THE OMAHA DAILY BEE

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COMBINES IN GRAIN

Interstate Commerce Commission Discloses Evidence of Several Different Alliances.

RAILROADS DISCRIMINATE AGAINST CITY

Maintain Rates that Keep Certain Grain Cut of Omaha Market.

LARGE CONCERNS FIX THE PRICES

They, with Railroads, Unite to Freeze Out Shovel Houses.

STOCK YARDS COMPANY GIVES FAVORS

Commissioners Lane and Clark Conduct Investigation with Attorney Marble Under the LaFollette Senate Resolution.

That the railroads combine to discriminate against the Omaha grain market by maintaining certain rates that prevent grain from certain localities from entering this market; that the railroads and line elevators combine to freeze out of business the small or so-called "shovel houses;" that the big elevator firms combine to regulate the price of grain; that the Updike Grain company enjoys special privileges from the South Omaha Stock Yards company—these were a few of the principal points of interest which evidence tended to bring out yesterday in the first day's investigation by the Interstate Commerce commission of conditions of grain and elevator trade at Omaha.

The hearing was begun Wednesday at 10 a. m. in the north federal court room before Commissioners Clark of Iowa and Lane of California. The court room was crowded with grain men and lawyers interested in the outcome. The hearing is being had under the LaFollette resolution adopted by the United States senate on June 27.

The inquiry is being conducted by Attorney John H. Marble of Washington, attorney for the Interstate Commerce commission. Stenographers J. J. McAuliffe and F. M. Young of Washington are reporting the testimony for the commission and Charles W. Pearsall is keeping a stenographic record of the inquiry for the Omaha Grain exchange. Among the interested spectators are numerous members of the Grain exchange, including Secretary McVann.

Commissioner Clark of Iowa announced at the outset that the hearing was being had here and elsewhere pursuant to the senate resolution.

Discrimination by Railroads.

"We are friendly to the Omaha market, but I should say the railroads are not friendly to this market in that they have persistently made a discrimination against Omaha in the matter of freight rates. It has always been this way in Omaha.

"Because of railway discrimination all territory tributary to Omaha does not ship here. The grain men are not in a position to bring the grain to Omaha because of this railroad discrimination. This is particularly true of northern and southern Nebraska and of that territory along the line of the St. Joseph & Grand Island railroad and in South Dakota points. We have given up any hope of being able to receive or ship from St. Joseph & Grand Island points. The switching charges are generally refunded to the operators by the roads taking the grain out. This is a universal rule with the railroads, I believe.

"I would like to ask that the commission will see that this discrimination against Omaha in the matter of grain and other freight rates by the railroads be stopped and that we be given some protection."

This bit of testimony was given by Nathan Merriam of the grain and elevator firm of Merriam & Holmquist.

Gould Road Against "Shovels."

Mr. Merriam was the first witness called at the morning session. J. O. Phillippi, assistant general freight agent of the Missouri Pacific railway, who testified in the afternoon, disclosed the fact that his road was inimical to the "shovel house." He said:

"We make no discrimination between elevators, but we do discriminate against the man whose office is in his hat with a shovel in his hand. He is not entitled to the same consideration of a man who has $50,000 invested in an elevator. At all country stations where we have facilities we confine those facilities to two elevators and discourage the small shovel houses. I have advised against the granting of sites for farmers' elevators where we have adequate facilities for the grain elevators already there. I should not recommend the building of sidings off the tracks for such farmers."

Commissioner Lane—Do you think this is the proper way or the right way to discourage farmers from erecting their own elevators along your road, even though there be two elevators at the station? Why should it be to your interest to exercise the right as a railroad to discourage me from investing money in an elevator at such a station?

Mr. Phillippi—Have you a case in mind?

Commissioner Lane—I think there are a great many cases of that kind.

Mr. Phillippi—I have no further answer to make.

Updikes Get Eight Thousand.

N. B. Updike, of the Updike Grain company introduced the contract between his company and the South Omaha Stock Yards company, relating to certain privileges given the Updike company in the matter of trackage and switching facilities to and from its elevators because of its being a terminal elevator and in consideration of building the elevator at South Omaha. The object of the contract was to give to this terminal elevator the same incoming and outgoing advantages accorded to other elevators and put it on an equal basis with the free elevation privileges granted to shippers and grain men by the elevators established by the Great Western in that same general vicinity. This contract calls for a reimbursement of the Updike company a sum equivalent to the allowances made to other grain hauling roads and shippers. On this basis Mr. Updike said:

"We billed on the Union Stock Yards company $8,000 for claims on the basis of the contract which was paid us by that company during the last crop year.

Same Switching Charges.

"We paid the same switching charges as are paid by other companies which was $2 for in and $3 for outgoing cars. We also pay for cars ordered at the rate of $1 for cars that we may load at the elevator and 50 cents for empties that we do not use. In fact we do not pay the $3 for the outgoing cars and no part of the switching charges are remitted to us, except that we must, by this contract, be placed

(Continued on Fourth Page.)

LONDON WOMEN BOUND OVER

Suffragists Who Disturb House of Commons Create Scene in Police Court.

LONDON, Oct. 24.—Ten women suffragists who were arrested for rioting in the precincts in the House of Commons were arraigned in police court today and bound over to keep the peace for six months.

Such a commonplace outcome of the affair did not meet the views of the suffragists, who apparently desired to assume the roles of martyrs by being committed to jail, and when the magistrate announced his decision a great uproar broke out in the court room, and ultimately the women had to be removed by force. Some of them were literally thrown out among the crowds waiting outside the building.

The shrieking women continued to make a demonstration outside the police court until Mrs. Pankhurst, who took a prominent part in the disturbance in the women's gallery in the House of Commons in April, was again arrested.

Some of the women who had been temporarily locked in an anteroom by the police had a momentary revenge. They managed to secure a key and released themselves, but were again locked in by their jailer, who walked off with the key.

When the disturbances had somewhat subsided the police reassembled the demonstrants, who were then informed by the magistrate that they must immediately give securities for their good behavior or be imprisoned for two months. The whole ten refused to enter into recognizances and were removed to Holloway jail.

CABINET [illegible]'S ON PROGRAM

New French Ministers Meet to Devise Plan for Government of Nation.

PARIS, Oct. 24.—The Clemenceau cabinet has begun the formulation of its program, and the indications are that it will be very broad and that possibly some surprises are in store. In well-informed circles the impression prevails that the plans of the government include, besides the complete carrying out of the law providing for the separation of church and state, legislation establishing workmen pensions, the state purchase of the western and some of the southern railroads and the creation of a state monopoly of petroleum and alcohol.

The draft of the budget, as presented by the budget commission under the Sarrien ministry, which has been bitterly assailed, especially by M. Poincaire, the ex-foreign minister, as being improperly balanced, probably will be revised.

FAVOR PLAN TO CURB VICE

"White Slave" Congress Adopts Some Suggestions for Elevation of People's Morals.

PARIS, Oct. 24.—The congress for the suppression of the traffic in women today decided to adopt a telegraphic code for the transmission of warnings and adopted resolutions to ask the authorities of all civilized countries to suppress lotteries, except for charitable purposes; to prohibit the delivery to minors of letters in care of the general delivery of postoffices, unless they were accompanied by their parents; to suppress music halls and dives where vice flourishes; to prohibit communication between actresses and audiences during performances; to prohibit proprietors of music halls from boarding and lodging performers and to prohibit "artistic posing" in theaters.

DOGS AND HORSES AS FOOD

Germans Learn Why They Should Admit American Meats Across the Border.

BERLIN, Oct. 24.—The Statistical Correspondence Magazine, analyzing today the official returns of the slaughter houses of Prussia for 1905, finds that the slaughtering of dogs for food increased 32 per cent and that of horses 16 per cent over the figures of 1904, the total number of dogs eaten in 1905 being 1,368 and the number of horses 33,272.

These statistics will be utilized by those who are agitating for the opening of the frontiers to the importation of foreign cattle, as indicating the necessity for immediate government action toward giving the working people cheaper food. Chancellor von Buelow has been considering the subject for some time past.

Pope's Health Better.

ROME, Oct. 24.—Dr. Lapponi, notwithstanding the unsatisfactory condition of his own health, insisted on visiting the pope this morning. He found that the pontiff had improved, the pains in his knees decreased, and his temperature, which yesterday was above normal, had diminished. In view of his improvement the pope decided to receive the English pilgrimage tomorrow morning.

Dreyfus Files Libel Case.

PARIS, Oct. 24.—Major Alfred Dreyfus has brought suit against the Libre Parole for refusing to correct statements made in that paper which were at variance with the decision of the court of cassation in July annulling his condemnation without trial. The case will come up for a hearing a fortnight hence.

New Austrian Minister.

VIENNA, Oct. 24.—After a lengthy audience with Emperor Francis Joseph this morning Baron Aehrenthal, the Austro-Hungarian ambassador to Russia, definitely accepted the foreign ministry portfolio, in succession to Goluchowski, who recently resigned.

Spanish Budget Submitted.

MADRID, Oct. 24.—The budget proposals of the government, which were read at the opening of Parliament yesterday, involve sweeping financial reforms, including the institution of the gold standard.

George J. Gould in St. Louis.

ST. LOUIS, Oct. 24.—George J. Gould, accompanied by a party of other Wabash officials, arrived tonight in his private car, having made a daylight inspection trip of the Wabash from Chicago. He was here but a few hours and left at midnight for New York. Mr. Gould will later inspect the western portion of the Wabash system.

Register Friday.

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TALK WITH VAGRANT UTES

United States Cavalry Awaits Reinforcements Before Corralling Indians.

BAND DECLARES IT WILL NOT GO TO UTAH

Three Hundred Fully Armed Braves May Make Trouble—Now on Little Powder River En-route to Dakota.

GILLETTE, Wyo., Oct. 24.—(Special Telegram.)—The Ute Indians are still at large. One company of the Tenth cavalry from Fort Robinson is now in camp at Gillette awaiting reinforcements from the east before proceeding against the reds, as the Indians are still moving north. Captain Johnson, who is in command of the troops now at Gillette, left early Monday morning to visit the Indian camp, accompanied only by an orderly and one scout to assist in locating the reds. They struck the trail on the Little Powder river and followed it, coming up with the Indians forty miles north of Gillette. The Indians were breaking camp to move onward, but seemed to be awaiting the officers, whom they heard coming.

Captain Johnson succeeded in holding a pow-wow with the Ute chief and his followers, but they would not listen to anything concerning return to Utah, but said they intend to go to some point in the Dakotas. Fully 300 braves, well armed, with a large supply of ammunition, will certainly resist any small number of soldiers who may try to check them.

One company now at Gillette will remain to protect citizens from a possible night attack, as cowboys report the Indians having had a war dance and to be getting very savage. They continue to rob cattle and sheep camps and rounded up a herd of 250 antelopes, allowing only one to get away.

Unless they are checked they will soon get to the bad lands, where their mode of warfare will be to their advantage.

STRIKE STARTS IN LOUISIANA

Clerks and Machinists Go Out and Trouble May Extend to Other Places.

NEW ORLEANS, Oct. 24.—Clerks employed by the Texas & Pacific railroad left their places today, conferences with representatives of the road having failed to adjust their grievances, which are similar to those of the Southern Pacific strikers.

Following the discharge of ten men by Master Mechanic Nolan, all the machinists and laborers employed by the Southern Pacific at Algiers struck today.

Fourth Vice President Wilson of the International machinists, who is here from Washington, says the strike will extend over all the Southern Pacific lines unless the trouble is adjusted.

President O'Connell of the International Association of Machinists is expected to seek a conference with Mr. Harriman in New York today, in the hope of securing his personal influence toward a settlement of the grievances of the men.

Arthur J. Stobbart of St. Paul was tonight reappointed major general of the uniformed rank for the term of two years by the supreme chancellor. The new regulation permitting the uniformed rank a voice in nomination the major general will not go into effect until atl he Boston convention two years hence. C. F. S. Neal of Chicago, William Ledew of New York and Z. M. Host of Wisconsin were reelected to the Board of Control, Endowment rank.

NEW YORK, Oct. 24.—At the office of E. H. Harriman & Co. in this city it was said that Mr. O'Connell had not been there and was not expected. Nothing was known about his reported intention to visit Mr. Harriman in behalf of strikers at Algiers. It was said the matter would come under the direction of Julius Kruttschnitt at Chicago.

KNOXVILLE, Tenn., Oct. 24.—At noon today 900 machinists in the shops of the Southern railway in this city walked out because nineteen strikebreakers arrived today from Cincinnati.

EXPLOSION IN COAL MINE

Seven Men Killed and Two Badly Burned in Colliery Near Johnstown, Pa.

JOHNSTOWN, Pa., Oct. 24.—By an explosion in the mine of the Cambria Steel company here today seven men are reported to be dead and two painfully but not fatally burned. The explosion is thought to have been caused by the ignition of gas in setting off a blast. Most of the victims are foreigners. The explosion occurred in a heading three miles from the mouth of the mine shaft. An official statement given the Associated Press tonight by the manager of the Cambria Steel company says:

By an explosion in the rolling mill mine of the Cambria Steel company this evening seven men are dead and two are painfully but not fatally injured. Up to the present time only one of the dead has been identified. He is an American born miner named Sampson Luther. It is believed the other dead are all foreigners, as are the two injured.

The explosion took place in heading No. 3, a considerable distance from the ill-fated Klondike section where 114 men lost their lives about four years ago. The exact cause is not know, but it is supposed that the gas was fired by the putting off of a blast. All the men when found had their safety lamps in proper trim, showing that the accident could not have been caused by neglect in that direction. No damage, whatever, was done to the workings and the mine will be run tomorrow as usual.

TRAINMEN'S NEW DEMANDS

Pittsburg Workers Would Have Eight-Hour Day with Pay for Overtime.

PITTSBURG, Oct. 24.—Committees representing the Brotherhood of Railroad Trainmen in the Pittsburg switching district have presented a new scale of wages to the eighteen division superintendents of the various railroads. The scale provides for eight hours' work, with pro rata pay for overtime, and an answer is requested on or before November 4.

The demands are about the same as those of the Chicago district and affect men employed in the yards only, the roadmen having a different wage scale.

MORE CARS FOR CHICAGO

Illinois Supreme Court Upholds Ordinance to Prevent Overcrowding Street Cars of City.

SPRINGFIELD, Ill., Oct. 24.—The validity of the Chicago ordinance compelling the Chicago City Railway company to provide sufficient cars so that the cars should not be overcrowded is upheld by a decision of the supreme court today.

ARMS THROWN INTO THE SEA

Rifles Surrendered by Cuban Insurgents Placed Where They Will Do No Harm.

HAVANA, Oct. 24.—The statement made by Secretary of War Taft on the eve of his departure from Cuba that he would put all the arms surrendered by the insurgents where they would do no further harm was verified today when a company of the Cuban artillery spent the afternoon throwing these weapons into the sea from the outer bastion of Moro castle. Thousands of rifles and carbines were sunk in thirty fathoms of water.

Some unrest continues to prevail in the provinces of Puerto Principe and Santa Clara, where small armed bands are roving and committing minor depredations. The residents of Holguin requested protection of troops against a body of former rebels, who are reported not to have disbanded, and a battalion of infantry reached there this afternoon.

The mayor of the town of Aguacate, in the province of Havana, who was ousted from office, was restored to his position Tuesday and ordered an armed escort of twenty-five men, alleging that he feared an attack by the moderates. Governor Magoon tonight ordered Governor Nunez to proceed to Aguacate and compel the mayor to surrender the arms of his escort and bring the weapons to Havana.

Ex-President Palma is now in Matanzas preparing a manifesto which will cover the events of his administration. This document will dwell especially upon his relations with the American administration and his reasons for appealing for intervention. It is addressed to a prominent member of the moderate party for circulation among the friends and supporters of the ex-president. It probably will be made public later.

MRS. OELRICHS FILES PROTEST

Millionaire's Widow Says He Was a Resident of California and Claims Half of Estate.

NEW YORK, Oct. 24.—Mrs. Herman Oelrichs of this city today filed an objection in court to the probate of the will of her late husband, Herman Oelrichs. Her objection is based on the ground that Mr. Oelrichs was not a resident of New York, but of California. Mr. Oelrichs left the bulk of his estate to his brother and sisters.

Mrs. Oelrichs' son, Herman Oelrichs, jr., through his guardian, Paul L. Kiernan, also filed an objection to probate of the will on the same grounds.

In an affidavit filed by Mrs. Oelrichs, she declared that at the time of her husband's death he did not have a residence in New York, and she has no knowledge of or information sufficient to form a belief as to whether he died leaving any property in the city of New York. Mr. Oelrichs' residence at the time of his death was in San Francisco, the affidavit continues, and he had property in that state, "and at the time of decedent's death he left creditors in the state of California who are now creditors of his estate and residing in that state."

The affidavit goes on to say that in September Mrs. Oelrichs was appointed special administratrix of the estate by the courts of California, and the laws of California are quoted to show that upon the death of her husband one-half of the community property shall go to the surviving wife or widow and that the surviving widow cannot be deprived of such interest by testamentary disposition.

LIQUOR DEALERS ALARMED

President of National Association Says There is Danger of Too Many Repressive Laws.

NEWARK, N. J., Oct. 24.—At today's session of the National Liquor league's convention President Hugh Dolan made his report. He urged that the organization strengthen its means of defense. He said in this connection:

So much has been accomplished by the Anti-Saloon league that it would seem unnecessary to call attention to the great danger that confronts us, but the fact remains that there are those engaged in the business who appreciate the gravity of the situation only when it is too late to prevent the passage of repressive laws.

Secretary Robert J. Halle submitted a report on the condition of the liquor traffic throughout the country and on legislation affecting the traffic. He thought a bill should be passed by congress prohibiting the issuance of government certificates in instances where applicants had not complied with the state laws.

ENGINE GLIDES INTO RIVER

Wreck on the Pennsylvania Line Near Pittsburg Seriously Injures Several Persons.

PITTSBURG, Oct. 24.—Running at a speed estimated at fifty miles an hour the fast train between Cleveland and Pittsburg on the Pennsylvania railroad, known as the "Cleveland Flyer," was side-swiped by the caboose of a freight train near Bellevue station shortly after noon today, five trainmen being injured in the wreck, all of whom will recover. A score of passengers were cut by flying glass, but none was seriously hurt. They were brought to this city on a wreck train which reached the scene eighteen minutes after the accident and proceeded on their journey. The collision with the caboose threw the engine down an embankment thirty feet high and it slid into the Ohio river.

DEMURRER BY SUGAR TRUST

Bill Filed Says Alleged Crime Was Committed Before Elkins Law Was Effective.

NEW YORK, Oct. 24.—Counsel representing the American Sugar Refining company today filed demurrers to the indictments recently found against that company on a charge of accepting rebates on sugar shipments in violation of the Elkins law. Counsel for the company declared that the crime is alleged to have taken place before the Elkins law went into effect.

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HOWE TAKES HIS VACATION

Consul General to Montreal Coming Home to Nebraska to Vote.

MAKES A CALL AT STATE DEPARTMENT

Enthusiastic About the Future of Canada, Particularly the Western Portion—Likes His New Post.

(From a Staff Correspondent.)

WASHINGTON, Oct. 24.—(Special Telegram.)—Major Church Howe, consul general at Montreal, arrived in Washington today. Mr. Howe comes to the capital on matters connected with his office in Canada's big city. On succeeding to the position he found many things needed for his office and the State department, realizing the demands of Mr. Howe were just, asked him to come to Washington and present in person his requirements. Church Howe has made a distinguished success in the consular positions which he has held and he is regarded by the State department as one of the most efficient men in the consular service. As election is coming on in Nebraska and as he has not had a leave of absence for two years, Mr. Howe has been granted sixty days' leave and he begins his leave by taking up with the State department matters in which our country is concerned with Montreal. He expects to complete his work with the State department in the next day or two and then leave for his home in Auburn.

Major Howe has nothing but pleasant words to say of the treatment he has received at the hands of the people of Montreal. He was especially distinguished the other evening by the Board of Trade of that city giving a banquet in his honor, a courtesy never accorded an American consul previous to Mr. Howe's appointment. While Major Howe was entirely satisfied with his position in Antwerp his transfer to Montreal was looked upon as a promotion and as it brought him nearer home he accepted the transfer with quiet satisfaction. Major Howe believes the future of Canada is exceedingly bright and he said tonight that if he were a young man he would join forces with the men who are building up the great empire to the north of the United States.

Muhlenberg at the Capital.

Lieutenant Colonel John C. Muhlenberg of the pay department of the army has arrived in Washington and taken up his duties as post paymaster. While it is not settled whether Colonel Muhlenberg will remain in Washington permanently his friends in this city hope that conditions will permit his retention here. Colonel Muhlenberg succeeds Colonel Charles H. Whipple, who is now chief paymaster of the army in Cuba.

George E. Higgins has been appointed postmaster at Amherst, Buffalo county, Neb., vice Frank M. Kenney, resigned.

Rural carriers appointed for Nebraska routes: Cook, route 2, Ira C. Martin, carrier; Lewis Richards, substitute. Tecumseh, route 1, George B. Harmon, carrier; Frank Harmon, substitute.

MITCHELL DEFENDS HIMSELF

Attempt of Indiana Miner to Cast Suspicion on Labor Leader Proves a Boomerang.

TERRE HAUTE, Ind., Oct. 24.—Replying to the charges that the officials of District No. 11, United Mine Workers of America had not acted in the interests of the organization, National President John Mitchell in the special convention here today accused the dissenters of an effort to disrupt the union.

The denouncement was precipitated when Delegate T. C. Llewellyn of Linton spoke of the top question. Llewellyn criticized the decision of the national officers of the miners' union in the top coal question and by inference declared that the national officers, including President Mitchell, were not above suspicion. The words were hardly spoken when President Mitchell was on his feet. He had been sitting at one side of the hall as a spectator of the events of the convention.

President Mitchell said that Llewellyn had been the recipient of credentials for the Industrial Workers of the World and possessed them at this time. Mr. Mitchell said that Llewellyn was allied with the Western Federation of Miners, and as its ally was doing all in his power to break the supremacy of the united mine workers in the Indiana field.

The denunciation of President Mitchell created a sensation. When he finished he was cheered to the echo.

PURPOSE OF ORDER OF EQUITY

Speaker Says Farmers Are Only Producers Who Do Not Fix Prices on Their Products.

EAST ST. LOUIS, Ill., Oct. 24.—The feature of today's session of the first annual convention of the American Society of Equity, which is composed of farmers, was the address of M. F. Sharp of Narrows, Ky. He strongly urged the farmers to perfect an organization.

"The trusts and combines, which are the agencies of the infernal regions, call us jays, hayseeds, rubes and mossbacks, and say that even if we do organize, we won't stick," he said. "I tell you that when organization raises the price of products it is the best sticking plaster in the world. I know the farmers will stick. Equity means a fair deal. All manufacturing industries fix the price of their products and know what price they are going to get for them. The farmer, the backbone of the nation and the world's greatest producer, has been going on the theory that he will take whatever he can get for his products. Equity intends that the farmer shall take his place with the world's producers and fix a profitable price for his products. That can only be done by a plan of marketing products to control and regulate the market prices."

Today's session was devoted principally to addresses along the line of forming an agriculturists organization to fix and maintain prices on farm products.

FAIRBANKS IN ARKANSAS

Vice President, on Tour of State, Will Deliver Several Addresses During the Day.

FORT SMITH, Ark., Oct. 24.—Vice President Charles W. Fairbanks delivered speeches today at Greenwood, Jenny Lind, Paris, Central City and Lavaca, Ark. He arrived in Fort Smith early this morning from Oklahoma and was met here by a committee of prominent republicans.

He was immediately transferred to another train and started for Greenwood, where the first speech was made. Mr. Fairbanks will return to Fort Smith this evening, making the final speech of the day here.

NEBRASKA WEATHER FORECAST

Fair Thursday and Friday; Slowly Rising Temperature.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	41	1 p. m.	43
6 a. m.	40	2 p. m.	41
7 a. m.	40	3 p. m.	41
8 a. m.	40	4 p. m.	42
9 a. m.	39	5 p. m.	44
10 a. m.	39	6 p. m.	43
11 a. m.	37	7 p. m.	41
12 m.	39	8 p. m.	40
		9 p. m.	39

MRS. HARTJE ON THE STAND

Defendant in Divorce Case Testifies Against Negro Witness Charged with Perjury.

PITTSBURG, Oct. 24.—Mrs. Mary Scott Hartje, respondent in the recent sensational divorce suit instituted by her husband, Augustus Hartje, a millionaire paper manufacturer of this city, was the principal witness today for the commonwealth in the perjury case against Clifford Hoge, a negro and former coachman of Hartje. She emphatically denied the allegations of intimacy made by Hoge in a deposition. She was subsequently corroborated by her parents, Mr. and Mrs. J. F. Scott, and a number of former house servants of the family.

Charles T. Fullwood, for thirteen years a court stenographer, was called. He took the deposition and said the man who had made it looked like the defendant. As the witness began to read the deposition from the official notes, the court room was cleared, only those connected with the case and reporters being permitted to remain. This was done because of the nature of the deposition. The testimony of Mr. Fullwood caused several sharp arguments between Assistant District Attorney Robb and Attorney Ferguson, the debate becoming so heated at times that Judge Fraser was compelled to interpose.

When court adjourned until tomorrow Edgar Ray, private detective, was testifying as to Hoge's trip through Ohio immediately after he is alleged to have made the deposition.

BRYAN ENDS INDIANA TOUR

Nebraskan Spends Strenuous Day in Northern Part of State and Leaves for Ohio.

INDIANAPOLIS, Oct. 24.—William J. Bryan closed a three-days' tour of Indiana tonight, speaking at a mass meeting at Fort Wayne, Ind. According to the democratic managers Bryan's present tour through Indiana was one of the most unusual in years. Mr. Bryan was accompanied on his trip today by his son, William J. Bryan, jr., who is a student at Culver, Ind., military academy. At Delphi this afternoon Mr. Bryan made an extended talk on what he termed the "stand pat" policy of the republican party.

After his speech at Fort Wayne tonight Mr. Bryan left for Ohio, where he will speak in the interest of the democratic ticket of that state.

FORT WAYNE, Ind., Oct. 24.—William J. Bryan spoke to well attended meetings here tonight. The principal meeting was at the rink and Bryan later addressed an overflow gathering at the court house. At the rink Mr. Bryan denounced government by injunction. "If trial by jury is so sacred that it cannot be denied to the meanest thief, why does the republican party deny it to the laboring man?" he asked.

A committee of Ohio democrats met Mr. Bryan here tonight to escort him into Ohio, when he begins a three days' tour tomorrow.

GENERAL FORSYTH IS DEAD

Commander at Battle of Pine Ridge, S. D., Dies of Paralysis at Columbus, O.

COLUMBUS, O., Oct. 24.—James W. Forsyth, major general of the United States army, retired, died at his home here, tonight, of paralysis. The funeral, which will be private, will be held Friday afternoon and interment will be made in Green Lawn cemetery.

General Forsyth had a distinguished military career. He was born in Ohio 72 years ago, and graduated from West Point in 1856. He served in McClellan's staff during the Peninsula and Maryland campaigns in the civil war. Later he was chief of staff to General Sheridan. For gallantry at the battle of Chickamauga he was breveted a major. After the civil war General Forsyth distinguished himself in the frontier service. As colonel of the Seventh cavalry he was ordered against the Indians at Pine Ridge, Dakota, in 1890, when the ghost dance craze was started. In the conflict that ensued almost the entire band of Indians was wiped out. He was promoted to brigadier general by President Cleveland and was appointed major general by President McKinley in 1897 when he retired.

RIVER BACK IN ITS CHANNEL

Colorado is Turned from Salton Sea Into the Gulf of California.

IMPERIAL, Cal., Oct. 24.—Today the waters were turned back into the old channel leading to the Gulf of California, the first water of the Colorado river that has flowed there for two years. Six years ago that portion of the Colorado desert known as Imperial valley was colonized and water was brought in from the Colorado river for irrigation. Two years ago the Colorado river broke through its bank and flowed int othe Salton sink, compelling the Southern Pacific to remove its tracks several times. The company then undertook to turn the water into its old channel and have at last, after many discouragements, succeeded at a cost of $1,000,000.

General Forsyth Stricken.

COLUMBUS, O., Oct. 24.—Major General James W. Forsyth, one of the best known retired army officers, suffered a stroke of paralysis Tuesday, and his condition, considering his advanced age, is regarded as serious. General Forsyth served in the civil war with distinction and since his retirement he has been living in this county.

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HORSE SHOW WINNER

Attendance is on the Increase with Each Succeeding Night.

SPECTATORS ARE MORE ENTHUSIASTIC

Appearance of Favorite Whip or Horse the Signal for Applause.

MURRAY HAS WARM PLACE IN ALL HEARTS

Judges Have Nothing But Praise for Show and Omaha Spirit.

REGULAR MADISON SQUARE GARDEN AFFAIR

Feature of the Evening Was the Capture of First Prize in Hunter Class by Joseph Cudahy with a Nebraska Horse.

HORSE SHOW AWARDS.

Saddle Horse—
First ..... O. L. Crawford
Second ..... George Pepper
Third ..... Hall Bros.

Woman's Tandem—
First ..... W. H. McCord
Second ..... A. D. Brandeis
Third ..... E. F. Peck

Roadster—
First ..... Don Riley
Second ..... Don Riley
Third ..... Davis & Smalley

Heavy Harness Pair—
First ..... Lawrence Jones
Second ..... Crow & Murray
Third ..... George Pepper

Gaited Saddle Horse (local)—
First ..... A. D. Brandeis
Second ..... Mrs. C. C. Allison
Third ..... George W. Megrath

Runabout (appointed)—
First ..... W. H. McCord
Second ..... Weir & Rogers
Third ..... Lawrence Jones

High Stepper—
First ..... Lawrence Jones
Second ..... Crow & Murray
Third ..... George Pepper

Road Four—
First ..... Crow & Murray
Second ..... George Pepper

Brougham Pair (local)—
First ..... W. H. McCord
Second ..... A. D. Brandeis
Third ..... Ward M. Burgess

Hunters, Middleweight—
First ..... Arbor Lodge
Second ..... George Pepper
Third ..... E. H. Weatherbee

Best Woman Driver—
First ..... Mrs. Joseph Barker

Around the tanbark ring society gathered last night for the third time this week and the evening was, if possible, more brilliant than the previous ones. Some new faces were there, with most of the old, and new comers and Horse Show habitues seemed to enjoy themselves alike. It is a thing that grows on one, this pleasure of the show, and each succeeding night and each succeeding show seems more charming than the last.

The attendance was the best so far this season, the boxes and the seats of the lower floor being filled, as usual, while scarcely a place in the balcony was left vacant. For popular priced seats there was a general demand, such a demand that if a few more people come tonight the "standing room only" sign will of necessity be hung at the entrance.

By far the most gratifying result of the three nights of the show was the capture by a Nebraska animal of the blue ribbon in the hunting class. The lucky mare was Gaiety Girl of Arbor lodge, Nebraska City, and her proud owner is Joseph Cudahy of Omaha, who rode her. She won in competition with some of the best hunters of the world, among them Pearl, the champion jumper, owned by Weatherbee of New York.

Praise from Judges.

The excellence of the show, the good attendance and the evident interest and enthusiasm were frequently the subject of private remark among the judges. "You have here," said one of them to a member of the Horse Show association, "what I call a real Madison Square Garden show. And that crowd of eager spectators there tells me you have a real town, as far as love of the tanbark is concerned." The man to whom these remarks were addressed, having seen the New York exhibition many times itself, emphatically expressed his agreement.

It was Council Bluffs night and to say that many citizens of that city were present would not be doing them justice. Many is an indefinite term. A walk around the promenade and a glance here and there at the boxes showed so many faces from across the river that no doubt was possible it was Council Bluffs night. Mayor Donald Macrae was among the many.

Enthusiasm at the show grows with the week. Monday, while the spectators showed the warmth of interest along toward the last, yet in the early part of the evening many deserving entries were given a chilly reception, simply because the real spirit of the show had not been born. That spirit is now a lusty one. Last night society lost no chance to applaud its favorite whips whenever they appeared, and when a new horse of merit made its debut in the ring society was not slow to accord it the recognition it deserved.

Woman was queen in the ring as well as in the boxes. The sight of a handsome woman managing a spirited animal is inspiring, and the feminine whips always brought an expression of the warmest enthusiasm from boxes and balcony alike.

One Award Unpopular.

Only one of the masculine drivers elicited anything like the plaudits the women brought forth. That was the irrepressible Murray of Toronto who has a large number of entries and whose affable manner and inexhaustible fund of good humor has captured the hearts of the Omaha show-going public. It is always the unexpected that Murray does, and his sallies intensely amuse. He never cares when the judges "call him down," just smiles at the boxes and drives on with a queer, characteristic shrug of his shoulders. Last night the judges gave him the blue ribbon in the heavy harness class to the Jones team, an unmatched pair, and the disapproval shown by the spectators when they gave the biggest ovation to Murray as he rounded the ring with second prize, must have made the judges at least uncomfortable. The cash prize was the biggest one of the evening.

Everything on Time.

One remarkable feature is the promptness with which the show begins and ends. While the last event on the program may be a few minutes later than the scheduled time, the whole evening runs along practically as mapped out, and this is gratifying indeed when it is recalled that in the first year of the show the program was on several occasions dragged out a half hour over the set time. Everything on time, is the motto this season. This is as it should be, for promptness is one of the elements of smartness in the Horse Show; it is the correct thing, and no town can feel itself cosmopolitan without it.

Liberal use was made of the promenade,