VOL. XXXVI- 10. 203.

OMAHA, SATURDAY MORNING, FEBRUARY 9, 1907-SIXTEEN PAGES

SINGLE COPY THREE CENTS.

Wife . Slaver of Stan ord White Continues Account of Her Life.

MORE LETTERS FROM DEFENDANT READ

They Confirm Statement that She Told Him of Relations with White.

MORE OF THE ACTIONS OF ARCHITECT 24 25 26 27 28

Makes Several Attempts to See Her After Her Marriage.

warmer Saturday; Sunday, artly and colder. Temperature at Omaha yesterday: JEROME OBJECTS TO MANY QUESTIONS

District Attorney Says There Should 8 a. m. 19 9 a. m. 25 10 a. m. 28 11 a. m. 33 12 m. 37 Be a Limit to the "Defamation of the Dead" and Tenderloin Gossip.

NEW YORK, Feb. &-Evelyn Nesbit Thaw again today was the central figure at her husband's trial. She was still on the stand-her direct examination unfinished-when the usual week-end adjournment until Monday morning was taken.

Picking up the threads of her life's story where she had dropped them the evening before the girl wife of the defendantalways, she declared, telling her story just as she had related it to Harry Thaw from time to time-brought the narrative down to her wedding in Pittsburg on April 4. 1905, and their return to New York following a honeymoon trip in the west. She declared she had heard White call to her on the street once after this and on another occasion when she passed him in a cab she noticed his cab turn around and follow her in the direction of a doctor's office where she was going to have her throat treated.

Mrs. Thaw had taken up the story at the time of her return from Europe in October, 1903, following her refusal of Thaw's offer of marriage on the grounds of which she related yesterday. On Monday she may be called on to finish the relation of the events which it is claimed by the defense brought on the impulse in the diseased brain of the defendant and caused the killing of Stanford

While today's testimony lacked the personal quality which made yesterday's recital so dramatic, impelling, enthralling and pathetic, it served to clear away some of the doubts and inferences which remained from the incomplete details as to the full extent of the revelations she claims | 38 in house. to have made to her husband. There were repetitions, too, at the suggestion of coun- S. D. sel, and incidents which had not been gone over in the first years of Mrs. Thaw's acquaintance with Stanford White, were brought out in completion of the life story.

Objection to "Defamation of Bend." B'strict Attorney Jerome, who had throughout silently listened to the youns wife's statements sent a thrill of excitement through the court room late in the day by vigorously protesting against "this defamation of the dead."

"Is there no limit," he exclaimed, "to the aspersions that are to be cast upon this man? Your honor well knows I cannot under the law, controvert any statement this witness makes against the memory of Stanford White."

In tones bitterly sarcastic, Mr. Jerome. spoke of "this tattle of the tenderloin," declared the court had the right to day on increase in bridge charges. such testimony "until competent evidence has been adduced here to show that this man is or was of unsound mind. We don't know whether this defendant ever

was insane," he concluded. The question which called out the vehement protest from the district attorney storms restrict retail business in some was addressed to Mrs. Thaw by Mr. Delmas and its purport was whether or not Thaw had at any time told her Nother girls who had met a fate similar to yours at the hands of this

"What man?" snapped Mr. Jerome. "Stanford White," replied Mr. Delmas, with the coolness of voice and manner characteristic of him. And then he added, still in the same low tone, "who else?" Justice Fitzgerald held that the district attorney's suggestion was a good one and he thought the defense should lay a

broader foundation to show insunity be fore proceeding along the lines suggested Mr. Delmas' question. "We will proceed to do this as soon as possible," answered Mr. Delmas. White Begs Girl to See Him.

Mrs. Thaw declared today that Stanford White, during the year which followed her experience in the room of the mirrored repeatedly sought to have her visit him alone.

"I told Harry," she said, "that Mr. White had begged me, had pleaded and cried and scolded and done everything he could to make me come to see him alone. I refused, and he told me I was cruel and that I was cold as a fish and not a human being. I told Mr. White I did not care to trust bim."

ing the months she would not see Harry Thaw "because of the dreadful things Mr. White and his friends told me about him," she declared Thaw accused her of improper relations with the architect. "I told him it was a lie and that I had she testified with an emphatic show of feeling.

After her return from Europe and dur-

The defense had Mrs. Thaw tell of her acquaintance with "Jack" Barrymore, the actor. Mr. Barrymore was in the court room one day during the early part of the trial, at the instance of the district at-torney, it was said. Mr. Deimas asked Mrs. Thaw today to tell what she had told Mr. Thaw of her acquaintance with the

She said she had first met Barrymore Pacific today, three miles from here, at a party given by Stanford White the following her introduction to these rehiteer

"I thought him very nice," she frankly said today, "and one day at Mr. White's studio he said: 'Evelyn, will you marry I said: "I don't know." He asked me a second time and I again said: 'I gage car was telescoped. Several freight don't know, and everybody laughed. Mr. White told me I would be very foolish to marry Mr. Barrymore, and my mother EGAN said so, too, and we all quarreled, and the upshot of the whole thing was that Mr. White said I ought to be sent away

to school, and I was, to New Jersey." White Makes Purther Advance. After leading the witness to tell, chronological order, of the incidents of her wedding with Thaw in Pittsburg, Mr. Delnaked her if she had seen Stanford White after her return to New York from the honeymoon trip. "I passed Stanford White one day on Fifth avenue. I was and he saw me and I heard him a number of small lines and will build

(Continued on Second Page.)

MRS. THAW'S STORY SUMMARY OF THE BEE ONAP MOURNS FOR COUNT ICE TRUST EVIDENCE GONE

cuspend Business at Mayer' S aequest During Funeral. 1907 FEBRUARY 1907

Saturday, February 9, 1907.

6

11 12 13 14 15

17 18 19 20 21 22 23

THE WEATHER.

Deg

FORECAST FOR NEBRASKA-Fair Sat

rday and Sunday; colder Sunday. FORECAST FOR IOWA - Pair and

LEGIBLATIVE.

kills the county option bill after an ex-

NEBRASKA.

WARRINGTON.

House passes 725 pension bills and lis-

DOMESTIC.

City will generally suspend business

General Greely goes to Washington to

attend meeting of military board. Page 8

Missouri lad wins feature event at

FINANCIAL AND TRADE.

sections. Factories are running at ca-

pacity and jobbers report large orders for

EXPLOSION ON TORPEDO BOAT

French Vessel on Trial

Trip.

Toronto boat No. 339 was launched but a

short time ago, and at the time of the

accident it was undergoing, prior to be-

ing placed in commission, its full power

the boat was returning to its anchorage

a safety tube, forming part of the evap-

oration apparatus burst and a mass of

flame was forced into the stroke hole, where

the engineer, quartermaster and nine stok-

ers were at work. The engineer and eight

stokers were instantly burned to death.

Their hodies were practically reduced to

injured. The reason for the accident is

that the automatic doors that should have

closed to prevent the return of the flames

PACIFIC

Passenger and Freight Trains Collide

in Missouri and Five Are

Injured.

JEFFERSON CITY, Mo., Feb. 8.-Five

persons were injured in a head-on collision

on the river route branch of the Missouri

A. B. Rogers, Monmouth, Ill. W. T. Laney, Grand Rapids, Mich. Edward Hunter, Kansas City, G. O. Prick, Kansas City, engineer. A. L. Hayland, Jefferson City, fireman.

Both engines were wrecked and the bag

Kansas City Railroad Man Will

a Brazil System.

Become General Manager of

KANBAS CITY, Feb. 8-John M. Egan,

who has resigned the presidency of the

Kansas City Terminal Railway company,

will become vice president and general man-

ager of a Brazilian rallway system of

which Sir William C. Van Horne is presi-

dent, and which has been consolidated with

of the last thirty-one years

TO SOUTH AMERICA

MISSOURI

Injured:

The other stoker was severely

Nine Men Killed by Accident

are dead and two men are injured.

Page 13

Dun's review of trade shows that

Clark will start hearing at Omaha Mon-

Commerce Commissi

Europe and after her marriage.

takes place at 10 o'clock.

fective by legislature.

New Orleans race track.

Omaha live stock market.

New York stocks and bonds.

Omaha grain market.

Omaha general market.

spring delivery.

Interstate

city.

Suit is brought at request of Governor

the work of the commission.

tended debate.

payment of rent.

amendment Monday.

on states' rights.

Nebraska senate by vote of 20 to 11

Many members of the legislature in

Page 1

Page 1

Page 4

Saturday; Sunday, artly cloudy

Hour

5

AS MADE FOR CREIGHTON OBSECUIES

Ceremonies Are Designed on Imposing Scale, Enlisting Participation of Prominent Members of Catholic Clergy.

Whereas, Count John A. Creighton died on February 7, 1907, and.

Whereas, Omaha in his death has suntained a great loss, and while the whole city mourns his death, L. James C. Dahlman, mayor of the city of Omaha, request that as a mark of respect and as an appreciation to his memory as a generous, upright and progressive citizen, business in all business neuses of the city of Omaha, from 10 to 11 o'clock, the time of the hour of his funeral services, on Saturday, February 5, be suspended, and the street cars of this city are requested to cease running for five minutes during said hour. And I hereby direct as a further mark of respect and esteem and on behalf and for the city of Omaha that the business of all city of Comaha that the business of all city offices be suspended and the city hall closed from 10 to 12 o'clock on said day.

Issued Friday morning.

Ceremonics Will Be Imposing. Whereas, Count John A. Creighton died

Ceremonies Will Be Imposing. With many of the dignitaries of the Catholic church present the obsequies over the favor of amending the railway commis- body of Count Creighton at St. John's sion bill by inserting a provision making church, Twenty-fifth and California streets, the present freight rates in Nebraska at 10 a. m. Saturday promise to be among the maximum, holding it would simplify the most imposing funeral services ever witnessed in Omaha. Elaborate preparations for the services at the church have been made and a special program of music Sheldon to test his right under the law of unusual excellence is to be rendered. to occupy the executive mansion without The services will begin promptly at 10 Page 3 o'clock and probably will extend until 11:30

doors of the church will not be open until Senate committee on agriculture will the arrival of the cortege. egin hearing on Burkett's land leasing The address will be delivered at the church by Rev. M. P. Dowling, president of Creighton university, whose eloquence tens to speech by Mr. Mondell attacking is so well known to citizens of Omaha. right of president to withdraw coal lands. diocese, will assist in the Cappa Magna, Senate passes the Indian appropriation bill and listens to speech by Mr. Frazier while Very Rev. Henry Moeller, provincial Page 4 of the Missouri province of the Society of Jesus, will be the celebrant of the high mass Congressman Kinkeld insists on Nobraska judicial bill being amended to al. of requiem. Rev. J. B. Furay of St. Louis, low terms of court in northwest portion who is a Jesuit priest and the grandnephew of Count Creighton, will act as deacon of of his district. Contest may kill the bill. the ceremonies and take an active part in Page 1 the lesser services at the altar. Rev. P. A. McGovern, pastor of St. Philomena's cathe-Mrs. Harry K. Thaw continues her testimony and tells of efforts of Stanford dral, will act as subdeacon and Very Rev.

White to see her after her return from J. Jennette will be the assistant pricet. Page 1 Fathers Aherne, Kohnen and Stensen. Attempt to reduce passenger fares in Those who have been selected to act an South Dakota is defeated by vote of 44 to deacons of honor are: Rev. James Aherne Page 1 of South Omaha and Rev. Pacificus act in the capacity of master of ceremonies. | territory, this morning in honor of memory of At the celebration of high requiem mass W. J. Broatch and Walter Moise live in sing the famous Gregorian, chant, which same house while Mrs. Moise is out of is one of the most solemn and awe inspir-John Schenk, John A. McShane and J. liturgy. The large chair will sing the prinsponses will be sung by five priests, Rev. Creighton will. Codicil may be made ef-Page 11 N. Bronsgeest, pastor of St. John's church; Young Women's Christian association Rev. W. Spiernan, Rev. A. Wise, Rev. W.

building fund grows rapidly, as teams Whelan and Ray, W. Feld. are settling down to hard work. Page 11

whose residence in the city was practically was discontinued. co-ordinate with that of Count Creighton, will be the honorary pallbearers, together ton university. The honorary pallbearers age. are: William Jennings Bryan, Dr. George Her, Edward Hayden, Mayor James Dahl-Henry W. Yates, Dr. A. W. Riley and night.

WRECKS IN CHICAGO L'ORIENT, France, Feb. 8 -- As the result of an explosion on Toronto boat No. Milwaukee Train Kills Employe and 239 of the Franch navy today, nine men Lake Shore Train Kills One,

Judge E. Wakeley.

CHICAGO, Feb. 8 .- A dozen or more se verely injured, some fatally, when train No. steam trial in the roadstead. A technical 5 on the Chicago, Milwaukee & St. Paul navol committee was on board at the railroad collided today within the city lim-The trial was successful, but as its with a switch engine, drawing a train of empty passenger coaches. Train No. 5 Why should I not stay at home altogether? is known as the Champion Flyer and runs

Injuring Others.

between St. Paul and Chicago. The "Champion Fiyer" was well filled of them were out about the head and face.

Milwaukee, Marquette and Iona, Mich. In a head-on collision between two engine was thrown off the track and the as long as he likes. boller was torn open, scalding Ousley frightfully.

between a passenger and a freight train standing of signals.

Allege that His Sentence Has Expired.

TOPEKA, Kan., Feb. 8.-Attorneys for SAN FRANCISCO, Feb. 8.-The largest Captain Kirkman, a military prisoner at dry dock in the world, with a stone

15, 1906.

Papers Upon Which Complaint is Based Stolen from Office of New Congressman Kinkaid Wants More Court York Attorney General.

ALBANY, N. Y., Feb. 8.-All the evidence on which was based the complaint of Attorney General Julius Mayer against the American Ice company for dissolution of an alleged monopoly of the ice business, served on December 20, has disappeared from the attorney general's office and cannot be found. This announcement was made tonight by Attorney General William S. Jack-

Mr. Jackson also made public affidavits of employes of the attorney general's office which show that a part at least of the papers were known to be missing late in December before the retirement of his predecessor, Mr. Mayer, but that the disappearance of the evidence was not known to Mr. Jackson until early in January, when, after he himself had assumed office, he took up the case with a view of further proceed-Mr. Jackson said tonight that he had

ords for the purpose of replacing the lost evidence, and that the company had asked until Monday in which to make answer. pert accountant who examined the ice company's books, includes a list of exhibits auditor's detailed comparative statement of manufacturing costs to produce artificial; Judge Kinkaid began proceedings by inice; original printed copies of various official notices published by the company, extracts from contracts, agreements and correspondence with the company with sundry firms and corporations producing and handling natural and artificial ice; list of investments of the company, schedule showing fluctuation in market price of capital on account of the unusual character. The stock of American Ice Securities company; outline history of American Ice company and American Securities company, and balance sheet showing assets and liabilities of

the American Ice company Mr. McNelle swears that at the office of the defendant ice company there were Page 4 Rt. Rev. Richard Scannell, bishop of the shown him books, documents, memorands, etc., which he examined briefly, but did not have time or opportunity to copy. He declared he merely made penciled notes with regard to the contents of some of these docents and in certain instances made copies of short extracts from some o fthem.

INSIST UPON A MONOPOLY

Rock Island and Katy Require Exclusive Contracts Before Connecting Up Mines.

SOUTH M'ALESTER, I. T., Feb. 8 .- C. A. Prouty. Interstate Commerce commissioner. resumed his hearing here today. A number Elks organize new lodge at Mitchell, Kohnen, superior of the Franciscans of railroad officials were subpoensed to Page 1 in Omaha. Rev. J. W. Stensen, assistant testify regarding the continued car shortpastor at St. Philomena's cathedral, will age and slow movement of freight in this

It developed during the inquiry that both Count J. A. Creighton, whose funeral by the assembled clergy the Creighton uni- the Missouri, Kansas & Texas and the Fage 1 versity choir of twenty males voices will Rock Island ratiroads have made a practice Page 6 ing musical selections of the Catholic consent to put in a switch, and in at least and said: and J. liturgy. The large choir will sing the prin- one instance it appeared that the Rock "The bil M. Dougherty mentioned as executors of cipal anthems, while the chants and re- Island refused to allow a mine to connect with a competing raliroud. This attracted Mr. Prouty's special attention. Commissioner Prouty and Attorney Far-

> rell left tonight for Washington. LOS ANGEL state from 2 to 9 p. m. Friday in the north Lane adjourned the Interstate Commerce of this county and the western portion of parlor of his residence at 40 North Twen- commission hearing at the conclusion of the state commend your bill making North York on February 25, when the inquiry We hope you will insist upon North Platte The active pallbearers were selected from into the Harriman merger will be again being named." among the several grand-nephews of Count taken up. Several railroad officials and Judge Kinkaid, in explaining his position Creighton and will perform the last sad officers of fruit growers' organizations on the judicial division bill, said that from supposed they were hung there by her to rites at the church and cemetery. Those testified today. R. E. Wells, general man- the very beginning he had been opposed assist in finding her body. who will act in this capacity are: Edward ager of the San Pedro, Los Angeles & Salt to North Platte. That he opposed it to A. Creighton, Frank A. Furay, Charles E. Lake railroad, testified that after his com- the full committee of judiciary, and Furay, Edward C. McShane, Arthur J. pany had instituted a fast six-day service sisted that if North Platte remained in the McShane, Thomas J. McShane, E. Lee Mc- to Chicago for the benefit of the fruit bill Alliance should be put in and some Shane, John S. McCreary, Frank C. Mc- industry of southern California the South-Ginn and Charles C. Cannon. Intimate per- ern Pacific and Santa Fe companies made in the Fifteenth judicial district. He said sonal friends and old settlers of Omaha, objection to his action, and the service the bill as drawn puts most of the Fif-

Fruit men testified that the fruit growers were making no money on account of ex- ing Alliance. All the way through the with those selected from among the facul- orbitent freight rates, and that the crops judge said he had contended that the re ties of the various departments of Creigh- were greatly endangered by the car short-

Commissioner Lane was compelled to ad-L. Miller, T. C. Byrne, F. H. Davis, P. E. journ the hearing earlier than was exman, John F. Coad, Judge G. W. Doane, Washington. He left for the capital to-

HARRIMAN GROWS FACETIOUS Railway Magnate Says He May Apply for Job on Interstate Commerce Commission.

NEW YORK, Feb. 8.-Replying to questions about his health today, E. H. Harriman said:

"Everything has been going along smoothly, and they appear to be able to get along as well without me as with me.

"But I must work, and soon, perhaps, I may be looking for a new job. My recommendations are many years of experience with passengers, who fought savagely to on many railroads in many railroad fields, get out of the cars after the crash. Many and if they will raise the salary a bit, I may apply for a job on the Interstate None of the dozen passengers who sus- Commerce commission inasmuch as if the tained hurts are seriously injured. Those Interstate Commerce commission is to run who were hurt are residents of Chicago, all the roads, I think they ought to want

On the congestion of traffic on the railfreight trains on the Chicago, Lake Shore roads of the country Mr. Harriman said: & Eastern railroad at Ninety-fifth street | "The railroads cannot build and supply and Ewing avenue today one man was cars for the shippers to use as store houses. killed and three others fatally hurt. All There are hardly enough cars for that of the men were members of the train Yet the man to whom a load of freight is crew. The man killed was Alfred Ousley, consigned thinks he ought to be privileged engineer of one of the locomotives. His to use the railroad car as a store house

> "Limit the time the service of a car can be used by a procrastinating shipper appear."

KIRKMAN DEMANDS RELEASE BIG DRY DOCK IS PLANNED Attorneys for Former Army Officer San Francisco Company Plans Struc ture Large Enough to Hold Two Warships,

Fort Leavenworth, today filed babeas concrete basin big enough to hold any orpus proceedings in the United States of the two battleships of the United States district court asking that he be given his navy at one time is about to be confreedom, as his time of service had expired. structed at Hunter's Point by the San As an officer at Fort Niebrara, Neb., Cap- Francisco Dry Dock company at a cost of tain Kirkman was twice court-martialed on \$1,250,000. The land has already been surcharges ofcon duct unbecoming an officer veyed adjacent to the two docks that the and a gentleman, found guilty and sen- company already has in operation and the tenced to two years' hard labor in the mil- work will be rushed to a speedy comple-

The first trial was held, January 2, 19-6, It is understood that the work has been and the second March 13, 1906, with the undertaken with the expressed encouragesame verdict. Both records were sent to ment of the Navy department, which is President Roosevelt for his approval June also said to have expressed a wish that it be carried to an early completion. It is say: 'Evelyn,' just like that," and Mrs. others. Egan and Van Horne have been filed today that both sentences ran concur-length, 179 feet longer than the famous associated in raliroad work the larger part rently, and therefore that his time expired dock at Glasgow and 25 feet longer than January 27, 1907, allowing for good behavior. | the Alexandra dook in Belfast harbor,

JUDICIAL BILL IS HELD UP

Held in the Sixth District.

ENDANGERS PASSAGE OF THE MEASURE

Insists People of Large Part of His District Find Omaha More Convenient Than Places Designated in the Bill.

(From a Staff Correspondent.) WASHINGTON, Feb. 8 .- (Special Telegram. - There is a row on in the Nebraska. delegation which gives promise of defeating the judicial bill unless a spirit of give and take becomes more pronounced than

It was supposed this morning that the judicial bill, as introduced by Judge Norris, would be reported out of the judiciary committee, the report on the bill being in the hands of the chairman of the subcomserved a demand upon the American Ice mittee, Mr. Alexander of New York. Just company for access to its books and recprior to the meeting of the subcommittee this morning unexpectedly Senators Millard and Burkett appeared in the judiciary An affidavit by John R. McNeille, the ex- room, accompanied by Representative Kinkaid, and, as chance would have it, Judge Norris appeared at the same time in order said to be missing. The list includes the to see that the report on his bill was made

sisting the last bill introduced by Judge Norris did not give the Sixth district the number of places for holding court to which that district is entitled and he demanded that the Fifteenth judicial district be given recognition and that Alliance as well as Valentine or some place on the Northwestern road be inserted. This change Judge Norris fought with all his strength, as it would affect both the Omaha and Norfolk divisions, and he insisted that it would be a breach of decency, to say nothing of courtesy, if the changes suggested by Judge Kinkaid should be made in the absence of Messrs. Kennedy and McCarthy, representing those divisions While not outspoken, it may be said that the senators seemed inclined to support Judge Kinkaid in his demand for additional recognition, but the decided stand taken by Judge Norris, that there would be no change in the bill, which was agreed upon in a conference held by the delegation and that the report on the bill be held over until some other day, it was then decided to call a meeting of the delegation for tomorrow morning at 10 o'clock at Senator Millard's committee room so that some concerted action might be agreed upon or else abandon the new judge proposition for Nebraska altogether.

Norris Worked Up. In this connection it is fair to say that the subcommittee of the judiciary committee is fully agreed on the proposition that to give additional places to the Sixth district would be out of proportion to those granted the rest of the state. Judge Norof insisting upon a contract to haul the ris. when seen tonight, was considerably entire output of a mine before they would worked up over the turn affairs have taken

"The bill will never be passed if we must satisfy all the demands of Judge Kinkaid." today received the following telegram, Halligan and Grimes, bar committee of the night for burial Sunday.

other point on the Northwestern railroad teenth judicial district with Norfolk, leaving the west part to North Platte, includmotest parts of the state should have relief in the first instance and that the portion of his district included in the Fifteenth judicial district had a right to recognition, pected, owing to the liness of his wife in and if he could not get the recognition which he believed the people of that sec tion were entitled to he would be in favor of leaving matters as they are and continue to go to Omaha.

Oltes Some Reasons. "In order to go to North Platte." he

said, "the people residing in Sheridan four times, going by way of Crawford and Sidney. The people of Cherry, Brown, Keya Paha and Rock counties would rather go to Omaha after they once got started than to stop at Norfolk. The bill as now framed fixes all places for holding court in less than half of the area of the state in a compact form. The Fifth congressional district has Grand Island, Hastings thing?" and McCook, which is out of all proportion to the rest of the state. The Sixth district is three and a half times as large as the Fifth. As framed the bill is disproportionate, not only as to area, but to population well. Taking the court to the people is, I understand, the theory of the bill, and if that he true the distance must therefore be considered.

Minor Matters at Capital. The Iowa delegation will meet in Senator Allison's committee room tomorrow morn-

ing at 10:30 o'clock to agree, if possible, on the witness said a Springfield rifle would federal patronage, there being several candidates for a number of places now due Congressman Kennedy was today advised by the pension bureau that an application gunracks, for which he had the keys on of Elizabeth McNair of Omaha, formerly the night of the shooting. widow of Theodore Buehler, late captain of Company D, Twenty-seventh Indiana The accident was caused by a misunder- and much of the present-trouble will dis- infantry, has been renewed at the rate of been found to have been used in the shoot-\$20 per month.

> passage of the following bills increasing without detection. pensions: Robert McMillan, Auburn, \$30, and F. C. Acker, Havelock, to the same amount.

under consideration today, passed a bill to increase the pension of Victor H. Coffman of Omaha from \$12 to \$30 per month. A bill was also passed through the house to increase the pension of Mrs. Mildred L. Allee of Omaha to \$15 per month. The bill extending the time given the Winnipeg, Yankton & Gulf railroad to construct a bridge across the Missouri river

today. This bill has passed the senate. Mr. Martin yesterday held a consultation with the secretary of war and quartermaster general concerning the military post at Fort Meade, S. D. It is now an eight troop cavalry post, with headquarters, and Mr. Martin has for some months been urging that it should be increased to a regi-Captain Kirkman alleges in the papers said that the new dock will be 1,660 feet in has given assurance that this post shall ling plants. Companies refusing to sell, it mental cavalry post. The secretary of war not be abandoned and that it eventually

(Continued on Fourth Page.)

ROADS WIN IN FARE FIGHT Attempt to Reduce Passenger Rates in South Dakota is Defeated

In the House. PIERRE, S. D., Feb. &-(Special Tele-

gram.)-Present passenger rates will stand in South Dakota, the effort to force a reduction having failed in the house by vote of 44 to 38.

The afternoon session of the house was devoted principally to the question of passenger rates. Argument was not limited and with Carroll and Glass leading for the bill and Browne and Price of Yankton COMMISSION BILL MAY BE AMENDED against it, there was a general and free expression of opinion. On the first test to put the bill over until tomorrow its advo cates won by forcing immediate action But on final action on the bill they lost and lost another vote when Browne secured the cinch motion on their action.

At the morning session of the house favorable committee reports were returned on the anti-treating bill, and on the bill making the office of clerk of the supreme court a salaried one. A list of new bills was presented, none of special importance. At the afternoon session the bill fixing specific terms for heads of state institutions under control of the board of charl ties was defeated, and one new law was made by passing the senate bill providing for expense accounts of circuit court

The senate started no new bills, for the first day since bills were presented, and made one law, passing the house bill pro viding a penalty for wife desertion.

Several senate bills were passed by the senate, the principal being the administration bill, requiring candidates to file accounts of their expenses in the campaign

ELKS ORGANIZE NEW LODGE Huron Team Puts the First Touches on Michell Lodge Thurs-

day Afternoon.

in the state gathered at Mitchell yester- roll call. day for the organization of an Eiks lodge, the Huron Elks coming on a special train. the noon recess the senate went into com-

with a membership of 139. lodge: Exalted ruler, T. J. Spalgler; esteemed leading knight, Dr. R. C. Warn: esteeded royal knight, W. M. Herbert; esteemed lecturing knight, H. E. Hitchcock; secretary, L. D. Miln; treasurer, William M. Smith; tyler, George Liko; trustees, Thomas Fullerton, D. A. Mizener, F. A. White.

After the work a banquet was served at Hotel Wigmann, followed by toasts from a dozen leading Elks from over the state and local members.

HALF FOOT OF SNOW COVERS BODY Woman Frozen to Death in Blissard is Found After Long Search. STURGIS. S. D., Feb. 8.-(Special Tele

Apropos of this condition, Judge Norris was frozen to death Friday in the severe blizzard ten miles from Stoneville, arrived

were found hanging on the fence. It is

Bond Sale is Rescinded.

CASPER, Wyo., Feb. 8 .- (Special.)-The ommissioners of Natrona county have rescinded the sale of the bonds for the court house building to the state on the ground that a sale to the state on the bid price would be in violation of the law which compels them to make no sale for less than par value of the bonds.

BROWNSVILLE CASE RESUMED

Who Had Charge of Gun and Ammunition Are Examined.

WASHINGTON, Feb. 8.-Walker Mc-Curdy, formerly quartermaster sergeant of Company B of the battalion of negro soldiers discharged for the alleged "shooting up" of Brownsville, Tex., who had charge of the issuance of ammunition, and former county would be compelled to change cars Sergeant Jackson of the same company, who had charge of the quarters and the keys to the gunracks on the night of the affray, testified today before the senate committee on military affairs.

After McCurdy had told his story Senator Hemenway asked: "Have you told all you know regarding

truth should be known.

the affray? Are you trying to conceal any-McCurdy insisted that he had told all h knew and that he desired that the whole

"Then you are not satisfied with the character of discharge you received?" asked Mr. Hemenway. "No, sir, I am not," replied McCurdy. had done nothing to be punished for. Let

them punish the guilty parties and not the innocent. I have never been punished be-Answering a question of Senator Foraker

'shoot clear through a house. Sergeant George Jackson testified regarding the manner in which he had kept the

On cross-examination he admitted he had heard that government ammunition had ing, but said if any was used he could not Representative Pollard today secured the understand how it could have been secured

SEATING COMBINE UNDER FIRE The house, while having pension bills Charge that Small Schools and Churches Are Forced to Pay

Exorbitant Prices.

CHICAGO, Feb. 8 .- A federal grand jury today begun an investigation of charges that the American Seating company is violating the Sherman anti-trust act. is claimed that the concern, which deals at Yankton for one year, passed the house in school and church supplies, has caused small schools and churches to pay exorbitant prices. Evidence being placed before the grand jury was secured by in-vestigators from the Interstate Commerce commission.

> The company is said to be incorporated under the laws of New Jersey, without capital. Claims are made that the company sought to absorb independent manufactur is said, were forced out of business. A hundred witnesses have been sum-

COUNTY OPTION DEAD

Senate Finally Kills the Bill by a Vote of Twenty to Eleven.

CONSIDERABLE DEBATE ON THE MEASURE

Galleries Crowded by Its Friends, Who Applaud Supporters on Floor.

Some Want Provision Inserted Making Present Rates the Maximum.

WOULD SIMPLIFY COMMISSION'S WORK

Railroad Lobbyists Busy Trying to Kill off the Terminal Taxation and the Primary Bills.

(From a Staff Correspondent.) LINCOLN, Feb. 8 .- (Special.)-In the presnce of a gallery and lobby filled with friends of the measure the county option bill was killed this afternoon in the senate by a vote of 11 to 20. Every senator was present but Gibson of Douglas, and he was paired with Wiltse of Cedar, who favored

the bill. The debate called out considerable oratory on both sides and the gallery frequently interrupted with applause for the efenders of the bill. This led Wilsey of Frontier to jump to his feet and move the galleries be cleared, but a chorus of "noca" from the members and hisses from the gallery drowned him out, and his motion was not put.

The backers of the bill have realized since the test vote yesterday that they were up MITCHELL, S. D., Feb. 8.-(Special Tele- against a losing fight, but at the same time gram.)-Four hundred visitors from Huron, they died game and contended for every Sloux Falls. Watertown and other cities inch of ground up to the time of the final

Immediately after the session began after Work was done in the afternoon under mittee of the whole, with Thomas of Dougthe direction of W. A. Hockman, district las in the chair. Every available seat was grand deputy, who was assisted by Huron taken in the gallery and on the floor of Elks. The Gale theater was the scene of the senate, while in the lobby there was labor and the Mitchell Elks started out not an inch of standing room to spare.

The following are officers of the first of the bill, Wilcox moved to amend it by As a sop thrown out to the opponents requiring 20 instead of 10 per cent to sign the petition for the submission of licensa or no license to a vote. This was lost, sixteen members voting against it. Then Patrick offered another amendment providing the vote could be taken only once in four years instead of once in two years. This was lost by a vote of 18 to 12. Wilcox then made the formal motion to recommend the bill for passage and Dodson of Saline moved as a substitute it be indefinitely

postponed Prohibitionists Are Denounced. King of Polk started the debate with an address of over half an hour in favor of the bill. He said he understood the op-penents of the measure had said they had gram.)-The body of Mrs. Emily Wahl, who enough votes to kill it, but he insisted it ought to have a fair discussion before the senate, even if it would have no effect on signed by Measrs. J. H. Hongland, Beeler, here today, and was taken to Hermosa to- the result. He took occasion in the course of his address to score the prohibitionists search, who he said were largely respon covered with six inches of snow. When the defeat of their bill because they re found she was lying on her back, with her sorted to villification and refused to suptieth street, and great numbers viewed it. the day's session, to meet again in New Platte a point for holding federal court. hat pulled over her face, her hands clasped port men who were honestly in favor of over her breast and one foot sticking out rigid liquor laws, because they refused to of the snow. A sack and a pair of mittens subscribe to the third party platform. His remarks were answered by Wilson of Pawnee, Wilsey of Frontier, Sibley and Byrnes, who replied denouncing the bill as unfair in that it gives the prohibitionists two whacks at their side of the question, where the license party would have only one. Wilcox and Patrick defended the measure. The vote on the motion to indefinitely postpone was 19 in the affirmative, the negative not being taken. The committee of the whole then adjourned, and the Sight was taken onto the floor of the senate proper. Thomas moved the report of the ammittee recommending the indefinite postponement of the bill be adopted. Sackett moved as a substitute that it be

> roll call. The vote on Sackett's substitute was as follows: Yeas-Gibson and Wiltse of Cedar were pairs the former being opposed and the latter for

not concurred in, and King demanded a

the bill. May Amend Commission Bill. Some members of the legislature have been seriously studying the railroad commission bill drafted by the joint committee of the house and senate, and it is not unlikely that an effort will be made to get the committee to make some amendments to the measure, and at least a few members of the committee would not object to some changes. The bill does not fix a legal freight rate at this time, but provides the commission, as soon as possible, shall fix up a schedule of rates. It was argued by republican speakers during the campaign, and especially by Governor Sheldon, rates in effect now should be the legal rates and the commission should have power to reduce these rates wherever it was found they were too high. There is no reason to think Governor Shelden has changed his views. Had the railroad ommittee adopted this plan as soon as the bill becomes a law the railroad commission could have reduced the rate on any class of property named in the present schedule of rates. For instance, if the rate on corn is too high from any given point, this rate could be reduced: if the rate on wheat is too high it could be reduced. Then, to prevent the orders of the commission becoming effective, it would be up to the railroads to secure an injunction against the reduction of corn rates; another injunction to prevent the reduction of wheat rates and so on through the schedules of a thousand or more rates. A separate injunction would have to be secured by the railroads to prevent a reduction on any single com-

modity. As the bill is at present, it has been pointed out by one who has given the matter much study, it will take the commission at least a year to make a classification of rates, and the railroads will then be in a position to attack the entire classification with one suit and the whole schedule may be knocked out.

While no one has raised the least criticlam of the work of the subcommittee appointed to draft this measure, some of the members have had their attention called to this as being in line with the republican state platform, and a revision