

J. A. SUNDERLAND FACES BAR

Second Member of Alleged Coal Trust Tried on Conspiracy Charge

CASE COMES BEFORE JUDGE TROUP

When One More Juror is Secured Trial May Proceed, Better Progress Being Made Than in Howell Case.

As soon as one more juror is secured in the alleged trial of the coal trust, which is now being heard in the district court before Judge Troup, with J. A. Sunderland as defendant, the arguments will begin and testimony will be heard.

The present case is moving much faster than the previous one, which dragged heavily before a jury was secured. There are more than fifty defendants in all involved in these cases, and many of them were present at the opening of the trial.

With the exception of Attorneys W. J. Connell and John P. Stout, all the others participating in the trial are different from those in the Howell case. The latter was before Judge Sutton and was prosecuted by County Attorney Sibaugh.

Not Yet, but Soon. The day was taken up in securing a jury. The monotony of this proceeding was somewhat broken when Mr. Connell was examining one of the men, Frank J. Jumper, a draughtsman for the Union Pacific.

"I suppose there is no immediate prospect of your becoming a consumer of coal," asked Mr. Connell, with a smile. "Yes, sir, in about a week," replied Mr. Jumper, promptly, and the ballist had difficulty in restoring order.

It is a matter of passing interest that Mr. Jumper may have to postpone his wedding if he is drawn as a juror and the jury is kept as closely guarded as in the Howell case. Judge Troup did not intimate whether he would insist on such close confinement of the jury in the present case.

"This case will run smoothly," said W. J. Connell. "It will be a real trial and not a 'sawdust show' as Judge Sutton charged." The trial of Mr. Howell, you see, I am trying this case and am not debarred, as Judge Sutton sought to have me.

Three Sunderland Brothers. Seated around Mr. Sunderland were his two brothers, Ralph and L. C. Sunderland, and all took an active interest in selecting the jury, especially the defendant, who held whispered conferences with his three attorneys on each peremptory challenge.

Henry Kahn, a farmer from north of Florence, established a record for examinations. He has not heard of the case and was passed with about two questions from each side.

Christ Durr, an employe of the Union Pacific for the last thirty-five years, was challenged by Mr. Connell because he was over 40 years of age and a little hard on hearing. Judge Troupe ordered him from the box.

Both Attorney Connell and County Attorney English seemed to be saving their voices for later in the case as both stood close to the jury box and spoke in a conversational tone, which made it hard for the spectators to hear.

"Don't all kick at once, it makes quite a chorus when you all kick at once," was Mr. English's remark when all three attorneys for the defense were on their feet at one time. Mr. English had challenged Clark Powell for cause.

Mr. Williams was excused because he thought his friendship for some of the defendants might influence his verdict. Mr. English waived his examination. Mr. English wished to continue his examination, when all three attorneys jumped to their feet at once. After further examination Mr. Powell was excused because he thought his friendship for some of the defendants might influence his verdict.

Henry Mickles of South Omaha, an employe of the street railway, said he had such a set opinion in the case he could not render a fair verdict and he was asked to step aside.

Nancy Ambler, in charge of the feed yards of the stock yards company, said she was not in the case and she was asked to step aside. Mr. Troup said he did not think the law compelled him to excuse the juror as long as the juror did not ask it, but he let him stand aside.

Dan Custer was asked by Mr. English if he did not think he was not able to stand a "hard case of this kind," and when he replied he did not know he was excused.

Mr. Roosevelt then told Mr. Fuller that the measure was a step in the right direction and he hoped it would result in more sweeping legislation in the future. After attaching his signature to this bill the cabinet and other visitors for a short time, leaving the capitol at 12:30 on his return to the White House.

END OF CONGRESS

(Continued from First Page.)

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Closing in Senate. Senator Beveridge called up a lengthy bill for the protection of game in Alaska. The reading of the measure was demanded by Mr. Culberson and had proceeded for five minutes when it was suggested by Senator Carter that it would be impossible to get the bill engrossed before noon, even if it were offered.

"I wish to call attention to the fact that the bill must necessarily be amended," said Senator Clapp. "It gives no protection to woodchucks and there is no exception against the penalty for men who kill ducks and prairie chickens in self-defense."

The bill was withdrawn amid laughter. The closing exercises in the senate did not begin until six minutes after noon. Previously Senator Hale had secured the adoption of a joint resolution authorizing a committee of senators and representatives to wait upon the president and inform him that the work of the Fifty-ninth congress was finished.

Senators Hale and Pettus were appointed on this committee. The adjournment hour had passed when they took their places in the center aisle and announced that the president had been communicated with and that he had replied that he "has no further communications."

Senator Allison at this point took the presiding officer's chair and Mr. Fairbanks retired to the senate chamber. Senator Blackburn, the minority leader, took the floor. "Speaking for the minority side," he said, "it affords me great pleasure to offer a resolution, which expresses the experience I have had and I am quite sure voices the sentiment of the majority of the senate."

The resolution tendered the thanks of the senate to Vice President Fairbanks for the dignified, impartial and courteous manner in which he has presided over the senate's deliberations during the present session. The resolution was unanimously adopted.

The vice president then reappeared and replying to the resolution said: "If the senate has been able to convince the president of his impartiality in the discharge of the duties which devolve upon him, and which are so difficult to perform, it is gratified in full measure."

The chair desires to place upon the records of the senate the public services of those senators whose service in the senate is about to terminate for their unwavering devotion to the public interest and their many years of further usefulness to their countrymen.

For those who remain in the senate and now enter upon their vacation after arduous public duty, health and safe return, they wish to express their approving judgment of their large constituency by their intelligent and complete cooperation in the public services.

The senate of the United States has well indicated its claim to popular approval by its consideration of many questions of large concern to the people of this country. Each passing session justifies the wisdom of the fathers who established the senate as a permanent and safe body.

The speaker called Mr. Clark of Missouri to the chair. Mr. Williams of Mississippi, the minority leader, was about to be called; that work performed by the Fifty-ninth congress would stand as the best work the nation has had in many years.

Then he spoke of the speaker. "The speaker whom everyone loves for his big brain, his big heart and his impartiality," he said. Mr. Williams then presented a resolution thanking Speaker Cannon for the intelligent, consistent and impartial manner in which he had presided.

Mr. Cannon was thereupon escorted in, and the chamber rang with applause. With a tremor in his voice the speaker said: "I thank you, gentlemen, for your kindness in the deed and words of this day, but even more cordially do I thank you for your unwavering and constant friendship during every one of the numerous and eventful days of the Forty-ninth congress."

Some congressmen have done their work with the same energy and devotion as if a national disaster had been their only concern. Some congressmen have done their work with the same energy and devotion as if a national disaster had been their only concern.

Miners' Defense League Meets. At St. FRANCISCO, March 4.—The first mass meeting of the Miners' Defense League was held at Walton's pavilion yesterday afternoon. Eighty-four labor unions were officially represented by appointed delegates from their respective unions.

\$500.00 PRIZES GUESS How Many "Lanpher Hats" Will Be Sold Spring Season 1907? TO WIN YOU NEED NOT GUESS THE EXACT NUMBER—THE NEAREST GUESSES COUNT THIS IS NO LOTTERY—EVERYBODY MAY GUESS—AND EVERY GUESS WILL BE CONSIDERED—WHAT WE WANT AND ALL WE WANT IS THAT DISCRIMINATING HAT-WEARING MEN SHALL KNOW THE MERITS OF...

\$500 IN PRIZES 1st PRIZE For the Exact Number, or Nearest Guess \$250 IN CASH or Fur-lined Overcoat (wholesale value \$275) of very finest imported black Kersey with plucked otter lining and unplucked otter collar with wide facing, made to order;

2nd PRIZE For the Nearest Guess After the First Prize, \$150 IN CASH or Fur-lined Overcoat (wholesale value 165) of finest imported black doekin, dipped plucked otter lining, unplucked otter collar and facing, made to order;

3rd PRIZE For the Nearest Guess After the 1st & 2nd Prizes \$100 IN CASH or Fur-lined Overcoat (wholesale value \$110) of fine imported XXXX black doekin, selected dipped muskrat lining, unplucked otter collar and facing, made to order;

LADIES' FURS The alternative is also given to winner to select ladies' furs of equal value, if preferred.

LANPHER HATS

The firm of Lanpher, Skinner & Co., of St. Paul is one of the oldest and largest Hat Wholesalers and Fur Manufacturers in the West. We wholesale hats of all kinds—Men's Hats, Boys' Hats and Children's Hats; Winter Caps of Fur and Cloth—and Summer Hats of Straw and Fiber—Soft Hats and Stiff Hats—Sloouch Hats, Cowboy Hats, Telescope Hats—all these and others in various shapes, styles, colors and prices—hats, hats!

But there is one particular line of Hats that we take particular pride in—they bear the Lanpher Brand and are our best and highest priced hats. We speak of them always as the

LANPHER HATS

It is of these "Lanpher Hats" that we speak—these that we mean when we ask you to guess "How many Lanpher Hats will be sold this spring?"

We know it is not an easy matter for you to tell how many "Lanpher Hats" will be sold, but in order that you may have some idea to begin on we suggest a little inquiry on this line:

How many merchants are there in the Northwest—say, in Minnesota, the Dakotas, Montana, Idaho and Washington, western Wisconsin and those parts of Iowa and Nebraska commercially connected with St. Paul wholesale houses?

In nearly every one of the towns covered one or more of the leading dealers sells the "Lanpher Hats." Ask your own dealer how many "Lanpher Hats" he will sell this year in view of the advertising and the interest in the Lanpher Hats.

Then do a little figuring—do as much figuring as you can, and get as much additional information as you can—then let your judgment fix the figure. You can put more or less time and study into this matter. It is up to you.

Get the best information you can; and the more you think and talk about "Lanpher Hats" the better we will be pleased.

Of course, it would be nice for you to try a "Lanpher Hat", but that is not essential.

HOW YOU MAY WIN THE PRIZES Rules of This Free Guessing Contest

RULE I—You must be interested enough in the trial or implied, in this contest—you do not pay a cent; you need not wear a "Lanpher Hat"—you need not wear any hat. You may be of any race, color or citizenship.

RULE II—you must be interested enough in the Lanpher Hat to 1—Go to any retail dealer who sells Lanpher Hats and ask him for a Lanpher Hat Guess Blank; these blanks are free and any Lanpher Hat dealer will give one to you.

RULE III—Your guess will be filed and, as soon as possible after July 31, 1907, it will be referred, with all other guesses received, to a committee of three well-known merchants who will make the award according to the rules and in equity and fairness to all contestants.

RULE IV—You may make only one guess; but you may change your figures by writing a letter to Lanpher, Skinner & Co., at any time before July 15, 1907, stating your first guess and your revised guess of the number, giving your name and address. (You must give your first guess as well as the new one, as guesses will be filed numerically.)

RULE V—if you cannot get a Lanpher Hat Blank, you may write us, enclosing 4c in stamps, and we will mail you a blank free; or the same questions may be written out and answered, if you will state where and to whom you have applied for a blank and why you did not get it.

CARMEN GET FLAT REFUSAL

Union Receives Final Negative to Proposal for Written Contract.

COMPANY REITERATES ORIGINAL WORD

Employees Will Meet Thursday to Decide Whether They Will Resort to Strike to Compel Employment.

So far as the Omaha & Council Bluffs Street Railway company is concerned those of its street car men who are members of the union may now proceed with their plans to strike, for the company has issued its ultimatum in final answer to the demands of the union that the company enter into a written contract with it for a "closed shop."

Our opposition is based on the fact that since the employees have been in the union, there has been a constant friction among our men and frequent complaints have been made, both by union men and non-union men, that the company has been practicing both factors.

A demand has been made by the union employees of this company that a contract be signed by the company granting to them special privileges not given to non-union men. The officers of this company have refused to accede to this demand.

The company's ultimatum follows: A demand has been made by the union employees of this company that a contract be signed by the company granting to them special privileges not given to non-union men.

Crema de Milk RUNKEL'S Chocolates is the perfected food. It is all nutrition. Not a single particle is waste, but every grain of the chocolate, and every drop of the cream helps to build up some part of the body and repair the wear of daily life.

BASSETT GETS ELDEST SON

Also Secures Privilege of Paying Costs of Wife's Suit.

WOMAN KEEPS RICE AND LAWRENCE

Attorneys for Mrs. Bassett Ask Court to Enjoin Both Parties from Taking Possession of Other Two Children.

Charles C. Bassett was awarded the custody of his oldest boy, Chester, by Judge Teddek in the district court Monday morning. The custody of the second boy, Rice, 8 years of age, was given to Mrs. Bassett. The father did not want the youngest child, Lawrence, which he says is not his, and this one will stay with the mother.

WELCH TO COMMAND CADETS

Regular Officer from Fort Crook to Succeed Captain Stogsdall, Resigned.

Captain William E. Welch of the Third United States Infantry was last evening appointed by the Board of Education as commandant of the High School Cadets to succeed Captain R. B. Stogsdall, whose resignation was accepted by the board without any reference to Mr. Stogsdall's trouble.

DIES AT DOOR OF HOSPITAL

Creston Reeve, Native of Omaha, Son of Douglas County's First Sheriff, Dead.

Creston Reeve, a native of Omaha, son of the first sheriff of Douglas county and 53 years of age, died on the threshold of the county hospital at 7 p. m. yesterday. Reeve, who has been living with a sister, Mrs. Williams, at 1818 North Twenty-third street, was born in Omaha. He learned the painter's trade. He was a widower.

VAL BLATZ BREWING CO. MILWAUKEE, WIS. The aromatic properties of the hops are appetizing and the malt is refreshing. Every ingredient is an honest part of Blatz—the beer of age and character.

STOOD THE ORDER BRAVELY AND SAID: "GOODBY MAMMA, DON'T YOU WORRY ABOUT ME AND DON'T FEEL BAD BECAUSE I HAVE TO LEAVE YOU."

Mr. Bassett seemed much dejected during the morning. He said he would leave for Washington as soon as possible. Rev. E. Lawrence Hunt expects to leave Tuesday for Brooklyn. He has no church now nor the prospect of a call from one.

Ben Fairchild of New York, former congressman, arrived in the city Monday morning and will return to the east with Mr. Bassett and the boy. Mr. Fairchild has been an intimate friend of the Bassetts during their married life. Mr. Bassett called him her "worst enemy." It is said he has helped them to a great extent financially.

Tragedy in Real Life. Chester Bassett said "goodby" to his mother Monday afternoon in the office of her attorney, Baxter & Van Dusen, and was taken to Mr. Bassett's apartment in the Iler Grand Hotel by Judge Baxter and delivered into the custody of his father, in accordance with the decree of the court.

Vanderland Resumes Voyage. LONDON, March 4.—Advices received from Dover today state that the Red Star Line steamer Vanderland, which grounded on the Goodwin sands last night, got off early today and proceeded on its voyage. The fact that the steamer resumed its voyage indicates that it sustained no serious damage as the result of the stranding.

ALWAYS THE SAME GOOD OLD BLATZ. Observing ones who have come to recognize the value of good beer in the dining-room, declare a pronounced preference for BLATZ MILWAUKEE. PRIVATE STOCK, WIENER, EXPORT, MUEHNGENER. Omaha Branch, 802-10 Douglas St., Cor. 8th. Tel. Douglas 1081.