FIRST MASS TODAY

Clargy of Paris Will Hold Services Outside Pale of the Law.

SPECIAL APPEAL FOR LARGE ATTENDANCE

Government Will Not Make Any Arrests Until Meetings Are Over.

REASON FOR DEPORTATION OF NUNCIO

Premier Says He Was Instructing Frenchmen to Disobey Law.

VATICAN IS PREPARING A PROTEST

Pope Rolds that Seisure of Records is an Outrage and Without Precedent-Opinion in Rome Divided.

PARIS. Dec. 11.-The clergy of Paris issued special appeals tonight to their parishioners to be present at the churches tomorrow at the first mass celebrated outside the pale of the law. The government, however, purposes to proceed gently. These services will not be broken up, but pollosmen will be in attendance to not isfractions of the law and cite officiating priests or their assistants before the nearest justice

of the peace. The chief danger of disorders in Paris is believed to lie in the possible invasion of churches by rowdies and free thinkers, Reserves of gend'armes will be stationed at various points throughout the city to guard against troubles of this sort. The efforts made by certain members of the Chamber of Deputies and other disinterested persons to insure a continuation of churches in spits of the papal veo, by inducing Catholic laymen in each parish to make the forbidden declaration have not thus far met with much success. Up to a late hour tonight ders." the Church of St. John the Evangel was the only church where such legal applica- also devote leading articles in most aption had been made.

The indications are against anything which might be dignified by the name of religious war, and the prompt expulsion from France venterday of Mgr. Montagnini, secretary of the papal unciature here since the recall of the nuncio, coupled with the threat to expel recalitrant clergymen from France, has had a sobering influence. The militant Catholics are in a hopeless minority and the masses are rather indifferent, or except in tion of the shah remains practically una few isolated instances, inclined to side changed, although today he railied slightly with the government.

Demonstration at Nancy. There was a riotous demonstration at Nancy today while the bishop was moving out of his residence. A crowd of 2,000 accompanied the officials to the residence, hooting them constantly. The bishop will be prosecuted on the charge of assauting a policeman because he laid his hand upon a policeman's shoulder while he was leav-

Five thousand persons gathered today in to the pope. There was an enthusiastic the cothedral.

So far as church property is concerned, the episcopal mansions, the rectories, the seminaries, etc., prelates of all rank are prepared to accept the notices served upon em to move out tomorrow after protesting and refusing to sign documents of dis-

It is reported tonight that dozens of culture or diocesan societies are in process of formation at the last moment in the various departments.

First Suits Are Filed. the taking of the inventories occurred and court.

ernment intends to meet resistance. in the Chamber of Deputies last night also who, he said, are pressing him. The magshows that he has Parliament at his back. | istrate promised to consider the application. Nevertheless, M. Clemenceau was careful to say that there was still time for Catholics to conform to the law.

Nuncio's Papers Valuable. It turns out that the papers selsed at the papal nunciature yesterday placed in the government's bands important evidence to the Vatican if open war is to take place. authorized Chancellor von Buelow to dis-They include, besides all the diplomatic soive the Reichstag and order new elecrecords covering the correspondence ex- tions if the supplementary appropriations changed before the rupture with the Vati- asked for by the government are not can, recent instructions from Cardinal granted by the house. Merry del Val. the papal secretary of state. The question of the Reichstag appropriexistence of a conspiracy.

porary hospitality of M. Denys Cochin, a government's position being that if the Deputies from one of the Paris districts. Africa is reduced from 12,000 to 2,500 men. Mende and Saint, Bricux were evacuated

The formal charge on which Monsignor Montaguini was expelled was that he carried out an order contained in a telegram from Papal Secretary of State Merry del Val. received December 8, to instruct the French clergy to refuse to make applications under the law of 1881, or obey the law

The government obtained a copy of the memage at the telegraph office.

Editor Files Application. That the rank and file of the liberal Catholics disapprove of the intransigent attitude of the authorities at Rome was evidenced by the fact that M. Martinet, editor of the Renaissance, and Polix Robin. filed, on their own initiative with Prefect of Police Lepine today, an application under the public meetings law of 1881 for permission to hold religious meetings in all

It was at first announced that the govenment had instructed the prefect to accept the application, but it developed later that he only formally acknowledged ref receipt and decided a general application cering stil the churches was irregular. He also announced that unless applications were filed by two authorized persons in behalf of each church, measures for reporting violations of the law would commence at the time for carly mass to-

Cardinal Richard has formally denied that (Centinued on Second Pogo.)

RUSSIA CALLS ON UNCLE SAM ROOT ON DUTIES OF STATES NO DIVORCE FOR HARTJE POLLARD'S DRAFT RETURNED NEBRASKA WEATHER FORECAST

Bourse Gazette Says Nations Must Combine to Curb Ambition of Japan.

ST. PETERSBURG, Dec. 12 - The Bourse danette, one of the most responsible jour- DEVELC nals in Russia, today contains a leading article advocating a capprochement beween the United States and Russia to safeguard the interests of both powers in . Seeing Their Duty to the the far east, which, the paper says, r

low threatened by Japanese. The Bourse Gazette remarks:

The Bourse Gazette remarks:

Contemporary Europe is no ground which a combination of powers for the maintenance of peace in the far east is possible, but Russia and the United States are able to Join hands for this purpose. They have no old scores to settle. Their ancient friendship is only temporarily impaired, owing to the mistakes of the former resime. A Russo-American rapprochement, which is historically necessary, would check the Asiatic storm which is again moving towards the western world. This in no way implies were with Japan. On the contrary, so soon as the misunderstanding takes definite form it will guarantee the stability of peace in the far east.

The Bourse Gazette says it finds that

The article adds: "The war indicated guil. o the Japanese that everything was permissible to them if material force was on their side. The first step in the moral rehabilitation of the west is a Russo-American rapprochement."

In this connection may be quoted a remark made to the Associated Press correspondent by a Russian diplomat of the highest rank, who said: "Russia places the highest value on the friendship of the United States and realizes and acknowledges that serious mistakes were made in the past to which the impairment of the friendship of the last few years is due, Our task now is to repair these blun-

The Novoe Vremya and Rech and Slovo prehensive tone to the Japanese question.

SHAH HAS SLIGHT RALLY Heart of Ruler of Persia is Affected and He Can Live But Few Days.

TEHERAN, Persia, Dec. 12.-The condiafter yesterday's relapse. At a consultation of physicians held yesterday evening it was discovered for the first time that his majesty's heart has become seriously affected, thus adding a new complication to the situation, wh. a already was considered grave. The condition of his heart and the repeated syncopes lead to the consensus of opinion that the shah cannot live more than five days. The patace officials no longer conceal the seriousness of the situ-

ation. Public business is proceeding as usual. the cathedral at Rennes to listen to Arch- Excepting perhaps his entourage and persons having intimate relations with the sons having intimate relations with the sixter states. Every individual is bound court, few people seem to be affected by the state of the shah's health, and general indifference if not apathy extends even in Parliament. demonstration when the archbishop left the state of the shah's health, and general Parliament.

> IS AGAIN REMANDED HAU American Lawyer Closely Watched, as Guards Fear He Will

LONDON, Dec. 12.-Owing to the fact that the evidence regarding the death of Frau Mollitor had not arrived here from Prosecutions have been begun against the Germany, Prof. Karl Hau of Washington, ultramontaine abbes of the churches of St. who is accused of murdering the woman Pierre du Gros Caillou, St. Augustine and (his mother-in-law), was again remanded St. Roche, where the greatest resistance to for a week today at the Bow street police

Commit Suicide.

it has been decided to immediately take | Hau is being closely watched, as the poover the buildings belonging to the eccle- lice fear he may attempt to commit suisiastics, stop the pensions of the clergy, cide. His guards yesterday detected him compel aspirants to the priesthood to fill adjusting a necktic around his neck and their military obligations and, if necessary, assert that he was about to attempt to treat the clergy as subjects of a foreign strangle himself. The prisoner, however power. This constitutes a sufficient demon- assured his counsel that he had no such stration of the spirit with which the gov- intention. Hau this morning made an application to the magistrate for \$350 with The tone of Premier Clemenceau's speech which to pay creditors at Washington,

> KAISER INSISTS ON BUDGET Reichstag Wil Be Dissolved and Elections Ordered If Money is Not Granted.

a mass of letters from prelates all over ating enough money to keep the present the world and letters in the handwriting army in German Southwest Africa in the of deputies of the right party. M. Jaures, field is, according to the conviction of the socialist leader, asserts in his paper the government, equivalent to the question that the seized documents even prove the whether the colony shall be given up or retained. An appeal to the country, if Cardinal Richard has accepted the tem- necessary, will be made on that issue, the conservative member of the Chamber of present garrison of German Southwest The Catholic cemeteries at Hordeaux, as the center party and the extreme left contend should be done, the insurgent natives will obtain possession of the colony.

BURDEN TO BE ON SELLER European Grain Buyers Would Change System to Prevent Loss to Them.

BERLIN, Dec. 12-In consequence of the international movement among buyers of American grain to compute among sellers to control the standard grain contracts. representatives of the German, Beighum, Spanish, Dutch and Swedish chambers of commerce met on the Bourse here today, to consider the taking of common action. The idea is to make American sellers responsible for laying down merchantable grain at European ports instead of, as in the standard contracts, placing the loss, if the grain arrives in bad condition, upon the European buyer. The controversy turns particularly upon cornmeal, though wheat is also considered. After a long discussion, it was decided to confer with the that will not promote the public welfare, British Chamber of Commerce,

Passengers to be field. NEW YORK. Dec. if.—The fifty-two cheapened to the public cabin passengers on the steamer Bleucher, which was detained at quarantine yester-day upon arrival from Hamburg and Chesbourg with a case of smallpox in the sec-bourg with a case of smallpox in the sec-ond cabin, will be released today. All the sterage passengers also probably will be released, but the 11s second cable passen-gers, who were expected to the disease, will be detailed at Hoffman island for observa-tion.

Secretary Discusses Tendency Teward Centralination of Powers of Government.

BRING NEW CONDITIONS

Can Only Be Cheeked by Country at Large and Legislating Accordingly.

NEW YORK, Dec. 12 -Secretary of State Elihu Root was the guest of honor at the eighth annual dinner of the Pennsylvania society of New York held this evening at the Waldor?-Asteria hotel. More than 700 United States. Mr. Root said:

misunderstanding takes definite form it will guarantee the stability of peace in the far east.

The Bourse Gazette says it finds that the chief source of Japanese Chauvinism is now shown in the negotiations of the Tokio government with the sovernments at Washington and St. Petersburg to be "the utter bankruptey of the moral prestige of the west in Japanese eyes, owing to Japan's easy defeat of Russia and the discovery that the solidarity of the western peoples in the work of peaceful development is an empty sound."

Mr. Root said:

What is to be the future of the states of the constitutional form to the union under our constitutional form of the original form the conditional material is now shown in the negotiations of the Tokio government are henceforth to be applied are widely different from the conditions which were or could have been within the contemplation of the framers of the constitution distributing powers to the national and state government are henceforth to be applied are widely different from the conditions which were or could have been within the contemplation of the framers of the constitution distributing powers to the national and state government are henceforth to be applied are widely different from the conditions. Welshous, his friend, together with Cliff ford Hooe, colored, a former coachman of the laters.

During the trial Mr. Hartje and John 8. Welshous, his friend, together with Cliff ford Hooe, colored, a former coachman of Hartje's, was arrested on charges of conspiracy. Hooe was also charged with perjury.

A separate suit brought by Mrs. Hartje days in the two constitution distribution distribution of the trial in the clauses of the constitution distribution of the trial in the clauses of the constitution distribution of the family. For five days handwriting experts of the sails and the discovery that the solder opinion on the authenticity of these letters.

Congressman For \$1.861.8, payable that the union, they were forming out the negotial form of the family. For five days handwrit

State Action Inadequate. Such changes in the life of the people cannot fall to produce corresponding po-litical conditions. Some of these changes can be plainly seen now in progress. It is litical conditions. Some of these changes can be plainly seen now in progress. It is plainly to be seen that the people of the country are coming to the conclusion that in certain important respects the local laws of the separate states which were adequate for the due and just regulation and control of the business which was transacted and the activity which began and ended within the limits of the several states are inadequate for just and due control of the business activities which extend through all the state, and more power of regulation and control is gradually passof regulation and control is gradually pass-ing into the hands of the national govern-ment. Sometimes by an assertion of the or regulation and control is gradually passing into the hands of the national government. Sometimes by an assertion of the interstate commerce power, sometimes by an assertion of the taxing power, the national government is taking up the performance of duties which under the changed conditions the separate states are no longer capable of adequately performing. The federal anti-trust law, the anti-rebate law, the railroad rate law, the meat inspection law, the oleomargarine law, the pure food law are examples of the purpose of the people of the United States to do through the agency of the national government the thing which the separate state governments formerly did adequately, but no longer do adequately.

New projects of national control are mooted, uniform divorce laws; child labor laws and many others affecting matters formerly entirely within the cognizance of the state are proposed.

New View of Daties of States.

New View of Duties of States. New View of Daties of States.

I submit to your judgment and I desire to press upon you with all the earnestness. I possess, that there is but one way in which the states of the Union can maintain their power and authority under the conditions which are now before as at that way is by an awakening on the part of the states at a real question of their own duties to the country at large. Under conditions which now exist, no state can five to itself alone and regulate its affairs with sole reference to its own treasury, its own convenience, its own special interests. Every state is hound to frame its legislation and its administration with reference to the enect on all its with reference to the enect on all its with reference to the enect on all its but with reference to the exect on all its

imperative becomes the necessity constrains and limits individual con-It is useless for the advocates of state rights to inveigh against the supremacy of the constitutional laws of the United States or against the extension of national authority in the fields of necessary control where the states themselves fall in the performance of their duty. The instinct for self government among the people of the United States is too strong to permit them long to respect any one's right to exercise a power which he falls to exercise. The governmental control which they deem just and necessary, they will have. It may be that such control could be better vercised in particular instances by the governments of the states, but the people will have the control they need sither from the states or from the national government and if the siates fall to furnish it in due measure, sooner or later constructions of the constitution will be found to vest the power where it will be exercised in the national government. The true and only way to preserve state authority is to be found in the awakened conscience of the states, to their broadened views and higher standard their broadened views and higher standard is useless for the advocates of state mitted. preserve state authority is to be found in the awakened conscience of the states, their broadened views and higher standard of responsibility to the general govern-ment, in effective legislation by the states in conformity to the general moral sense cise for the general public good of the of the country, and in the vigorous exer-authority which is to be preserved.

GREAT NORTHERN EXPANDS Sixty Million Dollars Added to Preferred Stock to Provide for Expenses.

NEW YORK, Dec 12.-At a meeting of the directors of the Great Northern railwhich may prove exceedingly embarrassing BERLIN, Dec. 12.—Emperor William has way it was voted to authorize an increase of 500,000,000 in preferred stock and to give tors of elections for each company. This stockholders the opportunity of subscribing therefor at par.

all such payments the company will pay interest at the rate of 5 per cent per annum until the full amount is subscribe The present amount of stock outstanding is very nearly \$150,000,000, so that the new issue, when it becomes stock, will bring the total amount up to \$219,000,000 According to a statement given out today the proceeds of the sale of the new stock is to be used "to pay for additional equipment for additions to and improvenents of existing lines and for acquisition by purchase of the securities, or otherwise, of such lines as the directors may decide

LIFE INSURANCE ASSOCIATION Paul Morton at Head of Movement to Secure Uniformity of Administra-

tion and Prevent Waste.

NEW YORK, Dec. 12-It was announced today that President Paul Morton of the Equitable Life Assurance society has called a meeting of the presidents of more than thirty of the principal life insurance companies in the country, to be beld in New York City on December 3, to form an arsociation. Among the reasons given by President Morton for the organization are: To prevent extravagance and reduce expenses by encouraging uniformity of administration; to consider whether to advocate or oppose ligislation.

Mr. Morton said that he was not going to enter into any agreement or combination and that he should be disappointed if great improvements cannot be made in the administration of life insurance and its cost

Judge Frazer Decides the Suit at Pittsburg Adversely to the Platauff.

PITTSBURG, Dec. 12.-The famous diores case brought by Augustus Hartje, the millionaire paper manufacturer. against his wife Mary Scott Hartje, In which he named Coachman Thornas Madine as co-respondent, was today de-

cided in favor of Mrs. Hartje. Judge Frazer denied the petition of the complainant, but makes no reference to the question of allmony. The children are to remain in the custody of Mrs. Hartje until a further order of court.

The court costs must be paid by Hartje. Hartje's counsel anounced the case would be appealed.

The case aroused public interest all over members of the society were present. Press the country. Hearing of the testimony ident J. Hampden Robbs presided. Secre- took nearly five weeks. The battle centered tary Root responded to the toast "The in the production of a series of letters alleged to have been written by the wife Thomas Madine, the coachman of the

Mrs. Hartje was not able to be in court today, on account of Illness. With her two children she returned to Pittsburg, from

When informed of the decision Mrs.

Hartje, the libellant, said: "Well, that is not the finish. I will appeal the decision and carry it to the bitter end. My conscience is clear. I have done nothing wrong."

NEGROES AT WAR OFFICE Discharged Soldiers of Twenty-fifth Make Application for Recallst-

ment in Army.

WASHINGTON, Dec. 12.-The immediate result of a memorandum of Secretary Taft to the military secretary signed yesterday. outlining the procedure to be followed by enlisted men of the Twenty-fifth infantry

of the men, the secretary also said, will where an Indian supply depot should be law" in shooting Brown. matter.

The evidence submitted at the White House by Gilchrist Stewart of the Constitutional league, in behalf of the discharged soldiers of the Twenty-fifth infantry, has been turned over to Secretary Taft. The president's answer to the senate reso-

discharged soldiers, it is expected, will be sent to that body shortly before the holiday recess.

INSURANCE ELECTION PLAN Mutual and New York Life Interests Get Together on State Supervision.

NEW YORK, Dec. 11.-Ways and means present maintained will be eliminated, for supervising the coming elections of flat sum for this work being appropriated. directors of the Mutual Life Insurance company and the New York Life Insurance company were considered at a conference held today at the New York office of the state superintendent of insurance.

Representatives of the policyholders' asspeciations suggested that the state superintendent of insurance appoint five inspecarrangement was satisfactory to the various interests present and the representa-Payments on new issues are to be at tives of the companies and the policyholderiods etxending over two years and on ers' association agreed to submit lists of names who would be agreeable to them to have serve as such inspectors.

HEAVIER BONDS DEMANDED Since Conviction of One Other Accused Insurance Men Must Increase Bail.

NEW YORK, Dec. IL-The ball of Fredrick A. Burnham, president of the Mutual Reserve Life Insurance company, and George D. Eiridge, vice president of the company, both of whom are under indictent on charges of forgery and larceny, was increased by Justice Greenbaum in the supreme court today.

honds required. Hitherto both had been held in \$12,500 ball. The action was taken on request of the district attorney following the conviction yesterday of George Burnham, jr., general counsel of the company, on a charge of lurceny under which he was indicted jointly with Frederick A. Burnham and Eldridge.

SUIT FOR SLICE OF CHICAGO Massachusetts Man Wants Twenty-Five Million Dollars' Worth of Property on South Side.

CHICAGO, Dec. 13.-In the federal circuit court today Sidney Smith of Cambridge, are named in the suits. The land named is | Harry Hay, resigned. almost the entire territory south of Thirty-Grand boulevard and Lake Michigan. Ac- Iowa, have been ordered discontinued. cording o Smith, the original grant of the

Bergeant-at-Arms of House Sees No Way to Cover Money nto Treasury.

HOUSE ASKED TO PASS ON QUESTION

Congressman Kennedy Has Annual Fight on His Hands to Retain the Indian Supply Depot at Omaha.

(From a Staff Correspondent.) WASHINGTON, Dec. 12 - (Special Telegrum.)-Congressman Pollard will, tomor row, present a resolution to the house o representatives calling upon the judiciary committee of that body to investigate the question whether he is or is not entitled to the money which the sergeant-at-arms sent to him covering the period between the resignation of Senator Burkett from the lower house and his election as Bur-

Congressman Pollard was severely criticised during the last campaign for taking the money and he lost many rotes because of its acceptance. Later on and after election, Congressman Pollard drew a draft conspiracy. Hooe was also charged with United States, and sent the same to Henry Casson, sergeant-at-arms of the house, with a request that this amount be covered back into the treasury. Mr. Caeson has Attorney Jerome, the police tenight raided been up a tree regarding the disposition of an alleged gambling house in Tenth street the money and retained the check until today, when it was returned to Mr. Pollard with the following letter:

children she returned to Pittsburg, from California yesterday, and while enroute home contracted a severe cold. Her mother, Mrs. Scott, denied the report that Mrs. Harlis would take up her residence in California permanently, after the close of the divorce proceedings.

"Mary has no intention of leaving Pittsburg," she said. "Of course, the notoriety is disagreeable, but she has many true friends here and has not suffered from the sensational charges."

Washington, D. C. Dec. II.—Hon. E. M. Pollard, House of Representatives—My to the prisoners, but also to the lawyers and bondsmen who flocked to the station to bail out the prisoners. Fictitious names are often given fallowing such a raid, but tonight the district attorney instructed the sergeant at the police station to require the bondsmen to make oath that the prisoners' names and addresses given at the station house were correct.

Although lawyers appeared at the station house with bendsmen the sergeant remained firm and in nearly every case the mained firm and in nearly every case. that congress, was made under authority conveyed by section lifty-one of the revised statutes of the United States, which statute was enacted in the year 1802. In making this payment, not only was the statute observed, but it conformed to an unbroken line of precedents and was approved by the accounting officers of the Treasury d partment. Your letter and accompanying draft are transmitted herewith. Very truly yours,

HENRY CASSON,

Sergeant-at-arms, House of Representatives.

Mr. Pollard has sought since reaching Washington to have the comptroller of the treasury or auditor of state and other departments to pass upon this question once and for all, but they have refused to give an opinion unless put up to them by congress. He has had repeated conferences with the speaker and the house leaders as to the manner in which he should proceed and it was finally agreed that he should rise to a question of personal privilege to morrow and introduce the resolution calling upon the judiciary committee of the house for an opinion upon this much debated question, whether he had a right to accept the money which he did covering

the period above mentioned. Fight on Indian Supply Depot. Congressman Kennedy is again stirred up court tomorrow. over the appropriation for the Indian supcases of the discharged men before taking in the Indian affairs committee of the secure an ante-mortem statement, but Senthem to the president, said today that noth- house to cut Omaha out of the list of ator Brown refused to talk. After the ing beyond receiving the applications for supply depots. Mr. Kennedy today had a autopsy is performed the body will be re-enlistment would be done until the re- conference with various members of the taken to Salt Lake City for burial. plies of the president and himself to the committee and showed them how important Mrs. Bradley is on the verge of collapse senate resolutions of inquiry are sub- it was that the appropriation should be and her physicians say that it may be sevcontinued in its present form. Up to the eral days before she will be able to be ar-The evidence furnished yesterday by Gil- present fiscal year Omaha was mentioned raigned in court. Her defense will be that christ Stewart, who is acting for a number directly in the bill as one of the places she was justified under the "unwritten be gone into carefully and be taken into maintained, but the Indian appropriation account in the final adjudication of the bill for the fiscal year ending 1907 cut out Omaha as well as St. Louis and San Franthree cities. During the last year Indian Commissioner Leupp has given the merchants of Omaha an opportunity to bld on supplies for the Indian department at Omaha and the Indian supply depot has lution calling for information regarding the proved itself of benefit not only to the indian department, but to the business interests of Omaha as well. Mr. Kennedy's general favor and there is no doubt that the appropriation heretofore made will be continued in the Indian bill when reported after the Christmas holldays. It is believed, however, that the whole question of Indian supply depots will be covered in one general paragraph and the names of all cities in which supply depots are at

Supplies for Ute Indians. the military secretary in reference to published reports on the pitiable condition of the Ute Indians at Fort Meade, who recently endeavored to escape from their own reservation to the Crow reservation. Gen eral Greely says the Indians need clothing. blankets, shoes and forage for their live

be extended and asked permission to spend \$5,000, which request was granted. Minor Matters at Capital n Washington and is the guest of the invariably strike its roof. Cosmos club. Dr. Von Mansfield is here for the purpose of attending the banquet

stock. He believes some assistance should

littery affairs committee of the house and they have therefore recommended it be asked that the army appropriation bill abandoned. carry an appropriation of \$45,000 to enlarge the hospital at Fort Robinson. Unless there is express legislation to this effect the amount appropriated by last year's bill, namely \$30,000, will stand. This amount, it is stated, is wholly insufficient to meet Burnham's ball was fixed at \$25,000 and the needs of the hospital, and particularly that of Elridge at \$15,000. Both gave the so if Fort Robinson is to become a brigade

> Congressman Smith of Council Bluffs. who is a member of the sub-committee on apprepriations, having the fortification bill fortifications bill would be reported out of his committee before his leaving.

sistant surgoon, now at Newport News, will proceed to Fort Robinson for duty. T. W. Burg of Omaha, H. D. Crosmer of have been appointed railway mail clerks. John P. Mathles has been appointed regular and Elizabeth Mathias substitute rural carrier for route No. I at Concord. Neb . Postmasters appointed: Nebraska, Amelia,

fifth street to Thirty-ninth street, between Nebraska, and Iconium, Appaneose county,

Show in West, Rain in East Portion; Decidedly Colder Thursday. Friday Fair and Colder, Temperature at Omaha Yesterday:

Hour. Deg Hour. De 5 s. m..... 3s 1 p. m..... 6 s. m..... 5s 2 p. m..... 2 p. m 51 S a. m. As 4 p. m. ... B3 9 a. m 39 10 a. m 41 11 a m..... 44 12 m..... 47 S p. m 47

TORREY MISSION.

LAST WEEK OF REVIVAL. Y. W. C. A. Rooms, 12:15 to 1,

Miss Parker, Auditorium, 3 p. m., Dr. Torrey, "The Baptism of the Holy Spirit." Y W. C. A. Rooms, 7 p. m., Rev. W. S. Jacoby, Personal Work. Auditorium, 7:30 p. m., Mr. Butler will sing and Mr. Torrey will preach.

JEROME MAKES BIG RAID Men Charged with Gambling Required to Give Real Names Before Bond is Accepted.

NEW YORK, Dec. 12.-Led by District and arrested 145 men.

The new tactics of the district attorney were apparently a great surprise not only are often given fallowing such a raid, but tonight the district attorney instructed the sergeant at the police station to require the bondsmen to make oath that the prisoners' october 1—Grand jury begins investigation. names and addresses given at the station house were correct.

Although lawyers appeared at the station Although lawyers appeared at the station bouse with bondsmen the sergeant re-

mained firm and in nearly every case the ments.

November 21-Indicted coal dealers arbondsmen refused to give bail. The result was that at a late hour the majority of the 145 men were still held in cells at the station. About thirty policemen, a score of detec-

tives, two roundsmen and Captain Miles O'Reilly of the Mercer Street station participated in the raid. To enter the gambling house several heavy doors were battered down with iron

rails taken from a passing truck. FORMER SENATOR BROWN DEAD South Tenth. Mrs. Bradley's Defense Will Be That Shooting was Justified by the Unwritten Law.

WASHINGTON, D. C. Dec. 13 .- Former Inited States Senator Arthur Brown of fornia Utah, who was shot in his apartments at the Hotel Raieigh Saturday afternoon by Mrs. Anna M. Bradley of Salt Lake City,

died at midnight at the Emergency hospital. Mrs. Bradley will be arraigned in police One of the assistant district attorneys

WORK ON THE BIG DYKE cisco and appropriated a lump sum for the Southern Pacific Railway Begins Another Fight to Keep River Out of Salton Sea.

IMPERIAL, Cal., Dec. 12.-Preliminary work was begun this morning by the Southern Pacific railroad for closing the for all times.

Tube Under Chicago River is Too Badly Damaged to Permit Repairs.

by engineers employed by the city that the tunnel under the Chicago river at La Salle street must be abandoned. For years the tunnel has been an obstruction to navigation, as its roofs are so high that Dr. A. S. Von Mansfield of Ashland is deep druft vessels heavily loaded almost

The War department ordered the tunnel lowered and the work has been in progress of the National Geographic society, which for some time. The engineers, however, will be given Saturday evening at the New have found the roof so badly damaged by the pounding it has received from Judge Kinkaid today appeared before the vessels as to be incapable of repair and

> GIFTS GO FREE SAILORS' United States Will Carry Christmas Boxes for Enlisted Men Without Charge.

the navy serving in Cuban waters will be the jurors that they should have been delivered without cost if they are ad- locked up during the case. This is the first dressed in charge of the depot quarter- jury for some time that has been out two in charge, stated today that he would master, Newport News, Va. All such continuous nights. Jurors are like soldiers. leave for home Saturday, but that the packages should be distinctly addressed They have to make many sacrifices for and plainly marked "Christmas Package." their country. I believe the sweetest First Lieuterant Orvelle G. Brown, as- for the Philippine service.

BAT MASTERSON IN CONTEMPT

Accused of Circulating Palse

Report.

NEW YORK, Dec. 12-William B. Mass, filed fourteen suits for writs of eject- Holt county, George W. Holcomb, vice I. Masterson, a United States deputy marment on land here worth \$5,000,000. The Moss, resigned; Wyoming, Creston, Sweet. shall and William S. Lewis and Henry N. city of Chicago and 4,000 other defendants water county, Thomas G. Sherman, vice Cary, editors of the New York Morning The maximum penalty that can be im-Telegraph, were arrested today charged posed is a fine of \$5,000 or one year's im-

BOSTON. Dec. 12—The vote in Loudon justified and never appeared on record, the men objected as no light. The majority for teining the grant having died before the light pears vote Yes, 25.65. Instrument was registered. Smith claims of the heirs of the Christmas holidays on Deventure of the grants of the grants of the grants. The lease of the grants of the heirs of the grants of the grants of the heirs of the grants of the heirs of the grants of the grants of the heirs of the grants of the grants.

ports of the Gillette trial."

Head of Omaha Coal Exchange Convicted of Restraint of Trade.

JURY DELIBERATES THIRTY-FIVE HOURS

Verdiet Comes After Hope of Agreement Had Been Given Up.

CASE MAY BE TAKEN TO SUPREME COURT

Defense Indicates it Will Seek Reversal in Higher Body.

I. A. SUNDERLAND TO BE TRIED MONDAY

Speedy Hearing Promised Remainder of Coal Exchange Leaders Who Are Indicted with President Howell.

"We, the jury, duly impaneled and sworn to well and truly try and true deliverance make between the state of Nebraska and Samuel E. Mowell, the prisoner at the bar, do find the said defendant guilty of restraint of trade, as he stands charged in the information."

Chronology of Coal Cases, September 8-County Attorney Siabaugh aaks for grand jury. September 10-District judges call grand

September 22-Injunction suit brought by

algred.
December 3—Samuel E. Howell, president f exchange, pleads not guilty.
December 5—Jury selected to try Howell.
December 10—Case given to jury.
December 12—Jury returns verdict of

Byron R. Hastings, real estate, 3516 Dodge. Thomas Gillespie, ex-liquor dealer, Frirty-eighth and L. South Omaha. Charles L. Hooper, advertising novelties, 2020 North Nineteenth avenue. Henry Alexander, dining car cook, \$11

N. E. Dillrance, horse dealer, boards at Dennis Sheean, Union Pacific car repairer, 764 South Thirteenth. Frank Lynch, cook, 1120 Dodge.

Anton Dokulil, 4139 South Seventeenth. J. H. Muldoon, engine foreman, 2215 Cali-E. B. Brain, manager Omaha School Supply company, 1547 South Twenty-eighth, J. F. Willett, inspector water company,

2624 Caldwell. L. M. Cash, salesman National Cash Register company, 112 North Twenty-fourth. After thirty-five hours of almost ceaseless deliberation the jury in the first of the over the appropriate a disposition of the another fruitless effort tonight to Judge Sutton's court Wednesday morning at 9:40 o'clock. The fact a verdict was reached at all after two nights and a day of fruitless work on the part of the jurors surprised everybody connected with the case. The defense gave notice it would file a motion for a new trial and indicated it would cary the case to the supreme court, if necessary, in an endeavor to have the

verdict set aside. The twelve jurors, wan and tired from the long vigil, were granted excuses from further service by Judge Sutton as soon as the formalities of returning the verdict had been completed. They all expressed great satisfaction that the arduous case was over and gathering up their overcoats and bundles hurried home to make up the

sleep they have lost. Contest Over the Result. The contest in the jury room was a hard break in the Colorado river. A meeting of one, according to hints that leaked out presentation of the Omaha case met with all interests in the valley have been called during the morning. The first ballot stood assemble tomorrow morning at Imperial 7 to 5 for conviction, but after a little dismeet R. H. Ingram and other repre- cussion two of the five deserted to the masentatives of the Southern Pacific com- jority and for the rest of the long session pany, who will submit a proposition to the the vote continued 5 to 3. It stood at this ople of the valley asking them to guar- point most of Tuesday and Tuesday night antee the company and the Mexico repub- The jurors worked until late Tuesday night lic against damage claims, in return for and then settled down on chairs, benches which the company will proceed on a farger and tables as best they could to get some scale than ever to control the river and sleep. At 5 o'clock Wednesday morning build dykes to furnish abundant protection the balloting began again and still the three hung out. The Jurors went to breakfast with no evidence of a break in the Major General Greely today telegraphed TUNNEL MUST BE ABANDONED deadlock. On their return from the morning meal another ballot was taken and two more went to the side of the prosecution, making the vote stand II to L One more

hallot resulted in the agreement The verdict was reached about 9 o'clock and the defendant and his attorneys were CHICAGO, Dec. 12.-It was decided today at once summoned by telephone to hear the result. At 9:40 the Jurors, looking much the worse for the hours spent in the jury room, filed into court and took their places in the box. Foreman Edwin B. Brain handed the verdict to Balliff Kirkendall, who passed it to Deputy District Clerk Gallagher, who read it. Deep disappointment was written all over the faces of the eight or ten coal men who were in the court room when they heard the word "guilty." Up to that time they had expressed themselves as confident of an ac-

Defense Demands Poll of Jury. J. F. Stout, representing the defendant, asked that the jury be polled and in reply o the questions of the district cierk all of them declared they had agreed to the verdict and still adhered to It.

"Gentlemen of the jury," said Judge Sutton after the formality had been finighed. "the court realizes this has been WASHINGTON. Dec. 12.-Christmas a very hard and laborious trial for the makes and parcels for the enlisted men of jurors. It has probably seemed hard to Similar arrangements were recently made memories of old soldiers are of the hardships and privations they have undergone. I am satisfied that as years go by you will look back upon this service and it will give you no little satisfaction to recall Tripp and G. W. Stegman of Miller, S. D., With Two New York Editors He is the hardships you went through in the service of the state."

Judge Sutton said he would excuse any of the jurors, who wanted to go home. All of them made applications to be relieved from further service.

hir. Howell, the defendant, gave a bond for \$5,000 signed by John E. Von Dorn. The postoffice at Avery, Sarpy county, with "criminal contempt of court in cir- prisonment or both in the discretion of the culating false and grossly inaccurate recourt. Sentence will not be pronounced until the motion for a new trial has been passed on, which will probably not be for

a week or two at least. Triumph for Slabaugh. The verdict is considered an important victory for County Attorney Slabaugh and his staff. He is receiving congratulations