Regulation Requests Information About Discharge of Negro Troops.

ACTION FOLLOWS AN EXTENDED DEBATE

loraker Says Report of Testimeny is Incomplete and Unsatisfactory.

THREE CHARGES MADE AGAINST SOLDIERS

On Each of Them the Acoused Has the Right of Trial.

POWER OF PRESIDENT IS QUESTIONED

Right to Dismiss Man from the Army is Also involved-Morgan Makes Speech on Panama Railrond.

WASHINGTON, Dec 6 .- The senate to day called upon the president and the secretary of war to furnish all information compatible with the public interest regarding the discharge of the negr of ope of the Twenty-fifth intantry. w tions were adopted to accomplish one to the prosident and the ot. secretary of war. The action for debate of two hours, in which the a of the discharge of the soldiers recer

attention. Senator Morgan of Alabama devoted two hours to the discussion of his resolution to secure centrol of the Panama railroad by the Isthmin's Canal commission. No action was taken.

Both Resolutions Adopted. The senate today adopted the Penrose respittlen asking the president for information regarding the discharge of the negro troops of the Twenty-lifth infantry. Viscount Aoki, the Japanete ambassador, and also the Foraker resolution directing the secretary of war to transmit informa- had a half-hour talk with Secretary Root. tion on the same subject. Both resolu- Beyond admitting that he discussed with city who are like sponges. They absorb tions carried an identical amendment by the secretary the subject of the admission Mr. Culterson, asking specifically for the of Japanese to the public schools of Cali- in return. In past years it has been necesorder to Major Penrose commanding the fornia he would say nothing. troops, which directed him not to turn over to the Texas authorities certain of the troops demanded.

This action followed two hours' debate on the propriety of asking the president for the information or of directing the secretary of war to furnish it.

Mr. Spooner urged that in matters where congress had an absolute right to information in the possession of the executive, it siways had been customary to direct a cabinet officer to furnish it. In matters where it had not this right and in which there was some doubt about the advisability of publicity, congress usually made a request on the president if it desired the information, with the understanding that it should be furnished "If not incompatible with the public interest." This view was supported also by Mr. Foraker, while Mr. Lodge quoted precedents to the contrary.

Three Crimes Are Charged. Mr. Foraker produced a printed copy of

flimsy character." the testimony, but both agreed that "with Stock company, M. J. Worthley Shoe com- progriations for making the Missouri river the unsatisfactory information" at hand pany and twelve dwellings. it was useless to discuss the case.

Mr. Foraker read at length the testi-He said it appeared that murder, misprision about \$450,000. of felony and perjury had been committed by some one-three crimes for the punishment of any one of which the constitution secured to any man the right of trial. He did not regard it from the standpoint of race question. The right of the president to dismiss a man from the army was also involved. If he could dismiss a man he could dismiss a company, a regiment, a brigade and in fact, on the same theory, the lowed the interpellation of the government other states and freight on the finished whole army.

During the debate the report was current among senators that the president felt it would be a matter of courtesy if the resolution should be addressed to himself, and so strong was this feeling, it is said, on his part, it was intimated that unless this course was taken there would be no response.

Mr. Littlefield's Pilotage Bill Defeated WASHINGTON, Dec. 4.- The house, by a

debate raged for four hours and a half. and the result of the vote was a surprise to the friends of the measure, who openly ber. charged its defeat to the American Fed-California, as well as representatives from opportunity to file a protest against resricting the rights of states to deal with the pilotage question at first hand and they availed themselves of the opportunity to go on record.

Mr. Littlefield stated that the measure sought to create a free pilotage system from Old Point Comfort to the Rio Grande, such as exists from Oid Point Comfort to Eastport, Me. He remarked that a pernicious system had grown up in Mississippi ports wherein discrimination was made against Maine constwise vessels and in favor of vessels from other ports. This Mr. Williams (Miss.) indignantly denied. The ayes were 110; the noes, 164.

The house at 5 p. m. adjourned until noon tomorrow, when war claims will be taken

Domintonn Insurgents Killed. WASHINGTON, Dec. 6 .- Senor Joubert, the Dominican minister, has received a dispatch from his government stating that party of twelve insurgent leaders who had gathered at Puerta Plata and who were on their way to La Riga, were at- SHIPPING tacked by the government's forces. Berico La Salla was killed and the balance of the Grosvenor Would Deny Subaldy to of the competition of river transportation party satrested.

artastic Currency" Hearings. WASHINGTON, Dec. &-The house committee on banking and currency decided today that it will hold hearings on classic currency, beginning December 11. Secretary Shaw, the comptroller of the cur-Bankers' association and other persons inbeney will be heard.

Amending Ment Law. WASHINGTON, Dec. 6-Senator Bever-

Agreement Whereby Each Nation May Exclude Laborers of Other In Suggested.

CHICAGO, Dec. 6 -- A dispatch to the Pribune from Washington says: Viscount | PROMPT RESPONSE TO WATTLES' APPEAL Aok! the Japanese ambassador, went to the White House yesterday at the invitation of the president. They discussed a proposition to negotiate an entirely new treaty, specifically recognizing the right of each country to exclude the laborers of the other.

Such a provision is contained in the present trenty, but both the president and the Japanese ambassador thought it would satisfy the pride of the Japanese if their rights to treat the Americans as the Amer-

Icans treat them were recognized.

It was also believed that such a net treaty would please the people of Callformia and show them that the president was prepared to go to the extent of execome necessary.

The treaty would be easy to have ratified by the senate. It would almost inevitably be followed by a Japanese exclusion law barring out all laborers from the mikado's islands. Our laborers would thereupon be barred by Japanese. All this is specifically provided for in the existing treaty, but diplomatic methods are dark and devious and the president probably has a definite purpose which will be developed later on It was said yesterday that Secretary Root, under the direction of the president, is actually engaged in the negotiation of new treaty with Japan, which will speally admit the people of that nation same rights of education as are

to European aliens, no more and if it be true that such a treaty present sentiment in that body is such that not 10 per cent of the republicans and none of the democrats would vote for a treaty that in any way affects the rights of the the railroads and others will pledge their municipality or state to manage its own support to the great annual festival in school system.

today called at the State department and Ak-Sar-Ben have served their purpose.

EXPLOSION IN SHOE FACTORY

Twelve Persons Injured and Much Property Destroyed in Accident in Massachusetts.

P. J. Harney Shoe Manufacturing company the more enthusiasm for this event." of this city blew up today and twelve men

were injured, all of whom will recover. The explosion, besides shattering the big of the city in the last few years, dwelling four-story factory of the Harney com- especially on the establishment of the pany, wrecked several buildings near by in grain exchange, which has made Omaha the crowded manufacturing districts. Fires the fifth grain market in the United States immediately broke out. A heavy south- and second in corn, and has brought to with incredible rapidity, until within a bushel for their grain. He pointed to relations of certain roads forming part brief space the flames were far beyond the Wyoming, the great state which is just of what is known as the Harriman system

which he read to show, as he said, that it lowing: The H. P. Harney Shoe company, jobbing center of large proportions. was "unsatisfactory, incomplete and of a Tufts & Friedman Shoe company, H. P. Hood creamery, Boston & Maine West Mr. Culberson took the opposite view of Lynn -railroad station, Jacobs Leather have been sent from Omaha to urge ap-

By 9 o'clock the fire was under control in the district in the vicinity of Alley and furnished by the War department. West streets. The financial loss will be

BONI DE CASTELLANE SNUBBED Members of Chamber of Deputies Leave the House When

He Speaks.

on the Moroccan question in the Chamber product back to this city and had long of Deputies today by M. Jaures, the social- enough been losing the employment that ist leader. Count Boni de Castellane unexpectedly ascended the tribunal, whereupon

off the deputies abruptly left the house. Count Boni, however, was not greatly disconcerted. Wearing a red necktie and a lavender-colored waistcoat and with his hands in his pockets, he addressed the PROCEEDINGS OF THE HOUSE chamber after M. Jaures, airly arguing self closely to his subject, "The American that France was continuing the policy of Abroad." He declared that he wanted to ex-Foreign Minister Delcasse, who aimed see more business men in politics and also at the conquest of Morocco.

After Count Boni de Castellane, M. Heryote of 110 to 164, today defeated the bill bet, reporter of the Algeciras conference, government. He said in part: of Representative Littlefield of Maine, re- and M. Pichon, the foreign minister, had moving discriminations, against American spoken, the chamber passed a vote of con- was that the business men put a limit to sailing vessels in the coasting trade. The fidence in the ministry, 657 ages to 16 nays. their accumulations, and after they have

station of Labor. The delegation from SMALL BILLS ARE SCARCE chase of the almighty dollar is too long other western states, saw in the bill an Secretary Shaw Says Government is Unable to Meet Demand

of the treasury issued the following open velt, too." United States:

A very marked scarcity of small bills is noticeable everywhere and the treasury is powerless to relieve. In the absence of legislation allowing national banks to issue a larger proportion of their circulation in denomination of \$5\$, the banks themselves must be relied upon to alleviate the strain as far as possible. There are in circulation nearly \$15.000,000 in silver certificates of the denomination of \$10\$. Many of these are doubtless packed away in the vaults of verious banking institutions and held. are doubtless packed sway in the vaults of various banking institutions and held as reserve. Permit me respectfully to ask that each institution, state and national swarch the money in its vaults and send these 110 silver certificates to the treasury. They will promptly be converted into ones and twos, to the very great relief of the country. It is the only remedy, Let no bank complain of conditions until it has

BILL CHANGE

All but Pacific and Southern Ships.

WASHINGTON, Dec. 6-A modification business were taken from them and di of the Gallinger ship subsidy bill was sug- verted to steamboats. The river should gested by Chairman Grosvenor at today's be made navigable because water transrency, representatives of the American meeting of the house committee on mer- portation is always cheaper than rall transchant marine and fisheries. He expressed portation. You don't need to go to these terested in proposed changes in the cur-Transatiantic and African steamship lines, their rates. Congress can do that." thus confining the government aid to orien- Mr. Bryan mentioned as an instance of tal and South American lines.

No vote was taken, but Mr. Grosvenor some goods which he brought from Japan sige introduced a bill today to amend the will prepare a revised bill for the consid- was \$57 from Yokohama Japan, to Omahmeat inspection act by requiring that the gration of the committee. In its changed and MT from Omaha to Lincoln. cost of inspection shall be paid by the form the Gallinger bill, which already has Judge E. P. Holmes of Lincoln, speaking packers. Another amendment requires that passed the senate, will conform to the ship on "The Relation of the Railroads to the the date of inspection and packing or can- subsidy recommendation made by Socretury Root in his Kansas City speech,

Commercial Club Tenders Banquet to Board of Governors.

W. J. Bryan Gives Some Impressions of Political Life Abroad and Some Customs Worthy of Emulation.

One hundred and fifty guests sat down to the banquet tendered last evening by the Omaha Commercial club to the board of governors of the Knights of Ak-Sar-Ben. The board of governors, the special guests of the evening, were the following: G. W. Wattles, C. H. Pickens, H. J. Penfold, Emil Brandels, V. B. Caldwell, Charles R. Courtwas prepared to go to the extent of ex-eluding the coolle Japanese if it should J. C. Root and W. L. Yetter. W. J. Bryan was among the speakers.

F. W. Judson acted as toastmaster and toasts were drank to the members and exmembers of the board of governors.

W. S. Wright delivered the address of welcome to the guests of honor. He declared that no men had performed work of greater self-sacrifice than that done by the board of governors, who had devoted much of their time and effort to carrying to success the greatest event in the annual history of the city of Omaha. He declared that the Knights of Ak-Sar-Ben had done and are doing a work unsurpassed anywhere and that the city is proud of and duly thankful to the men who have carried it to so successful an issue.

In responding on behalf of the board of negotiated, it will never get far- governors, G. W. Wattles sounded a note man the inside of the senate. The of warning to the merchants and business men of the city. He said:

"The members of the board of governors have decided that unless the business men, Omaha, they will have to say, not willingly, but sorrowfully, that the Knights of There are houses and business men in this benefits and refuse to contribute anything sary for the members of the board of governors to go about soliciting among the business men for funds to carry out this great annual festival. And not always have

they met with ready responses. "Offinha needs a little more enterprise, little more enthusiasm in these matters. I have ridden along in the parades and seen the buildings without any decorations and LYNN, Mass., Dec. 6.-The boilers of the the people without a cheer. We need a lit-

Opportunity for Omaha.

time two blocks in the West Lynn district so much to enrich Kansas City. He won-had been burned over. isstimony in the case which he had obThe firms whose property was burned or the great opportunity offered here for a the exact dates for which have not been tained at the War department, extracts of wrecked by the explosion were the foimarket which would make of this city a settled. Chairman Knapp estimates that He also referred to the congress now in plete the investigation. session in Washington to which delegates

> navigable. He declared that this was a most important work for the city. Representatives of several firms were on

"Commerce" was the subject on which A. W. Jefferis spoke. He declared that center; that it had long enough been pay-PARIS, Dec. 6.-A remarkable scene fol- ing freight on raw material to mills of

should come to its people in factories, The conversion of bristles into brushes, hides into leather and shoes and wheat into that should be Omaha's.

Business Man in Politics.

William J. Bryan did not confine himmade a strong appeal for the absolute and final regulation of railroad rates by the "One thing which I noticed in England

The Algeciras convention was then rati- a certain amount of money they enter polified by the unanimous vote of the cham- ties and devote themselves to their country and to paying that debt which every citizen owes to society. In America the continued, too selfish.

"It has been said of me that I take no interest in business men. I have seen the time when it seemed to me the business men took no interest in me. But it WASHINGTON, Dec. 6.—The secretary against me, you must be against Roose-

letter to all banking institutions of the Mr. Bryan spoke in warm approval of the income tax and in commendation of A very marked scarcity of small bills is the stand taken by the president for it

what are just and equitable rates. And after the people have expressed their will

bank complain of Charles and con-literally searched its own vanits and con-tributed as far as possible to the relief of ing made to render the Missouri river navigable. This should be done purely from the economic standpoint and not to compel the railroads to lower rates because That would not be a sound principle, for even if you did compel the railroads to this way to lower their rates, they could not make them as low if part of their

unfust raffrond rates that the freight on

(Continued on Second Page.)

SENATE ASKS FACTS NEW TREATY WITH JAPAN AK-SAR-BEN IS APPRECIATED DRAINAGE CONVENTION BUSY FIFTY MILLION FOR RIVERS NEBRASKA WEATHER FORECAST APOLOGY TO Delegates to National Meeting Hear

Papers on Conditions in Western Sintes.

OKLAHOMA CITY, Okl., Dec. 6.-Several additional delegates, especially those from OMAHAN ON RESOLUTIONS COMMITTEE the south, had arrived today when the second day's session of the National Drainage congress was called to order. A long program made up of papers and speeches on topics affecting drainage and irrigation was arranged. Among those who were expected to participate in the day's sessions was George A. Halph, engineer for the Minnesota Drainage commission, with a speech on "Reclamation of Waste Lands in Minnesota." Others were: "The Relation gram.)-It was stated that 1,00 delegates of the Geological Survey to the Drainage of Swamp and Overflow Lands," B. M. Wilson, geographer, United States geological survey; "Proposed Legislation and and Representative Burton, chairman of Progress in Study of the Drainage Situa- the rivers and harbors committee, the con tion," C. J. Blanchard, statistician, United vention got down to business. It was States reclamation service; "Drainage In- agreed that there should be one vice presivestigations by the United States Depart- dent from each state, and the name of ment of Agriculture," Elmwood Mead, Henry T. Clarke of Omaha was presented chief of irrigation and drainage investiga- to represent Nebraska. A committee on tions; "Drainage Conditions in Iowa," resolutions was appointed, Nebraska pre-Lewis A. Ashbaugh, associate professor of senting the name of E. J. McVann, who civil engineering lows State college; "Our afterwards was selected as secretary of Drainage Problems," A. L. Fellows, state the resolutions committee, the chairman of engineer of North Dakota; "The Reclama- the committee being Hon. J. N. Teni o tion of Land by the Federal Government," Portland, Ore. A reorganization of Thomas L. Cannon, executive secretary, of ten was appointed, Fred W. Fleming St. Louis section, National Irrigation asso- of Kansus City being named to represent ciation; Arthur E. Morgan, secretary of the ontire Missouri valley. On the nom-Minnesota Surveyors' and Engineers' so- inating committee the west was repre ciety; "Forest Maintenance as a Factor in sented by Mayor Beardsley of Kansas the Drainage Question," George C. Clothier, City, W. F. Saunders of St. Louis and United States forest service. C. G. Elliott, Washington, D. C., of the cago,

Department of Agriculture, told of drain- When the resolutions committee met and Practically every building in the town is age investigations by the department. John Abererombie of St. Paul of the Mr. McVann secretary, it was found there Numerous escapes from death are re-Minnesota Engineering and Drainage asso- were so many projects and other plans to ported. Two men were swept through the ciation, advocated the nationalization of be considered that it was deemed wise to streets and saved themselves by catching drainage and assessment of benefits from appoint subcommittees to formulate the the awnings of a store and breaking the bottom to the water shed.

We have another type of country which needs drainage along the Missouri river. From the bluffs to the east large quantities of water are drained rapidly down to the river bottoms, lands exceedingly rich in their fertility, but subject to frequent over-

flow.

A drainage problem is also found along the Mississippi river, where levees have been constructed to prevent the overflow from flooding the lands on either side. By the construction of such levees lands are often flooded by water thrown down from the bluffs, and for which there is no outlet to the river, the pipe outlets being too small and often closed during a rise in the

Mr. Ashbaugh went deeply into the cost of drainage and the benefits to the health when proper drainage is put into operation.

UNION PACIFIC UNDER FIRE Mr. Wattles referred to the great growth Interstate Commerce Commission Will Investigate Its Relations

with Southern Pacific. WASHINGTON, Dec. 8 .- The preliminary east gale was blowing, driving the flames the farmers of the state 2 cents more a steps incidental to the investigation of control of the local fire department and opening and which is richer than Okla- were taken by the Interstate Commerce help was called from Boston. In an hour's home and Texas, the states that have done commission today. Attorneys have been speaking of the makeup of the congress,

> it will take at least sixty days to com-The following statement was given by the

The Interstate Commerce commission has today ordered an investigation of the re-lations between the Union Pacific and Southern Pacific systems growing out of Representatives of several firms were on their common management and control. their feet the moment Mr. Wattles sat down, giving notice that they would double or treble their subscriptions to the Ak-Sar-Ben fund. It was announced that a meeting will be held soon where opportunity will be given all to take such action.

Southern Facine systems growing out at their common management and control. Messrs, Frank B. Kellogg and C. A. Severance of St. Paul have been retained to laike their common management and control. Messrs, Frank B. Kellogg and C. A. Severance of St. Paul have been retained to akie their common management and control. Messrs, Frank B. Kellogg and C. A. Severance of St. Paul have been retained to extend from New York to San Francesco. A conference was held today between the commission and counsel, at which the genhearings and details have not vet been determined.

Omaha should become a manufacturing REPORTS ON CATTLE DISEASE Methods Used in Combatting Ticks and Texas Fever Told in Tennessee.

NASHVILLE, Tenn., Dec. 6 .- At today's session of a convention which began here flour, he said, were a few of the things yesterday for the purpose of devising means of eradicating cattle ticks and the prevention of Texas fever in the south, a report was made by Albert Dean of Kansas City, who is in charge of all erudication work in the bureau in states west of

the Mississippi river. A supplementary report was offered by Dr. W. F. Parker of Texas.

The reports brought out the different methods used, paying especial attention to dipping vats and the mixtures used as tips to kill the ticks, as well as burning of pastures and other methods of disinfecting

Dr. Cooper Curtice of Lynchburg, Va. discussed the question of co-operation between the various states in cleaning pastures along state lines, reporting on troubles in Polk county, Tennessee, and adfacent counties in North Carolina and Georgia.

is getting to the place where, if you are FATAL WRECK AT ONAWA Fireman Field of Northwestern Killed When Coal Car Strikes an Engine.

ought he will recover.

115, and his body cannot be recovered until In other words, it is the purpose of the the wrecking train arrives. A coal car, senator to amend the homestead law, so which was being drawn up the high coal as not to retard settlement and at the same the track just in time to catch the engine. main. He, in common with many other The front trucks of the first car only were an injury to settlement. brown from the track.

TOBACCO BUYERS THREATENED Two Firms at Marion, Ky., Ordered Not to Buy Any More of the

Weed.

at to buy any more tobacco. The letters were signed "D. T. P., or Night Riders," heir places of business would be de stroyed by fire

Waterways Convention to Ask for a Per-

masent Appropriation.

Kinkald Argues Before Land Commissioner in Behalf of Veterans Who Take Up Additional Homesteads.

(From a Staff Correspondent.) WASHINGTON, Dec. 6 .- (Special Tele were present at the deep waterways con vention which convened in this city today. After addresses by Speaker Cannon

organized, selecting Mr. Teal chairman and damaged. Many were swept entirely away. Lewis Ashbaugh of Iowa spoke in part ther divided into another subcommittee, the hospital were placed in a car and sent committee will report to the larger com- the building. mittee tonight and tomorrow the resolutions will be reported to the full commit-

> Fifty Million for Rivers. yet to pass on the work of the subcommitconfine themselves strictly to the basic town may never be rebuilt. purposes of the convention and will prosounce strongly for the adoption by congress of an annual appropriation of \$50,-000,000 for rivers and harbors. Specific projects were completely shut off during the general discussion of the full committee and suggestions as to how congress should get the money were frowned down. It is understood that the resolution will be brief, the brevity insuring consideration.

The most irapressive delegation in the convention today, both in point of numbere and in the character of the men composing it, came from Kansas City. Nearly fifty men came on two special Pullmans. representing every organized commercial body in the city at the mouth of the Kaw. Mr. McVann, who is looked upon as one of the strong men of the convention, in to prison. in affendance; second, by their influential declared Shea had made the statement that character; third, by the deep-seated sentiment shown that something should be done for rivers and harbors, and fourth, by the splendid speeches of Speaker Cannon and Chairman Burton. Such a convention as is now in session cannot help but be a power for the upbuilding of the waterways of the United States and making them forces for transportation."

Kinksid Argues for Veterans. Congressman Kinkaid, at the suggestion of Commissioner Richards, appeared before Assistant Commissioner Pollock today in opposition to the order of the commissioner prohibiting soldier entrymen from proving up until their five years' residence had actually taken place. There are many old solders who have entered upon lands covered by the Kinkaid act who have taken subsequent land, but are estopped from making final proof when the time of their service, added to time of their residence, amounts to five years. Judge Kinkald contended that these soldiers should be allowed their patents when the time of serv to five years, whether they lived upon their old entry or upon their contiguous entry. Commissioner Richards, under an order to the local land officers, has issued an order that any soldier entryman who lived upon his actual entry shall have credit for the time of his service in which to make final proof, but his order does not go to the extent that a soldier entryman living upon a contiguous entry shall have the same right and it was for the purpose of clearing up

this matter that Judge Kinkald appeared before the assistant commissioner today. The member from the Sixth Nebraska feels encouraged over the argument made today, but should the assistant commissioner hold against him he proposes to take an appeal to the secretary of the interior. and then, if he cannot get any redress, he will introduce a special bill in congress t right what he considers both a hardship and an injustice to the old soldier.

Bill on Conl Land Question. Following the suggestion contained in the president's message with respect to coal lands, Senator Hansbrough of North Dakota is preparing a bill, which he will Engineer Sullivan badly injured, but it is ment to develop the coal properties by leasing them, or allowing them to be Field was buried under the engine, No. worked under a royalty system.

hute, owing to the failure of a clutch time to reserve to the government title to work, got beyond control and ran down the coal deposits upon the public dowhich was moving into the station from senators, is in receipt of letters from difhe south. The engine, a large-sized main ferent parts of the west, setting forth ine type, was thrown into the ditch and that the withdrawal of large areas of urned turtle. No passengers were injured. land supposed to contain coal is working

Beveridge Comes to Nebraska Senator Beveridge of Indiana has surrendered to the urgent appeals and will address the Nebraska State Teachers' association at its annual convention at Lincoin during the Christmas holidays.

Nebraska Surveys Complete. Judge Kinkald is advised by the general MARION, Ky., Dec. 6.-Considerable ex- land office that the survey of the south tement has been caused here by the re- half of Rock and Brown countles, Necipt by owners of the two largest tobacco brasks, as provided for by an act passed occerns in this city, letters warning them at the last session of congress, has been completed. The first boundary monuments were addressed did not held the warning settlers. The survey, which was conducted

(Continued on Second Page.)

Warmer Friday; Probably Snow in West Portion. Saturday Snow Rain and Warmer.

Temperature at Omaha Yesterday: Hour. Deg. 5 s. m. . . . 24 6 s. m. . . . 23 7 s. m. . . . 21 Hour, D 3 p. m 4 p. m..... 15 5 p. m..... 14 8 n. m 19 9 n. m 18 fi p. m..... 13 10 n. m..... 18 11 n. m. 17 12 m...... 16 8 p. m..... 11 9 p. m.... 10

TORREY MISSION MEETINGS.

12:05 to 12:50, Burwood Theater. Dr. Torrey-"Did Jesus Christ Really Rise from the Dead?" 12:15 to 1:00, Y. W. C. A. Mina

Parker. 3:00, Auditorium, Dr. Torrey-"The Work of the Holy Spirit." 7:00, Y. W. C. A. Mr. Jacoby-"Personal Work." 7:30, Auditorium. Dr. Torrey-"God's Blockade of the Road to

Hell." Sunday Afternoon, Women. Evening, Men.

GREAT LOSS OF PROPERTY Practically Every Building in Clifton, Arizona, is Damaged by the Flood.

SOLOMONVILLE, Ariz., Dec. 6.-Late details of the Clifton flood disaster indicate Representative Martin B. Madden of Chi- a most deplorable condition among the inhabitants and tremendous loss of property. resolutions. This subcommittee was fur-through the plate glass front. Patients in whose members talked all day. This sub- to higher ground before the flood reached

Monday night in Clifton was a night of terror, as practically the entire population stood upon the hills unsheltered. It is believed that many persons in the Mexican While the committee on resolutions has quarter, of whom no one has any record, were drowned. The damage will run into toes, it seems safe to say resolutions will the hundreds of thousands of dollars. The

SCHULTZ AND KELLEY TESTIFY Men Out of Business with

Fifty Volunteers. CHICAGO, Dec. 6 .- Only two witnesses were on the stand today in the trial of C. P. Shea of the Teamsters' union, charged

officer of the Coal Teamsters' union.

said: "I was tremendously impressed to- violence committed during the strike of was that the Coal exchange discussed day, first by the great number of persons which he had personal knowledge. He prices before the list was made up.

with fifty volunteers he would put the nor

union men out of business.

Intimation that Young Woman Will Pay Fine When Called Into

Court.

SHERIDAN, Wyo., Dec. 6 .- (Special Telegram.)-Rumor has it that the present here of Rev. Dr. Rafter of Cheyenne, Senator J. H. Williams of Douglas and Nat Banker of Lush is responsible for the request for a continuance of the Irvine case, made and granted this afternoon. These men spent Wednesday in Sheridan calling upon many interested parties connected with the case.

ice and time of residence should amount GILLETTE CASE CONTINUED and identify the first twelve pages of the Before Sentence is Passed.

HERKIMER, N. Y., Dec. 6.-Chester E. Gillette was not sentenced today. At the County Attorney Slabaugh at first obappointed hour he was taken into court, but jected. He said the matter was not mahis counsel had been unable to prepare in terial and the minutes referred to the callthe brief time at their disposal for a moing of certain persons before the exchange tion for a new trial, which they desire to to give advice they did not follow. After enter before sentence is passed. The court considerable argument it was agreed the on this showing postponed proceedings until next Monday.

District Attorney Ward made no objec-"But I want it understood," he added, "there will not be another postpone-

KANSAS GRAIN LAW Special Master Rules that Statute Providing for Weighing and

Inspection is Invalid.

KANSAS CITY, Dec. 6.-The Kansas introduce probably this week, reserving to grain inspection and weighing law was the government title to all coal lands re- today declared void by Judge S. R. Peters, ONAWA, In., Dec. 6.—(Special Telegram.) maining in the public domain, allowing special master appointed by Judge Pollack Chicago & Northwestern train No. 2, the esttlement, however, for any purpose and of the United States circuit court. Judge fast passenger from Council Bluffs to St. only reserving the right to settlers to use Peters recommends that a decree be issued was wrecked south of the Onawa for their own needs any coal found on enjoining John Radford, chief grain instation at 10 o'clock today and Fireman lands upon on them. The bill will also spector of Kansas, and his assistants from S. M. Field of Stoux City was killed and contain a clause authorizing the govern- weighing any grain in or out of elevators in Kansas City, Kan. The case has been argued four times in the last two years.

KENNEDY NAMES E. L. HOWE Former Treasurer of South Omaha Recommended by Congressman as Postmaster.

(From a Staff Correspondent.) WASHINGTON, Dec. 6 .- (Special Telegram.)-Congressman Kennedy today recommended the appointment of Edward L. Howe for postmaster at South Omaha, Mr. Howe was twice city treasurer of South by reason of the fact that it is admitted Omaha and was strongly endorsed.

TWENTY YEARS FOR ROBBER First Holdup Man Convicted in Pittsburg is Given Long

Sentence. PITTSBURG, Pa., Dec. 6.-James O'Malley was convicted today of holding up two course of the courtunder the original survey had become ob- men here recently and sentenced to twenty

demie of crime.

the arrests made during the recent epi- the room?

Attorney Connell Retracts Insinuation of Sutton's Aiding the Prosecution.

JUDGE PROMISES JAIL IF HE DOES NOT

Counsel for Coal Exchange Intimates Court is Against the Defense.

COURT STOPS TRIAL FOR RETRACTION

Denies Any Feeling in Case Except to See it Fairly Tried.

SMALL DEALER TELLS OF BEING BARRED After Fallure to Obtain Membership in Combine He Could Only

Get Cont by Wagon-

Lond.

The incident in the trial of S. E. Howell, president of the Coal exchange, Thursday morning came shortly after court convened, when Judge Sutton excused the jury from the room and told Attorney W. J. Connell, for the defense, he would send him to jall for contempt of court unless he retracted and apologized for remarks he had made, in which he accused the court of trying to assist in the prosecution of his client. Mr. Connell admitted his language was improper, retracted it and made an apology, which was accepted by the court. Judge Sutton then lectured the attorneys for their actions before the jury and insisted during the remainder of the trial they be more decorous. All the attorneys promised to observe the admonition of the court and the jury was called in again and the hearing

resumed. After this incident comparative peace reigned for the remainder of the morning session and the attorneys lost much of their belligerency.

Members Distrust Each Other. The principal evidence for the state brought out during the session came from former Secretary Wills, who testified the members of the exchange were watching each other to find violations of the rule regarding soliciting and the cutting of prices. He said if coal dealers found such violations they were supposed to notify him. Andrew Jensen, a nonmember of the Shea Declared He Could Put Nonunion exchange, testified he was not allowed to join the exchange because he did not have any trackage. After his application was rejected he could not get coal in carload lois, as he had been getting it, until soms

time this year, James I. Kemp. 2612 Leavenworth street, on whom County Attorney Slabaugh was with conspiracy. The first was Joseph depending for important testimony relating Schultz, who testified yesterday and was to the fixing of prices by the exchange, did called today for cross-examination. The not make good when he went on the stand. second was William Kelley, formerly an His memory failed him at certain points in the examination and at other times he de-Schultz denied that he had been induced clared he sold coal at his own price notto plead guilty and said he expected to go withstanding the price named on the Coal exchange's list. The principal point in his Kelley gave evidence regarding acts of evidence which was favorable to the state

Court Convenes Earlier. Court convened promptly at 9 o'clock. haif an hour earlier than usual. Former Secretary Wills was recalled to the stand. IRVINE CASE SET FOR JUNE He said if any price cards were issued after April 23, 1906, they were issued by direction of the exchange of which the de-

> "Do you know whether dealers were watching each other as to whether they were violating the rules regarding soliciting or cutting of prices?" "Yes, they naturally would." "Do you know whether there were any

parties who were asked to notify you of

fendant was president.

any member of the exchange as to soliciting or cutting of prices?" "If the coal dealers found anybody was cutting prices they would notify me." County Attorney Slabaugh tried to introduce price cards dated before April 23, 1966, The case has been continued to the June but they were ruled out by the court. Mr. term, at which time it is thought Miss Connell accused the county attorney of Irvine will enter a plea of guilty and will trying to get improper matter before the jury. At the close of the direct examination Mr. Conneil had the witness examine minute book which related to the meetings Motion for Next Trial to Be Made of the exchange just before the adoption of the new constitution. In these pages it is recorded the committee from the exchange consulted counsel, Richard L. Metcalfe of the World-Herald and County Attorney English as to changes in the constitution.

> whole book should go into the evidence, including the parts Mr. Connell had objected to the day before. Connell and Court Clash. Mr. Connell started to read the minutes and it was at this point the clash between him and Judge Sutton occurred. He was VOID reading the record of the minutes which related Mr. Metcalfe and Mr. English were present at a meeting of the committee, when the court stopped him and told him it was improper evidence and he could not let it go before the jury, as it did not matter if the editors of all three papers had

> > Conneil said it was already before the Judge Sutton: I know, but the court has a right to withdraw any of it that is incompetent, and that on its face may prejudice the jury. If. Mr. Metcalfe of the World-Herald and Victor Rosewater of The Hee and the manager of the News should all get together and authorize a man to nit a murder-

consented it did not affect the case. Mr.

Mr. Connell: I object and except to the remarks of the court, and I specially except and object to the court interfering with the evidence that has already been admitted by consent by counsel for the state and by counsel for the defendant, and which is before this court and jury, and which has been received by your bonor; and I inalst, your honor, that if there is anything to your honor's contending that that can be controlled and corrected by the instructions, that the evidence is in before this jury with the right to read these records evidence, and we except to the remark of the court as prejudicial; and, further, your honor, in all good faith and sincerity, I desire to except, your honor, to your honor, as a judge on the beach, coming to the assistance or relief-

Will Not Permit This. Judge Sutton-Stop right now. I will not permit this, Mr. Connell. Mr. Connell-I object and except to the

Judge Sutton-Wait a moment. Now, Mr. and stated that if the men to whom they literated and much confusion resulted to years in the penitentiary. O'Malley's con- Council, I shall excuse the jury a moment viction is the first made in connection with Mr. Bailiff, will you take the jury out of

The jury retired from the room and

plag shall be placed on each nachage.