

RULE HAMPER TRADE

Members of Chicago Board of Trade Testify Before Interstate Commission.

ACTUAL GRAIN BUSINESS IS RESTRICTED Commission Men Who Trade on Margins Are the Beneficiaries.

BLACKLIST MAINTAINED BY BOARD Dealers Who Buy from Elevators Called 'Irregular' in Victims.

NUMBER OF DEALERS IS DECREASING Former President Warren of Board of Trade Attributes This to Discrimination in Freight Rates.

CHICAGO, Oct. 17.—W. H. Bartlett, a prominent member of the board of trade, was the first witness called before the interstate commission today when the hearing regarding the grain trade was resumed.

Mr. Bartlett declared that a rule recently passed by the board of trade, which is to bid on grain in Chicago, is in his opinion, a restriction on the grain trade and not a good proposition for men dealing in grain deals.

James Bradley, another member of the board of trade, declared that he believed the rule of the board described by Mr. Bartlett was in restraint of trade.

H. D. Werners, another operator on the board, was in favor of the rule.

Mr. Werners declared that he does not care to attempt to buy grain from farmers or elevator men who are designated by the dealers' associations of the various states as "irregular."

William S. Warren, former president of the Board of Trade, declared the freight rate discrimination has reduced the number of receivers and shippers of grain in Chicago by at least 15 per cent in the last twenty years.

After listening to statements by the attorneys for the elevator men and for the commission dealers the hearing was adjourned.

The commission adjourned. H. H. Carr, a commission merchant who yesterday testified that the methods of the state grain associations had ruined his business, asked the permission of the board to make a statement.

He said that there is a blacklist for men who do this and he did not wish to be put on the list.

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FRANCE TRIES TO SAVE SAILORS

All Possible Efforts Being Made to Float Submarine Boat Rescued Crew Dies.

PARIS, Oct. 17.—A feeling of gloom prevails at the ministry of marine here on account of the disaster to the French submarine boat Lutin, which left Bizerta, Tunis, yesterday morning for plunging experiments, having on board a crew of fourteen men commanded by Lieutenant Phocpen, and which was reported last night to have disappeared. The principal hope of floating the Lutin in time to save the lives of the imprisoned men seems to rest in the assistance from the Danish salvage steamer Berger Wilhelm, which happened to be off Cape Farina, was immediately summoned to aid in raising the Lutin.

Although no news has been received from Valette, it is assumed that the British admiralty officials and the governor of Malta have responded to the appeal for assistance from Bizerta yesterday at the instance of the British consul general at that port, who suggested that the French resident general telegraph to Malta for salvage assistance.

It became known today that the Lutin had on board two supplementary engineers who had been detailed to watch the diving experiment, but it is not definitely known whether they are included in the fourteen men which, as announced from Bizerta last night, went down in the submarine boat under the command of Lieutenant Phocpen.

KING OF ANNAM GOES CRAZY

Awful Story of Barbarity Told by Frenchman Now in Asiatie Capital.

MARSEILLES, France, Oct. 17.—The mail advices which reached here from Indo-China brought another and more revolting story of doings of King Thun-Thal of Annam, showing that he went to the extent of cannibalism. After killing one of his wives he caused the body to be cooked and served for dinner, forcing his courtiers to eat it under the penalty of death. Some of the King's wives were bound and burned with burning oil and subjected to other cruelties, while naked women were thrown into the cages of wild beasts where they were devoured before the eyes of the king. Finally the French authorities stepped in and made a prisoner of Thun-Thal, who has been adjudged insane by Dr. Dumas, of the French colonial staff.

The royal guard has been disbanded, the palace is being placed under the protection of 150 native soldiers and terror-stricken inmates of the palace have been rescued from further suffering. The majority of the latter were women who bore the marks of revolting tortures, their faces being slashed and tongues cut out while others had been suspended by pinchers to the fleshy parts of their legs, to increase their agonies.

CASTELLANE SUIT POSTPONED

Counsel for Husband Wants Creditors' Case Tried First.

PARIS, Oct. 17.—The hearing of the suit divorce brought by Countess de Castellane against her husband, Count Boni, and the hearing of the suit brought by the creditors of the count, were both postponed for a fortnight today, counsel for the countess succeeding in having the court decide to hear the divorce suit before the creditors' suit. The count wanted to have the latter case decided first.

Neither the count nor the countess was present in court when the divorce case was called. Maître Bonnet, of counsel for the countess, promptly entered a motion to postpone the hearing for three weeks on the ground that the lawyers had not had time to prepare an answer and also asked the court that the creditors' case be tried first.

Maître Cruppi, representing the countess, opposed the motion, arguing that the divorce case, which was not related to the creditors' suit, be tried immediately. In any event, said Maître Cruppi, the delay asked for was unreasonable.

After a short consultation, the judges, without leaving the bench, announced the postponement of both cases for a fortnight, but with the order of trial unchanged.

JAPANESE WANT DAMAGES

Owners of Ship Bearing Seal Poachers Make Claim Against United States.

VICTORIA, B. C., Oct. 17.—According to advices from Japan, directors of the Toyi Fishing company of Wakayama, owners of the vessel Toyi Maru No. 2, which had five men killed and twelve captured when raiding the St. Paul rookery in Bering sea last July, have approached the Japanese government asking that a claim for damages be lodged with the American government.

On September 28 180 directors visited the Japanese foreign office and presented a claim to Viscount Hayashi, to be forwarded to Washington. The foreign minister said action would be deferred until the report from the member of the Washington legation sent to investigate had been made. This report is enroute back from Juneau.

Register Today.

In order to vote at the coming election and at subsequent primaries, every elector in Omaha and South Omaha must appear personally before the registration board for his voting district and have his name properly enrolled. No previous registration holds good this year. Thursday, October 18, is the first registration day.

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BANKERS ARE TALKING SHOP

Indications Convention Will Have Warm Debate on Proposed Reforms.

PRESIDENT HAMILTON MAKES ADDRESS Head of Association Finds Much Good in Federal Officers, but Deplors Sensational Reports of Failures.

ST. LOUIS, Oct. 17.—The first day's session of the thirty-second annual convention of the American Bankers' association was devoted almost entirely to the hearing of routine reports. There was one exception, that when the deliberations of the committee on the currency reform were extraordinarily animated, and that was touching on the question of currency reform. The subject was not entered into today, however, being laid over for discussion tomorrow when the federal legislative committee will lay before the convention an elastic currency plan, as proposed by the reform is apparently the keynote and main idea of the convention, and so many plans have been presented and suggested for consideration that confusion has resulted. Therefore it is the unanimous opinion of the delegates that tomorrow's session will be characterized by the most interesting subject is brought up, but conservative and influential members feel certain that a plan of currency reform will be agreed upon before the convention finally adjourns.

Addresses of welcome were made today by Governor Polk, President D. R. Francis of the "Practical Bankers' Commercial" congress, Mayor Rella Wells and Chairman J. C. Van Barcom of the reception committee, being responded to by President J. L. Hamilton of Hoopston, Ill., who delivered his annual address.

Mrs. L. A. Batcher of Fingal, N. D., occupies a prominent position on the stage today, being the only woman in the convention because she is the only woman bank president attending the convention. She is president of the First National bank of Fingal and her husband, C. E. Batcher, is cashier of her bank.

After discussing reports all day, regular business was ordered later in the day and the convention was addressed by Hon. Charles L. Fowler, chairman of the committee on banking and currency in the house of representatives, and Comptroller of the Currency William B. Rideny.

Report of Proceedings. The opening regular session of the thirty-second annual convention of the American Bankers' association was called to order this morning in the Olympic hall, presided over by President John L. Hamilton of Hoopston, Ill., and not until this meeting was there a full realization of the concourse of financial men of the country gathered in St. Louis this week.

At the many different meetings of various branches of the parent convention, the attendance yesterday into groups, but today the full attendance of delegates was centralized in the general convention and the lower floor of the theater was filled.

Hon. David R. Francis of St. Louis delivered the opening address of welcome, followed by welcoming addresses from Governor Joseph W. Folk of Missouri, Mayor Rella Wells of St. Louis and J. C. Van Barcom, president of the National Bank of Commerce of St. Louis, who is chairman of the reception committee.

Address by President. President John Hamilton replied to the welcome accorded and delivered his annual address, speaking as follows:

The exacting duties of the day have brought to the attention of the public by the recent failures of both state and national banks, and the general feeling of uneasiness that has been in their examinations.

The blame does not rest wholly with those who have failed, but it rests with the lawmakers, both state and national. The attention of congress and of the state legislatures has been attracted to the management of these departments, both state and national, and the feeling of uneasiness that has been in their examinations.

Good National Officers. We do not realize our good fortune in having for the head of our government a secretary and secretary of war, who are fearless men, of such good judgment and such sterling character. In the management of our country, the nation they have more than once saved the country from financial embarrassment by the deposit of their own funds.

President Hamilton recommended an enlargement of the board of the National Institute of Bank Clerks by giving it three representatives on the executive council.

Report of Secretary. The annual report of Secretary James R. Branch of New York showed the following summary:

For three years the work of the protective committee has been conducted through the secretary's office with a reduction of expenses for each member of the association. Compared with the expense of \$3.50 per member for the year 1904, the last year the work was done out of the office of the association, the decrease has been as follows: 1904—\$1.40 per member; total decrease, \$2.10.

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WYOMING ASKS FOR TROOPS

Soldiers at Fort Robinson May Be Sent After Utes Near Gillette.

CHEYENNE, Wyo., Oct. 17.—Governor Brooks today telegraphed the Interior department asking for federal troops to aid in preserving order and to arrest and remove a band of the Indians now in the vicinity of Gillette, Wyo.

The Indians were recently allotted lands in several tracts, which in effect made them citizens outside the jurisdiction of the Indian department. The Indians became dissatisfied with their lands and started overland across Wyoming, to the annoyance of ranchmen, and complaint was made to the Interior department. Inspector Montgomery was sent after the band, which was about fifty in number, and after peripatetic, induced about fifty of the band to return to Utah. The remainder refused to go back and encamped near Gillette. Within the last few days the Indians, who have been drinking liquor, have defied the local authorities and more serious complaints have come from ranchmen and farmers. It is expected that troops will be sent from Fort Robinson, Neb., to round up the Indians, about 200 in number.

WASHINGTON, Oct. 17.—Replying to a telegram from Governor Brooks of Wyoming requesting that federal troops be sent to aid in removing the band of Utes Indians, Secretary Hitchcock today advised the governor that the application should be made to the president and that it should be in strict compliance with article IV, section 4, of the constitution of the United States, guaranteeing the states against violence.

The governor states in his message that the assistance of federal troops is deemed necessary because the Indians are beyond the control of the state authorities.

SOUTHERN VETERANS MOURN

Mrs. Davis' Death Severs All but One Tie With Confederate President.

MOBILE, Ala., Oct. 17.—William E. Mickel, adjutant general and chief of staff of the United Confederate Veterans, has issued a general order announcing the death of Mrs. Jefferson Davis. The order, in part, reads:

With a heart full of grief, the general commander announces to his beloved comrades the death of Mrs. Varina (Jefferson) Davis, which occurred at her residence in New York Tuesday night, she being at the time of her death about 80 years of age.

NEW YORK, Oct. 17.—The body of Mrs. Jefferson Davis will be taken to Richmond Thursday night. It will be accompanied by Mr. and Mrs. J. Addison Hayes, Jefferson Davis Hayes and Dr. Webb, all of the immediate family. A grant of honor of confederate veterans will accompany the body to Richmond. Daughters of the Confederacy will be included in the party.

RICHMOND, Va., Oct. 17.—The funeral of Mrs. Jefferson Davis will take place from St. Paul's church, which Mr. Davis attended while president of the confederacy. Confederate veterans from all over Virginia will be present at the funeral. The interment will be in Hollywood cemetery, where her husband's remains lie.

DR. BROUWER IS ACQUITTED

New Jersey Man Found Not Guilty of Wife Murder After Sensational Trial.

TOMS RIVER, N. J., Oct. 17.—After a trial lasting about ten days, Dr. Frank L. Brouwer, indicted for the murder of his wife by poison, was acquitted today. The evidence was all in yesterday and today the arguments were made, followed by the closing arguments of the confederacy.

Dr. Brouwer was brought in looking pale, but showing little signs of nervousness. The jury, after listening to the evidence, foreman was asked if he had agreed on a verdict. He promptly replied: "We find a verdict of not guilty."

Instantly the court room was in an uproar. Men and women cheered and applauded in spite of the opposing for order and the court officers had difficulty in suppressing the noise. Finally when quiet was restored Dr. Brouwer was formally discharged.

DEATH RECORD.

Charles W. Fletcher. RICHMOND, Va., Oct. 17.—(Special Telegram.)—Charles W. Fletcher, ex-mayor of St. Louis and a prominent retired business man, died at his home here today of Bright's disease. He was 75 years old. Mr. Fletcher was a veteran of the civil war. He was married twice. His second marriage, involving a pretty romance, which culminated in Minneapolis three years ago. At the outbreak of the civil war he was engaged to Miss Annie Rich, a girl in his home town in New Hampshire. The war prevented their marriage. While he was still in the army, Mr. Fletcher learned that his fiancée had become engaged to another man. This influenced him to come west, where he fell in love with and married another girl. The union lasted for forty years. Some time after the death of his first wife Mr. Fletcher happened to meet his old sweetheart, who had become a widow in Minneapolis. The old love was revived and though they were both advanced in years they were married in 1902. His wife survives him.

Funeral of W. S. Peniston. NORTH PLATTE, Neb., Oct. 17.—(Special Telegram.)—The funeral of W. S. Peniston, who died Sunday morning, was held from the family residence at 2:30 this afternoon under the auspices of the St. Paul's church of Yorkville, England, November 23, 1824, when a boy came with the family to Quebec. In 1860 he and A. J. Miller established a store and half-way house on the overland trail at what is now Willow Island. Their success was interrupted by the Indians going high rank. The store and house were compelled to flee for their lives. When the outbreak ceased they returned and conducted their business until 1866, when they moved to this city and erected a store building here. They reached here just a little ahead of the Union Pacific track of the Missouri Pacific and for the year 1866. Over thirty years ago he was appointed United States commissioner and held the office consecutively.

Murder in Ohio. NELSONVILLE, O., Oct. 17.—Mrs. Donley, a miner, was shot and killed last night and Mrs. Agueline Boggs was severely wounded by John Traver, the Sunday Creek coal party store at Kimberly, two miles south of here. Traver is a quiet, steady man, a charge of murder. Mrs. Boggs was a bystander, who was purchasing supplies when the shooting occurred. Donley and Traver renewed an old quarrel and the shooting followed.

GIRL ON VERGE OF COLLAPSE

Emma Ripkie, Held for Murder of Consort, in Pitiful Flight.

CHIEF SAYS IF GUILTY SHE WILL TELL IT He Is Uncertain Whether Potts Was Killed by Self or This Girl of Seventeen Years.

Wednesday afternoon Chief of Police Donahue went to Council Bluffs relative to the recent death of Frank K. Potts under rather peculiar circumstances. Upon his return the chief was unable to say whether it was a case of suicide or murder. He viewed the body of the man and also had a lengthy interview with Emma Ripkie, who is held on the charge of murder at the jail. Chief Donahue said: "Miss Ripkie told me her version of the affair and I am not prepared to express an opinion as to whether Potts was murdered or not. Miss Ripkie told a very rambling story and is on the verge of a nervous breakdown. She is in very delicate health, and I am convinced that if she did in fact murder Potts she will surely confess within the next few days."

She said she was sleeping with Potts in their room where they had been living together and that the noise of a revolver shot was heard. She then asked Potts what was the matter and received no answer, after which she left the room and immediately notified the landlord, who called the physician. It is a very plausible story and may be true. She denies absolutely ever having touched the revolver and said she would not know how to use it.

Once Attempted Suicide. "I have known Potts for the last three years and he comes of a very well-to-do family in Philadelphia. He came to Omaha at the time of the Union Pacific strike in 1902 and was given employment for a short time. The work proved too heavy for him and he resigned, and because of his inability to secure employment, attempted to commit suicide. He bought a revolver and went to a room in the Karbach hotel and tried to kill himself, but the revolver refused to work. The same evening he spent his last few cents to obtain laudanum, went to the Merchants' hotel and took the dose, which proved to be an excessive quantity and only caused him to become very ill. The next morning he came to my office and asked me to assist in ending his life, and said he had suffered 100 deaths the night before, but I persuaded him to give up his thoughts of suicide and seek other employment. I also gave him \$2 with which to buy food, and the next day gave him \$2 more. A few days afterwards he came to my office and told me he had obtained employment with the Western Union Telegraph company."

Potts Confided in Chief. Potts evidently considered Chief Donahue as his benefactor and he went frequently to his office and talked over his affairs with the chief. Later Potts obtained employment with the Burlington railroad in the telegraph department. Chief Donahue had not seen him for several months, but has taken a deep interest in the case.

It appears that Potts and Miss Ripkie met on a train coming to Omaha, where she was waiting for her husband to meet another man, but instead went with Potts, and they have been living together practically ever since. The last time Chief Donahue saw them was when they came together to his office and told him they were going to get married the next day, but he had failed to carry out their agreement.

Miss Ripkie has sent word of her predicament to an uncle living at Spokane, Wash., as her father and mother have separated. Her father is believed to live in Hannibal, Mo., and it is believed her father also is living in Spokane. Chief Donahue said, contrary to the general belief, Miss Ripkie is not yet 17 years of age, although she is an unusually large woman for that age.

Verdict of the Jury. That the deceased, Frank Potts, came to his death by shooting himself with a twenty-two-caliber revolver, which he was unable to determine by whom he was shot, and that the defendant, Emma Ripkie, was held to await the investigation of the attorney general, and that the jury was of the opinion that the defendant was not guilty of the crime charged.

That the deceased, Frank Potts, came to his death by shooting himself with a twenty-two-caliber revolver, which he was unable to determine by whom he was shot, and that the defendant, Emma Ripkie, was held to await the investigation of the attorney general, and that the jury was of the opinion that the defendant was not guilty of the crime charged.

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NEBRASKA WEATHER FORECAST

Fair Thursday, Preceded by Rain and Cooler in East Portion, Friday Fair.

Temperature at Omaha Yesterday: High 58, Low 38. Forecast: High 58, Low 38.

Oil Case Goes to the Jury Trial at Findlay, Ohio, Closed After Day of Acrimonious Argument by Counsel.

FINDLAY, O., Oct. 17.—After a trial of seven days the fate of the Standard Oil Company of Ohio, charged with conspiracy against trade, was placed in the hands of the jury at 8:30 tonight. The day's proceedings were the most strenuous of the trial. The heavy speeches on both sides were made. Virgil P. Kline concluded for the defense and Attorney General Ellis for the prosecution.

The defense submitted fourteen points of law for incorporation in the charge of the court to the jury, all but two of which were rejected. Judge Banker then read his elaborate charge and the jury retired to deliberate. The tension between counsel on either side, which has been on the increase as the case progressed, reached the breaking point today and hot words of criticism were passed, the crowded court room became demonstrative for the first time and the court sternly rebuked all concerned.

The collision resulted from the receipt of a telegram by the attorney general stating that the Manhattan Oil company had today sold out to the Standard for \$2,000,000. This was declared by the defense as a trick to influence the jury. The prosecution retorted that the matter would never have reached the jury had not Mr. Kline, who made the charge, mentioned the matter in court. The incident closed by a severe admonition from the court. The jury was told not to regard the matter.

MRS. THAW NOT ALARMED

Has No Fear of Being Indicted with Husband for White's Death.

NEW YORK, Oct. 17.—Mrs. Harry K. Thaw said today that she is not in the least worried by the intimation made by District Attorney Jerome yesterday that another person in addition to Harry Thaw may be indicted for the murder of Stanford White. A. B. Peabody, of counsel for Thaw said:

"Thaw was a little alarmed until Mr. Hartridge, his attorney, called upon him, but he knew that the facts in the case could not possibly warrant the indictment of another person. We have positive information that Mrs. Harry Thaw did not purchase the revolver with which Stanford White was killed."

Mr. Hartridge said District Attorney Jerome's intimation was made "in order to divert public attention from the real point at issue, which is the fact that the district attorney of New York county had been using illegal methods to deprive a man charged with murder of his legal rights under our laws."

ROW AMONG CATTLE BREEDERS

One Faction of Aberdeen-Angus Association Given Injunction to Prevent Their Expulsion.

CHICAGO, Oct. 17.—Judge Brennan today issued an injunction restraining L. H. Kerrick and four other directors of the American Aberdeen-Angus Breeders' association from taking advantage of what is alleged to be an unfair majority in the directorate of another group, which the Hartridge faction agreed that Mr. Grinnell's successor should be a man whose presence in the directorate would not be inimical to the independence of the Illinois Central and would be acceptable to Mr. Fish. Henry De Forest, a director of the Southern Pacific, of which Mr. Hartridge is president, and one of counsel for Mr. Hartridge, was named in a petition signed by Mr. Hartridge and six other directors to succeed Mr. Grinnell. By reason of his Southern Pacific affiliations Mr. De Forest was not acceptable to Mr. Fish. Mr. Cromwell declared that under the agreement the Hartridge faction should accept Mr. De Forest and to cast both his own and the Hartridge proxies for him.

At today's meeting Mr. Fish, after formally being called upon by Mr. Cromwell to cast Mr. Fish's proxy, which the Hartridge faction agreed that Mr. Grinnell's successor should be a man whose presence in the directorate would not be inimical to the independence of the Illinois Central and would be acceptable to Mr. Fish. Henry De Forest, a director of the Southern Pacific, of which Mr. Hartridge is president, and one of counsel for Mr. Hartridge, was named in a petition signed by Mr. Hartridge and six other directors to succeed Mr. Grinnell.

At 10 o'clock this morning a perfunctory meeting of the board of directors was held at the office of Mr. Fish, who presided. Business was transacted. At noon the stockholders' meeting was called to order by Mr. Fish amidst expectant silence. Mr. Fish stated his side of the controversy in a prepared statement, which was in part as follows:

"For the first time I am called upon in behalf of the stockholders to withstand a forcible and organized effort to change the board of directors of the Illinois Central. I have less than one-fifth of the interest in it over to those who control another railroad system. For a year or more past there has been a matter of public notoriety that those connected with the management of the Illinois Central have been purchasing shares of the Illinois Central Railroad company in large amounts. It is the result of this purchase of stock that under the agreement the Hartridge faction should accept Mr. De Forest and to cast both his own and the Hartridge proxies for him."

MRS. MYERS FILES APPEAL

Attorneys for Missouri Woman Sentenced to Hang Appeal Before Federal Supreme Court.

WASHINGTON, Oct. 17.—Attorneys for Mrs. Aggie Meyers, under sentence of death in Missouri, today applied to Justice Brewer of the supreme court of the United States for a writ of error. The supreme court of Missouri having recently denied the woman's application for a writ of error to the federal supreme court. No decision was given by Justice Brewer today.

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FIGHT FOR RAILROAD

Lively Times at Annual Meeting of the Illinois Central.

FISH AND HARRIMAN INTERESTS CLASH Former Accuses Latter of Trying to Tie Lines to Union Pacific.

INSISTS ON REMAINING INDEPENDENT Votes Fractally All of the Stock for Directors of His Choice.

HARRIMAN PROXIES ARE CAST BY HIM William Nelson Cromwell Accuses Fish of Breaching Faith and Insists Harriman Still Has Control of Board.

CHICAGO, Oct. 17.—The fight for the control of the Illinois Central Railroad company waxed hot today. Stayvesant Fish, president of the road, and William Nelson Cromwell, representative of H. H. Harriman, president of the Union and Southern Pacific, clashed openly before 250 stockholders who had come from various parts of the country to attend the meeting. On the face of the record Mr. Fish appears to have been the victor, but that the result is not a final one, Mr. Fish had begun the meeting. The representative of Mr. Harriman said:

"Of a directory of thirteen people there are still seven members who have placed themselves on record in opposition to Mr. Fish in this contest. There will be a meeting of the board, probably in November. This board of directors of the company is the railroad. You can draw your own conclusions."