering about 200, mounted the jail elevation and surrounded the door on the east.

When the sheriff's force saw the crowd really meant to get in the jail Sheriff John McDonald emerged and from the east steps of the jail called out to the howling crowd that the prisoners were not in the jail, and to prove it he would let a committee selected by the crowd go through and investigate. Jeers and yells greeted this declaration, but half a dozen men, headed by Joseph Flury, brother of the murdered man, went in. They were in about an hour. When they came out Flury, acting as spokesman, declared they had made a thorough examination of every cell and the prisoners were not there. This also was greeted with yells, but it had the effect of dispersing the crowd. This was about 1:30 a. m.

KONIG LUISE CAUGHT IN STORM

North German Lloyd Steamer Breaks Rudder Shaft and Returns to Halifax.

HALIFAX, N. S., March 15.—After being helpless for hours through the breaking of its rudder stock in the tremendous seas in the same gale which sent the steamer British King to the bottom last Sunday, the North German Lloyd steamer Konig Luise, bound from New York for Italian ports with 300 passengers on board, arrived here for repairs. The steamer left New York seven days ago and on its way northward was overtaken by a typical North Atlantic storm, which rapidly reached hurricane proportions. On Tuesday the strain of the continued buffetings broke the stock of the rudder at a point where it runs up through the deck. For hours the vessel rolled frightfully, frequently buried in the tons of water. The crew rigged a jury gear, which brought the vessel under slight control and enabled them to bring the Luise safely into port.

FUNERAL OF MISS ANTHONY

Last Rites Take Place at the First Presbyterian Church in Rochester.

ROCHESTER, N. Y., March 15.—Funeral services over the body of Susan B. Anthony were held in the Central Presbyterian church this afternoon. Hundreds of men and women were unable to gain admission to the church and stood outside during the services.

Those who participated in the last rites over the body of the dead leader included the Rev. Dr. Charles C. Albertson, pastor of the Central church; the Rev. Dr. William C. Gannett, pastor of the First Unitarian church; William Lloyd Garrison of Lawrence, Mass.; Mrs. Carrie Chapman Catt of New York, the Rev. Dr. Anna Howard Shaw of Philadelphia, and Mrs. R. Jerome Jeffrey of this city.

Contribute to the Y. W. C. A. Building Fund

The Bee Comes to the Front With a Generous Offer to this Worthy Cause in Which All Can Join.

THE OFFER:

OMAHA, March 15, 1906.

Mrs. W. P. Harford, President,
Young Women's Christian Association,
Omaha, Nebraska.

Dear Madame:—

The Omaha Bee wishes to co-operate with your good work in raising a fund for the erection of the new Young Women's Christian Association building.

We will be pleased to donate to your fund, a percentage of our receipts from subscriptions, between now and 5 o'clock p. m., April 15, 1906, under the following conditions:

We will give toward the Young Women's Christian Association Building Fund 25 per cent of all cash in sums of $1.00 or more, received for new subscriptions to The Omaha Bee, Morning, Evening or Sunday editions, and 10 per cent of all prepaid subscriptions, in amounts of $1.00 or more, from our old subscribers. No payment will be accepted as "pre-payment" until all arrearages have been paid to date.

All such payments must be made by the subscriber at the office of The Bee, or to such representatives of your Subscription Committee, as may be arranged for by you. Very respectfully yours,

THE BEE PUBLISHING COMPANY.
By C. C. ROSEWATER, General Manager.

THE ACCEPTANCE:

The committee in charge of the campaign for the Building Fund has indicated its approval and acceptance of The Bee's offer of assistance.

HELP BUILD A HOME FOR THE Y. W. C. A.
By Getting Your Friends to
SUBSCRIBE FOR THE BEE.

NEBRASKA WEATHER FORECAST

Fair in North, Snow in South Portion Friday, Saturday Fair and Warmer.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	10	1 p. m.	13
6 a. m.	10	2 p. m.	13
7 a. m.	9	3 p. m.	13
8 a. m.	9	4 p. m.	13
9 a. m.	8	5 p. m.	14
10 a. m.	9	6 p. m.	14
11 a. m.	10	7 p. m.	14
12 m.	12	8 p. m.	14
		9 p. m.	13

STORM IN THE MOUNTAINS

Cold Weather and Snow General Throughout Wyoming and Colorado.

CHEYENNE, Wyo., March 15.—Cold weather and snow are again reported general all over the state. Live stock, particularly sheep, have been considerably weakened by the continued snow and cold and serious losses are now looked for.

DENVER, March 15.—Special dispatches from over the state indicate that the storm, which has continued intermittently since Monday, reached its most violent stage today and is subsiding tonight. Snowslides have been running in the mountains and it is reported that two miners were probably killed by a slide near Animas Forks, in northwestern Colorado. No other fatalities have occurred so far as is known. The North Pole mine, near Creston Butte, has been isolated since the first of the month, but the miners employed there are believed to be safe.

Owing to the heavy fall of snow Durango has not had a through train, with the exception of one from Farmington, since Sunday. Both the Rio Grande Southern and the Silverton branch of the Denver & Rio Grande are closed by slides. On the Southern above Rico four slides covered the tracks for a distance of about half a mile. A number of slides crossed the Silverton line and it is reported that about four miles of the track are under from six to fifty feet of snow. No repair work is being done to clear either of these lines, as all available men have been taken to clear the tracks of the main line of Cumbres hill, which is under about five feet of heavy, wet snow.

On the Colorado Midland railroad a train from the west, with twenty-five passengers, was stalled all day in a huge snowdrift a few miles west of Leadville, but in general more trouble was experienced today by the "prairie roads" than by those running through the mountains, some trains from the north and east arriving more than a day late.

SALE OF WALSH RAILROADS

Banker's Creditors Hold Extended Conference with Agents of Three Big Systems.

NEW YORK, March 15.—Representatives of the Chicago clearing house committee which has charge of the affairs of John R. Walsh, the insolvent banker of that city, were in conference here today with the heads of the Lake Shore & Michigan Southern railway, the Pennsylvania railroad and the Rock Island company. The conference had to do with the sale of the Walsh railroad properties, the Southern Indiana and Chicago Southern railways. The conference lasted several hours. No statement was issued by any of the principals, but it was learned that no agreement was reached because of the terms demanded by the Chicago creditors.

The Southern Indiana railway has a funded debt of $5,000,000, with assets in excess of $11,000,000. The Chicago Southern railway's funded debt is $4,000,000 and the capital stock $1,500,000.

Just what propositions were made at the meeting cannot be ascertained, but it was reported that the creditors favored the sale of the two companies' assets, the proceeds to be thrown into the bonds.

In financial circles recently it was declared that Walsh's creditors had named $25,000,000 as the minimum price they would take for the railway properties. The offer of the Lake Shore-Rock Island combination is said to be near $20,000,000. The Chicago committee is expected to submit the offer of the combination to the creditors without delay. Meanwhile negotiations may be said to be at a standstill.

INDIAN PREACHER IN TOILS

Allegation Made that He is Partly Responsible for Trouble Near Vinita.

VINITA, I. T., March 15.—There has been no further developments in the Wickeliffe case since yesterday. Among the prisoners brought in yesterday by Marshal Darrough was Rev. John Beamer, a full-blooded Cherokee Indian preacher. Marshal Darrough says that at present the preachers are a source of worry. Beamer was arrested charged with harboring the Wickeliffes, but it is alleged that Beamer, together with other full-blood preachers, has been appearing at Indian dances, advising the full bloods in impassioned language to hold out against the enforcement of the government allotment laws and to resist all the efforts of the marshal and his posse to intermeddle with the old laws of the Cherokees.

WICHITA, Kan., March 15.—At the request of United States Marshal Darrough of Vinita, F. W. Stevens will leave here this evening for Indian Territory with a pack of bloodhounds, to help hunt down the Wickeliffe Indian outlaws.

MORRISON CONTINUES TO TALK

Attorney Says that Supreme Court Rules that Corporations Are Not Immune.

CHICAGO, March 15.—District Attorney Morrison continued his argument in the packers' case today. The basis of his contention that the packers' are not entitled to immunity is that, under the rulings of the supreme court of the United States a corporation cannot be granted immunity.

The attorneys for the packers altered their arrangements somewhat during the afternoon. Attorney John C. Cowin of Omaha made an argument in favor of the immunity of the Cudahy interests which he represents.

DAVID SHERRICK IS GUILTY

Jury Decides that Former Indiana Auditor Embezzled Large Sum of Money.

INDIANAPOLIS, March 15.—David E. Sherrick, former auditor of state, was today found guilty of embezzlement.

Mr. Sherrick was tried on indictments charging him with misuse of $127,000 belonging to the state. He resigned on the demand of the governor and the money has since been paid back to the state treasury.

FLURY IS NOW DEAD

Gallant Fight of Wounded Conductor for Life is Over.

SHOT FROM OUTLAW PROVES FATAL

End Comes After Eight Days' Suffering From the Wound.

ANOTHER ASSAILANT MAKES CONFESSION

Harry Clark Joins Pinky Gathright in Telling of Crime.

GATHRIGHT GIVES FULL ACCOUNT OF DEED

Tells Police All that Happened and Is Corroborated by One Pal and the Wife of the Third.

Edward Flury, 342 South Thirtieth street, conductor on the Walnut Hill-Albright street car line, shot while resisting three holdup men at Albright the night of Wednesday, March 7, succumbed to his wounds at St. Joseph's hospital at 7:30 last night, making it necessary under the law for his assassins to stand trial, if at all, for murder in the first degree, since his death ensued within ten days of the commission of the crime.

Flury's gallant, almost superhuman struggle for life, astonished his physician, Dr. A. P. Condon, and all the hospital attaches who believed it impossible for him ever to survive the terrible wound as long as he did. Not at any stage of his suffering did Dr. Condon find warrant for substantial hope of recovery, as the bullet had pierced vital organs and could not be extracted, nor even located, for some days. However, forty-eight hours before his death the wounded man's condition gave ground for the slightest hope and universal cheer was felt throughout Omaha and South Omaha when this news was given through the newspapers to the thousands of people who were anxiously awaiting every bit of news from the victim of the dastardly criminals.

Flury died unconscious and peaceful. He had not been rational for some time. The previous night he had rested poorly and was delirious. He never rallied.

With the unfortunate man at the last were his sister, Mrs. Lizzie Neff, 3601 South Twentieth street, and the mother superior of the hospital. The body will be taken to the home at 3421 South Thirtieth today and funeral arrangements made.

Review of the Crime.

Flury was shot about 12:15 a. m., March 8. He was standing on the rear of his car at Albright as it was leaving the end of the line on its last trip for the night, when he was accosted by an outlaw who commanded him to throw up his hands. Instead of complying Flury pulled his revolver. Before he could fire he was shot, the bullet entering the liver and kidneys. Three men instead of one had assailed him, two of whom shot. Likewise three men are now in the custody of the law, suspected of this wanton crime, and one of them has confessed, while the wife of another has incriminated the trio. Those three men are negroes, Cal Warren or Waln, Clarence Gathright and Harry Clark. The police believe the evidence against them is conclusive. They also are held for two saloon holdups committed the same night. Gathright intimates two of them may also be the culprits who shot Frank N. Clarke, the Omaha banker, a few nights before the South Omaha raid.

Flury's action in resisting the desperadoes created a wave of admiration for his heroism, but is lamented as a sheer sacrifice of his own life. The dastardly deed aroused strong feeling among other streetcarmen and that feeling has not entirely died down. Action was threatened last night.

Confession of Gathright.

Having followed the statement of Cal Warren's wife, in which she incriminated this trio, Gathright yesterday gave to the police of South Omaha this confession, to which, after it was written out, he subscribed his oath:

On Wednesday, March 7, I came down to South Omaha about 9 p. m. I got off the car at M street and then walked down to Calvin Wain's house, Twenty-third and M streets, where Calvin Wain's wife and mother were alone. I staid there until 10:30, when Harry Clark and Calvin Wain came in. Afterwards Clark stepped out again for fifteen minutes and then returned; then we stayed long enough after that to take a couple of drinks. The three of us then started out up Q street and across the viaduct on West Q as far as the saloon on Thirty-second and Q; then we turned south one block. Clark then said: "We will go over to Ida Comb's place a while." We did not go there. On the way up he had also been talking about holding up a car, which he had said he had done some time before. He said this was down at the end of the Albright car line. That was on the 28th day of February. He and Wain were together. Wain went into the car and Clark stood on the outside. The two train men, motormen and conductor, were lying down. Wain told me that he threw a gun on them and said if they didn't have any money they would knock their heads off. The motorman told them he did not have any money and had just borrowed $5 and wanted to keep it. They got $5 from the motorman and the rest from the conductor, $17 all told. Wain said he paid a workman some of the money. (This refers to the first holdup case in Albright when Conductor Ruday and Motorman Erick Ulander were held up February 28).

After going a block south on Thirty-second and Q, Clark suggested that we go into a saloon and hold them up. Three or four men and a woman were in the saloon. That was at King's saloon. Clark got the money, about $1, and Wain stood next to the door. They gave me 30 cents. Clark pulled the telephone wires down. We went a block south, down through the alley eastward, then south until we came to the brick saloon at Thirteenth and U streets. This was Grynn's saloon. Harry Clark went and looked in and came back and told us everything was all right. Six or seven men were in the saloon. We went in at once. Clark and Wain ordered them to throw up their hands. Clark searched the man and went behind the bar, while we held the guns on them. I couldn't say how much money we got, but Clark gave me $2.50. Clark hit the man in the saloon over the head with his gun. He then tore the wires down and we got out. We went east on the hill about three blocks, then to Twenty-seventh and Y streets, then we went east, passed the Rock Island depot, where a train was standing across the tracks. We went a block south of the end of the street car line.

We had masks on at the saloon and hoods to cover the hair. My mask was pale blue, with a blue bib hanging down. Clark had a black mask and Wain also. Mrs. Wain gave us the hoods. Clark took the hoods and masks afterward. We then started north to where the car stood. Wain and Clark put on their masks before the car pulled in. When it turned in on the Y to switch, we held them up. Clark was behind the sign on the south side of the track. I was walking up the road. When Wain said "Hands up," the conductor commenced to shoot. Wain then winds around the back of the car, shooting at the conductor. I did not know he was hit until I saw him at Dr. McCrann's office. I ran up the road east, then north, then up to town. Clark also did some shooting. Clark dropped his hat in front of the car and went back and picked it up. We only ran about three blocks. We went to Wain's house after the shooting. We asked if Wain was home, and she said, "No."