THE OMAHA DAILY BEE

VOL. XXXVI—NO. 279. OMAHA, THURSDAY MORNING, MAY 9, 1907—TWELVE PAGES. SINGLE COPY THREE CENTS.

TRIAL BEGINS TODAY

W. D. Haywood Will Be Arraigned for Conspiring to Murder Steunenberg.

MOTION FOR BILL OF PARTICULARS DENIED

Request Should Have Been Made Before Case Was Set for Trial.

IT CANNOT BE ENTERTAINED NOW

Real Merits of the Motion Are Not Passed Upon.

CASE WILL CONSUME SEVERAL WEEKS

Great Difficulty Expected in Securing Jury Because of Wide Acquaintance of Accused and Murdered Man.

BOISE, Idaho, May 8.—By overruling today the motion of the defense for a bill of particulars setting forth what overt acts, if any, there were to connect the accused with the murder of former Governor Frank Steunenberg, Judge Fremont Wood of the district court of Ada county cleared the way for the trial of William D. Haywood, secretary of the Western Federation of Miners, which will begin tomorrow morning. Judge Wood held that the request of Haywood's counsel for a more explicit statement of the charges against the prisoners came too late, regardless of whether or not it might have been entertained at an earlier stage of the proceedings. In cases where bills of particulars are allowable, the man who is to preside over the trials of the accused miners declared the motions must be made before the indictments are pleaded to and before the cases are set for trial.

Haywood is the first of the four men accused of complicity in the Steunenberg murder to be selected for trial. The others, Moyer, Pettibone and Orchard, the last of whom is said to have made a confession, will be tried as circumstances dictate, following the conclusion of the proceedings against Haywood.

All Ready for Trial.

Tonight the prisoner, his counsel and the attorneys specially retained to present the case and plead the cause of the accusing state, are ready for the long ordeal in court. The first, and one of the great tasks of the court is to secure a jury, and that will be commenced tomorrow morning as soon as Sheriff Hodgins has intoned the formal cry opening the court. Estimates of the time necessary to select twelve men, good and true, vary, but practically none of them place the time under three weeks. The victim of the Caldwell assassination, long a conspicuous figure in the political life of the state, was possibly known to hundreds of citizens of Ada county, and personal alignment and partisanship on the labor question, in which the prisoner and his co-defendants were for a long time active leaders, is quite general, so that it is at once a difficult and delicate task to find men free from the disqualifications that unfit them for the high duty of a juror.

Many men who know the community well and who add to their calculation the further handicap of apprehension of future violence for revenge, take the extreme view it will be impossible to secure a jury, but the weight of opinion is against this extreme conclusion.

There is as yet no indication of the scope of the case which the state will seek to prove against Haywood. It is naturally assumed, however, that Messrs. Hawley and Borah will seek to make the showing as to the alleged conspiracy as broad as possible without endangering it upon appeal, assuming that there is a conviction. Discussing this phase of the case one of the counsel for the prisoners said:

"The broader the scope of the case offered by the state, the better we will be satisfied."

Defense Springs Surprise.

The defense sprung a decided surprise tonight by announcing the retention of Edgar L. Wilson of Boise as assistant counsel. Mr. Wilson is a former law partner of Judge Fremont Wood, who is to preside at the trials. He served two terms in congress and is well known throughout the west as an able lawyer. He is thoroughly conversant with the details of practice in the local courts and is regarded by both sides as adding strongly to the array of legal talent on the side of the accused miners.

A number of socialist leaders, including editors and speakers, have arrived in the city and planned tonight to hold an informal meeting. One of the speakers who arrived today from Seattle was requested this afternoon to appear before Mayor Haines, where he was told that public agitation would not be allowed in Boise during the continuance of the trials. This same speaker was here some eight months ago and was active in a street corner discussion on socialism.

Opinion by Court.

In deciding the motion Judge Wood said in part:

An examination of the indictment in this case discloses the fact that the offense charged in each count is set forth with great care and particularly the time and place are specifically set forth, as well as the person upon whom the assault was made and the specific means by which the blow which produced death was struck. A bill of particulars could not convey any information to the defendant on these questions which he does not already possess. The only question is this: Assuming that the state must prove conspiracy and that the defendant was connected therewith, which conspiracy resulted in the death of Frank Steunenberg, is the defendant entitled to the particularization of the several acts or circumstances upon which counsel for the prosecution rely in order to connect the defendant with such conspiracy? I do not think it necessary to state at this time what the court would do if this application had been presented before the case was set for trial. As the court now views the matter the defendant has waived his right to such bill of particulars not only by pleading to the indictment, but further by permitting the case to be set for trial without making such application.

FLOCKMASTERS ARE ALARMED

Wool Growers' Association Declares that Eastern Buyers Combine to Lower Prices.

CHEYENNE, Wyo., May 8.—The Wyoming Wool Growers' association has issued a circular advising sheep men throughout the state that a conspiracy is being planned by eastern wool buyers to force down the price of wool in spite of manufacturers' demands. Producers are advised not to sell their wool under any circumstances at less than the 1906 market and the association offers to buy the wool at last year's prices if eastern buyers will not pay as much.

Should the growers take advantage of the offer the association will be incorporated and capitalized, becoming practically an independent exchange controlling the Wyoming output.

SUMMARY OF THE BEE

Thursday, May 9, 1907.

1907 MAY 1907

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

THE WEATHER.

FORECAST FOR NEBRASKA—Partly cloudy Thursday and in the afternoon or night. Friday

FORECAST FOR IOWA—Fair Thursday. Friday fair and cooler.

Temperature at Omaha yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	37	1 p. m.	58
6 a. m.	36	2 p. m.	59
7 a. m.	36	3 p. m.	63
8 a. m.	38	4 p. m.	66
9 a. m.	41	5 p. m.	67
10 a. m.	47	6 p. m.	66
11 a. m.	51	7 p. m.	65
12 m.	55	8 p. m.	62
		9 p. m.	61

DOMESTIC.

George Cox suggests that all Ohio republicans support Taft for president, Foraker for senator and Harris for governor. He says that unless the factions get together the state ticket will be defeated again. **Page 2**

Mayor Schmitz confers with traction officials and striking employes and suggests citizens' committee of arbitration. Neither side is ready to accept suggestion. Two cars make trip across city without serious trouble. Police arrest several men who attempt to attack crews. **Page 1**

Judge Wood denies motion for bill of particulars in Haywood case and trial will start today. **Page 1**

John W. January will be released from prison in July. **Page 1**

Wyoming flockmasters say wool buyers have organized to reduce price of wool. **Page 1**

NEBRASKA.

Northwestern, Missouri Pacific and Omaha railroad representatives try to convince the State Board of Assessment it should reduce the valuation on their respective lines. State Railway commission may be blocked from changing freight rates until after July 4, owing to fact maximum freight rate law does not carry the emergency clause. **Page 3**

State completes its testimony at Hastings in case of Barney Pearson, on trial charged with the murder of Walter McCulla. **Page 3**

Herman Boche, who shot Frank Jarmer at Norfolk, gives himself up to constable. Was wounded in two places by sheriff a week ago. Says Jarmer robbed him of $860, which was the cause of the shooting. **Page 3**

FOREIGN.

French steamer Pointou is wrecked off coast of Uruguay and many passengers are said to have lost lives. **Page 1**

LOCAL.

Physicians in session of State Medical association discuss measures for protection of practitioners against malpractice charges and send pure food resolution to special committee. **Page 8**

H. F. Cady Lumber company purchases three blocks on Belt line and Boyd streets and may establish large lumber yard on north side. **Page 7**

One end of Paxton & Gallagher warehouse collapses suddenly at 6:20 Wednesday morning, but no one is injured, owing to early hour. **Page 1**

SPORTS.

Rustle is the only favorite to win at Jamaica. **Page 4**

The Misses Curtis, the only American women entered in the golf tournament at Newcastle, Ireland, meet defeat. **Page 4**

Roseben is the favorite in the Metropolitan handicap, which will be run at Belmont Park today. **Page 4**

Results of the ball games:

10—Lincoln vs. Omaha—2.
6—Des Moines vs. Sioux City—2.
4—Denver vs. Pueblo—0.
7—Cleveland vs. Chicago—5.
6—Boston vs. Cincinnati—0.
12—Chicago vs. Brooklyn—4.
6—St. Louis vs. Philadelphia—4.
4—New York vs. Pittsburg—0.
3—Milwaukee vs. Louisville—0.
5—Toledo vs. St. Paul—1.
6—Minneapolis vs. Columbus—5.
10—Kansas City vs. Indianapolis—2.

COMMERCIAL AND INDUSTRIAL.

Live stock markets. **Page 9**
Grain markets. **Page 9**
Stocks and bonds. **Page 9**
Packing statistics for the last week. **Page 6**

HENRY CLAY PIERCE GIVES UP

St. Louis Oil Magnate Surrenders Himself to Police to Answer to Indictment.

ST. LOUIS, May 8.—Through his attorney, J. D. Johnson, H. C. Pierce, chairman of the board of the Waters-Pierce Oil company, surrendered himself today on the indictment returned against him in Texas charging perjury in an affidavit he made to the attorney general of the state of Texas, the purpose of the affidavit being to reinstate the Waters-Pierce Oil company in the state of Texas, from which it had been ousted from doing business on the grounds that it was a part of the Standard Oil company.

The surrender was made shortly after noon. Mr. Pierce and his counsel were closeted in conference with the authorities for sometime before.

While Mr. Pierce was on the way to the Four Courts in his carriage, former Judge Henry S. Priest, another of his attorneys, appeared in the United States circuit court before Judge Adams to ask for a writ of habeas corpus directed against the police department commanding it to produce Mr. Pierce.

The writ was issued by Judge Adams, returnable forthwith and it was said by the clerk of the court that as soon as it could be served on Chief of Police Creecy, Mr. Pierce would be taken into court.

BURNS IS GIVEN DECISION

Fight at Los Angeles for Heavyweight Championship Goes to Limit.

LOS ANGELES, May 8.—Tommy Burns was given the decision here tonight over Jack O'Brien at the end of the twentieth round. The fight was for the heavyweight championship and a purse of $20,000.

Referee Eyton declared all bets off. O'Brien is supposed to be injured in some way.

Querido Wins Chester Cup.

LONDON, May 8.—The Chester cup, a handicap of 2,550 sovereigns for 3-year-olds and upwards, about two miles and a quarter, was run at Chester today and won by Querido. Ribiani was second and Torpoint was third. Twelve horses started. Querido, which is a French horse was ridden by "Johnny" Reiff, the American jockey, and won by a length and a half.

BIG FIRE IN KANSAS CITY

Five-Story University Office Building is Totally Destroyed.

MAN DEAD AND WOMAN MISSING

Several Women Badly Injured by Jumping from Windows—Upper Floors Filled with Music and Art Studios.

KANSAS CITY, Mo., May 8.—Fire here this afternoon destroyed the five-story University building at the northwest corner of Locust and Ninth streets, causing a property loss estimated at $250,000. One life was lost, six persons are missing and may be buried in the ruins and fifteen persons were more or less seriously injured. The debris is still burning tonight and cannot be searched until tomorrow.

The building was occupied by Montgomery Ward & Co. as offices, and by numerous artists and musicians, who lost everything.

The known dead:

GEORGE DEMARE, aged 32, an art instructor.

Among the missing is Miss Maude Wittboil, piano teacher, last seen at the window of her studio on the fifth floor.

Injured:

Miss Alexandria Blumberg, a Russian countess; skull fractured; may die.

Maud Speyd, fell from ladder; serious.

Mrs. Eva S. Boyle, Sheridan, Mo., fell from ladder; severe.

J. M. Knanchfield, fireman; leg broken.

William Van Dusen, fireman; serious.

Peter Karagaard, violin teacher, fell from fire escape; serious.

The University building was built by the Pepper estate of Philadelphia for the Young Men's Christian association, and the corner-stone was laid by President Cleveland during his first administration. The building was of brick, five stories high and extended 100 feet north on Locust street and half a block west on Ninth street. Because of the unsafe condition of the building it was abandoned by the Young Men's Christian association ten years ago.

Atheneum Society in Session.

Since then the first and second floors have been occupied by Montgomery Ward & Co., who used it as offices and employed 200 clerks, mostly girls. It contains two small auditoriums, one of which, that on the third floor, is used by the Kansas City Atheneum, which was holding a session when the fire started, half a hundred prominent women being in attendance. The third, fourth and fifth floors were occupied by artists and musicians, and some of the upper rooms were used as living apartments. Many of the studios were furnished elaborately and contained valuable musical instruments and works of art. There is but one elevator in the building, adjoining the stairway, the only means of exit.

The fire started a few minutes before 3 o'clock in the basement in a quantity of twine in the Montgomery Ward storeroom, close to the elevator. Ten minutes after the fire broke out the flames began shooting up the elevator shaft and all escape save by the fire escapes was shut off. The halls quickly filled with a dense, suffocating smoke and ten minutes later, when the first fire apparatus arrived on the scene, people crowded almost every window, appealing for help, while scores of others, mostly women and girls, filled the fire escapes and were climbing wildly to the ground. In many of the studios pupils were taking lessons. The firemen were slow in getting to work and the first ladders placed by them against the building failed to reach above the third floor.

Wild Panic Prevails.

Inside the wildest panic prevailed. When the alarm of fire was first sounded the women of the Atheneum rooms considered that a joke was being perpetrated, and no effort was made to leave. A moment later, as the room filled with smoke, there was a wild scramble for the exit. After the first rush for the hallway, which had now become so filled with smoke that escape there was impossible, they were driven back to the windows facing Locust and Ninth streets. There was but one fire escape on this end of the building, that on the Locust street side. This was quickly filled with wildly excited women.

George Demare, aged 32 years, art instructor in the Central High school and a portrait painter who came to this country four years ago from Paris, jumped from his studio window on the fifth floor and was picked up dead. Demare recently married a prominent society woman. She was waiting in a nearby drug store when her husband's dead body was brought in, and fainted.

Woman Knocked from Ladder.

Miss Alexandria Blumberg, a Russian countess, who came to America two years ago and who had a studio on the fourth floor, was overcome by smoke and carried from her room by a fireman, who started down a ladder with her. When the two were within thirty feet of the ground the firemen below in their excitement turned a stream of water on them, knocking them from the ladder. Miss Blumberg was picked up unconscious, suffering from a fractured skull. She is seriously and perhaps fatally hurt. The fireman was painfully injured.

Miss Blumberg was born in Russia, and is a miniature painter of note, who came to Kansas City two years ago from Paris. Her studio contained many rare works of art, some paintings that had been exhibited in the salons of Europe. She saved nothing.

Carl Busch, a noted composer and violinist, and his wife, who is a pianist well known in Europe, escaped after exciting experiences. Both lost all their musical instruments, which included two priceless Stradivarius violins and several manuscripts of operas written by Busch.

Mr. Busch helped to rescue several young girls from the building. At the time the fire broke out he was in the studio of Crosby Hopps, a vocal teacher, who was giving a lesson to Miss Edith Low of Topeka, daughter of M. A. Low, general counsel of the Rock Island railway. After warning the other occupants of their floor, Busch and Hopps aided Miss Low and some other pupils to escape and then, being forced to leave, crept on their hands and knees down the hallway, which was filled with smoke, to a fire escape.

Many Thrilling Escapes.

There were many thrilling escapes. Miss Helen Barnes, who had a studio on the fifth floor, stood at a window calling for help while flames played within a few feet of her. A ladder put up toward the window failed to reach, and a fireman stretched out an iron rod and urged her to climb down it. The woman slid down the rod to the ladder and was finally landed safely on the ground.

The total loss is estimated at $300,000, with insurance of perhaps $150,000. The building, which was sold some time ago by the Pepper estate to William A. Rule of Kansas City, was valued at $175,000, and is a complete loss. The loss sustained by Montgomery Ward & Co. will not exceed $35,000.

FRENCH STEAMER WRECKED

Passengers on Vessel from Algiers Become Panic-Stricken in Danger.

MONTEVIDEO, May 8.—The French steamer Poitou from Algiers is ashore off San Jose Ignacio. It is feared that there has been serious lose of life. It is understood there are 300 passengers on board the vessel and that its cargo will prove a total loss. No further particulars are obtainable at present.

San Jose Ignacio, or Piedras Point, is a rocky promontory two-thirds of a mile in extent and surrounded by reefs. It is situated twenty-one miles west of Cape Santa Maria, on the southeastern coast of Urguay and about 150 miles from Montevideo.

The Poitu struck thirty yards from the shore at a spot called Rincon de Herro. Panic broke out on board the vessel when it grounded and a great number of terror-stricken people jumped overboard. Some of them swam ashore, but many were drowned. Customs officers at Rincon de Herro saved fifty out of the 300 passengers who are said to have been on board. How many others have been saved is not known. Several steamers left here for the scene of the wreck and the government is doing everything possible to succor the shipwrecked people.

An official dispatch from Rincon de Herro says that up to 10 o'clock this morning nearly 200 of the passengers of the stranded French steamer Poitou had been rescued and were being sent to this port.

CHINA TO BE PROTECTED

Kurino Says that Japan Has Friendly Feeling for the United States.

PARIS, May 8.—M. Kurino, the Japanese minister, in an interview today, is quoted as making the important statement that the series of treaty between Great Britain, France, Russia and Japan, guaranteeing the territorial statue quo in the far east, implied an agreement to prevent other countries from acquiring territory there.

Minister Kurino denied that the Franco-Japanese entente was in any way aimed at the United States, adding:

"Japan, in spite of the San Francisco incident, has always been most sympathetic to the United States because it was the first to treat the Japanese people on a footing of equality. If Japan could obtain advantages from an understanding with the United States it is entirely probable that the government at Tokio would not hesitate to negotiate with Washington."

M. Kurino said that as Germany had no possessions in the far east, Kiao Chou being simply leased Chinese ground, a treaty with it similar to the one between Japan and France would be useless.

BALTIC TO BE KEPT OPEN

Danish Minister Says No Adverse Treaty Has Been Made with Germany.

LONDON, May 8.—Count Raben-Levetzau, the foreign minister of Denmark, who is now in London has had several interviews with Sir Charles Harding, permanent under secretary of the foreign office. He will also confer with Foreign Secretary Grey and later will have an audience with King Edward.

In an interview today, the count said he was taking advantage of a pleasure trip to see some of the British officials and assure them that there was no foundation for the recent report that Denmark had entered into an agreement with Germany to close the Baltic in case of war. He even went further and said Denmark would not make any agreement in any way unfriendly to Great Britain. The count is making arrangements for the king and queen of Denmark to visit England. Their majesties will arrive in London, June 8.

FRENCH TRANSPORT WRECKED

Steamer Poitou Aground Off Uruguay and Hundred Are Reported Drowned.

MONTEVIDEO, Uruguay, May 8.—The French Transport Maritime steamer Poitou form Marseilles April 6 for this port had been wrecked off San Jose Ignacio, on the coast of Uruguay. It is understood to have had 300 passengers on board, and according to late reports nearly 200 of these have been rescued and are on their way to this city. The vessel and its cargo will probably prove a total loss. The casualty list has been reported at 100, but this has not been corroborated. The government is doing everything possible to succor the shipwrecked people.

Panic broke out on board of the vessel when it grounded and a number of terror-stricken people jumped overboard. According to the report a number of women were forced to remain below the hatches. Some of those who jumped managed to swim ashore, but many were drowned.

Knowles at Bucharest.

BUCHAREST, Roumania, May 8.—Horace G. Knowles, the new American minister to Roumania, today presented his credentials to King Charles.

Strike in Utah.

SALT LAKE CITY, May 8.—The plant of the American Smelting and Refining company at Murray, a suburb, employing 1,000 men, closed down today because of a strike of 103 ore haulers and furnace chargers.

SUNDAY, MAY 12TH

The Annual Real Estate and Farm Number

OF THE OMAHA BEE

This issue will contain a larger list of homes, unimproved property, acreage and farm lands than ever before published by any Omaha newspaper. This edition will be invaluable to anyone interested in real estate, whether buyer or seller.

If you have money to invest in real estate, you cannot afford to miss this edition. Watch for it.

Special features and articles on the real estate situation in Omaha, South Omaha and Council Bluffs, and on farm land as well, will appear in this edition written by prominent authorities on these subjects.

The large amount of real estate advertising in this edition will comprise practically a complete list of property for sale in this community and it will be eagerly watched for by every prospective purchaser.

Don't fail to let it contain your list of properties.

People when reading this edition, will have real estate uppermost in their minds. It is to the interest of **every one having real estate for sale** to be creditably represented with the **very strongest ad of the year.**

Call Douglas 238 and our advertising man will call.

BIG WAREHOUSE COLLAPSES

One End of Paxton & Gallagher's Grocery Building in Debris.

NO ONE HURT OR IN PLACE AT THE TIME

Cause is Not Determined, but Structure Was Old and Infirm—New One Will Be Built.

With a roar that could be heard for blocks around, the east end of Paxton & Gallagher company's building on Jones street, from Ninth to Tenth streets, crushed its six stories of brick and masonry into one heap on the ground, mingled with canned goods and kitchen hardware kept on each floor, about 6:30 o'clock Wednesday morning. Without a creak or other sound of warning, so far as anyone in the vicinity could distinguish, a little more than half of the six-story section on the Ninth street end of the building collapsed suddenly and in the brief interval of a second lay like a pile of worthless rubbish, leaving exposed to view each floor of the portion still standing as though the structure had been severed from top to bottom with a knife.

No estimate of the loss sustained could be given Wednesday morning by C. H. Pickens, general manager for the Paxton & Gallagher company, but the building and ground, which was bought about one year ago, were valued at, approximately, $75,000.

As the accident was providentially timed when no one was in the building except the night watchman, and he being in the office at the Tenth street end of the building just in the act of putting on his overcoat preparatory to going home when the crash resounded in his ears, not a person was killed or injured. It was too early for street traffic and only an occasional early riser on the way to work or a trainman passed that way.

Cause of the Accident.

The cause of the disaster has not been determined. But the first thought which came to the minds of those acquainted with the structure was that the big steel water tank placed on the roof in February was the main cause for the collapse. This tank, which had a capacity for sixteen tons of water, was erected to provide water for the sprinkling system in the building and stood high above the roof on a steel trestle, its sides giving resistance to every wind that blew, and affected by the jar of every passing train.

It was known to the owners of the building and to the city building department that the structure was old and infirm, and misgivings were entertained about placing the tank on the roof, but extra braces were placed directly under the trestle from the roof to the main floor, and as the Paxton & Gallagher company had in view the erection of a new wholesale building this summer the temporary arrangement was allowed to stand.

The portion of the building which fell was about forty-five feet of the old Parlin, Orendorff & Martin company building, which was 80x132 fet in dimensions, and which stood in the form of an addition to the main building of the Paxton & Gallagher company's five-story structure, running to Tenth street. All of the forty-five feet fell, except the south wall, which remained standing. One portion of the corner was cracked and appeared to be hanging very insecurely, and this will be pulled down as soon as possible.

Firemen Soon on Scene.

The collapse took place at 6:26 a. m. and a fire alarm was turned in, Chief Salter with several companies responding. Policeman Hudson was eating his breakfast in a restaurant at Tenth and Jackson streets, when he heard the roar, like the sound of colliding cars, and rushed to the scene, fearing lives had been lost. Officer Lesch from the public market was also attracted by the noise and hurried to give aid. Other policemen were later sent from the station to hold in check the crowd which early began to fill the neighboring streets.

One effect of the accident was to break all water and gas connections. The gas mains were soon cut off, but had a single jet in the building been lighted it would have been sufficient to have started a fire in the debris. But with the water mains it was not so well. The piles of brick lay directly over some of the connections and it was a long time before enough of the debris had been thrown aside to allow the water to be shut off, and meanwhile big streams of water poured into the basement and out from all the pipes which retained their connections. The basement was quickly filled with water, both from the tank, which had fallen straight through from roof to earth, and from the water pipes, and a fire engine was utilized to keep it drained.

Light Stock on Hand.

"The stock in the building was much lighter than that carried when it was occupied by the Parlin, Orendorff & Martin company," said Mr. Pickens. "It has been suggested that the reaction from the strain of the heavy implement stock to the lighter grocery stock might have been the cause of the collapse. We are rapidly cleaning up the debris and can probably estimate our loss by Thursday."

The accident will cause the erection of a new warehouse by the Paxton & Gallagher company sooner than had been contemplated and Manager Pickens will take steps to this end as soon as temporary arrangements are made for carrying the stock in the damaged warehouse.

In the afternoon City Building Inspector Withnell had all work of clearing away the debris stopped for fear of undermining the standing walls and injuring or killing some of the workmen. The walls will be torn down later. No trace of any human victims have been found in the debris.

Latenser Advances a Theory.

Architect John Latenser says:

"The tank was within ten feet of the south wall. I do not want to pose as prophesying anything, but I predict that it will be found the sewer recently built on the south side of the street immediately south of the building to a great depth has drawn the running springs which were under the building and it will be found that the water has receded to a greater depth than it previously was.

"I do not care whether the tank was empty or full as the support was ample strong for it to be full. The tank was filled about the fore part of February and has been filled ever since except for a few hours at a time when necessary repairs were made to the sprinkler system."

Mr. Pickens, it is said, has been extremely careful in regard to this building. He employed John Latenser, architect, to figure out the strength of each floor and the columns and he got the report on the building over his signature. In the erection of the tank he employed the same architect and the Paxton & Verling Iron Works to do the work.

JANUARY GOES OUT IN JULY

Such Recommendation Made by United States Attorney General in Missourian's Case.

WASHINGTON, May 8.—Attorney General Bonaparte today recommended that the sentence of John William January, alias Charles W. Anderson, be commuted. He recommends that the sentence be fixed at three months from the date of his re-arrest and that he be pardoned at the end of that time, namely, July 19, 1907. The president has approved the attorney general's recommendation.

The attorney general, in a memorandum submitted to the president, makes the following comment on the case:

I consider it very important, as a matter of public policy, to discourage attempts to escape among prisoners; such attempts impair the discipline of penal institutions, expose those officers to dangers, and, when successful, seriously weaken the salutary deterrent effects of punishment for crime. As against this must be weighed the eminently beneficial effect, as a matter of public policy, of encouraging the real reformation of convicts. The orderly and law-abiding life of the petitioner cannot, indeed, be regarded as equivalent to meritorious public service in the army or navy, but it is very desirable that men in a situation like his should have an inducement to lead such a life. I think the petitioner ought to serve some appreciable time in prison to show clearly that, as a matter of strict right, he still belongs there, but I also think this period may be appropriately made a short one.

I recommend that it be fixed at three months from the date of his re-arrest and advise that he be pardoned at the end of that time, to-wit: July 19, 1907.

LEAVENWORTH, Kan., May 8.—Warden McClaughry read the Associated Press dispatch to January, telling of decision of the president, first warning him that it was not official. January showed but little emotion at first, but when the import of the message was realized tears came to his eyes. He had built up his hopes and expected an immediate pardon. "I am not worried about myself," said he as the tears began to flow freely down his cheeks. "But it will be a great hardship to my wife and child."

January said he supposed the officials at Washington feared that if he were granted an absolute pardon now a bad precedent might be established, but he still was clearly disappointed. January was led back to his cell crying.

KANSAS CITY, May 8.—When the Associated Press dispatch from Washington was read to Mrs. Charles Anderson here today the woman broke down and wept.

"This is a terrible blow," sobbed Mrs. Anderson. "Three months. It will be so long for him. It will be a long time for me too, but Lucile and myself can get along, I suppose. I was confident that he would be pardoned immediately, but of course I am grateful that he is to be free and with us within three months."

COAL LAND FRAUD HEARING

St. Louis Men Are Called to Testify in Case at Denver—Accused of Making False Entries.

ST. LOUIS, May 8.—It became known today that twenty-nine St. Louisans have been subpoenaed to appear before the federal grand jury at Denver to tell what they know of a supposed scheme to combine a large number of coal land claims under the control of some syndicate, whose identity has not been established. The names of those subpoenaed have not been revealed. The Denver jury will meet May 23 and will take up the matter as the result of a recent secret investigation conducted in St. Louis by special officers of the Interior department.

It is stated that the subpoenas were issued on the government's belief that certain St. Louisans had signed blanks for coal land claims in Colorado with no intention of actually taking up and working the claims themselves, but with the intention of turning the claims over to some combination of persons. The law prohibits the granting of more than 160 acres to one person, or more than 640 acres to any combination of persons. The land claim blanks have not only been circulated in St. Louis, but in other parts of the country.

WESTERN MATTERS AT CAPITAL

Lieutenant Gaujot of Eleventh Cavalry Comes to Omaha on Staff Detail.

WASHINGTON, May 8.—(Special Telegram.)—First Lieutenant Julien E. Gaujot, Eleventh cavalry, will proceed to Omaha and report to Brigadier General Earl D. Thomas for appointment and duty as aide de camp on his staff.

Rural free delivery carriers appointed: Nebraska, Cambridge, route 2, James Mayo, carrier; Maud Mayo, substitute; route 4, James S. Munts, carrier; Ira McBride, substitute. Cozad, route 5, Clarence E. Totten, carrier; Marcus O. Slayter, substitute. Edison, route 1, Clarence F. Zike, carrier; William F. Osborn, substitute. Iowa, Fort Dodge, route 1, George F. Hilton, carrier; Carl J. Hilton, substitute. Lemars, route 5, Edward J. Rees, carrier; Sarah A. Rees, substitute. South Dakota, Bruce, route 1, Herbert G. Goodfellow, carrier; Frank Goodfellow, substitute; route 3, Joe P. Daum, carrier; William H. Daum, substitute.

C. B. Gowe, Omaha; W. S. Bailey, South Omaha; Samuel McCash and Archie Campbell, Cedar Rapids, Ia., have been appointed meat inspectors in the Bureau of Animal Industry of the Agricultural department.

BRITISH SAILORS ESCAPE

Two Men from Maori King Say Captain and Officers Are Brutal.

SAN DIEGO, Cal., May 8.—It was reported late last night that two sailors who have escaped from the British steamer Maori King, which arrived here yesterday from Shanghai, make sensational charges of brutality against the captain and officers of the ship. Rumors are in circulation to the effect that fifteen Chinese were killed during the riot on board and their bodies cast into the sea.

International complications are likely to result and it is believed that the most serious part of the charges remain yet to be told.

NEILL AND KNAPP ARE BUSY

United States Commissioners Are Attempting to Settle Labor Trouble in Colorado.

DENVER, May 8.—Labor Commissioner Charles P. Neill, who was suffering yesterday with a severe cold, had entirely recovered from his sickness this morning and, with Martin A. Knapp, chairman of the Interstate Commerce commission, resumed negotiations with representatives of the Denver & Rio Grande railroad and of the conductors and trainmen's organizations with a view to adjusting the differences between them on the wage schedules.

SCHMITZ FOR PEACE

'Frisco Mayor Confers with Traction Officials and Striking Employes.

PROPOSES TO NAME CITIZENS' COMMITTEE

Neither Side is Ready to Accept the Suggestion.

TWO CARS MAKE ONE TRIP EACH

Police Promptly Arrest All Men Who Attempt to Interfere.

MAN IN BUGGY DRAWS REVOLVER

Dozen Patrolmen After Him Before He Could Shoot—Another Wounded Man is Dead and Three More Will Probably Die.

SAN FRANCISCO, May 8.—Separate conferences were held in the mayor's office today between Mayor Schmitz, Patrick Calhoun, president of the United railroads, and Richard Cornelius, president of the Carmen's union. The mayor proposed that the case be submitted to a committee of fifty citizens to be appointed by him. President Calhoun did not accept the suggestion, but stated that he would see his colleagues in reference to the matter and give an answer later. President Cornelius said that while he had no objection to the appointment of such a committee he could not agree to it, acting as a board of arbitration. The mayor in closing the discussion declared his intention of appointing the committee regardless of the opinion of either Calhoun or Cornelius.

The joint conciliation committee, composed of peace committees from labor councils, improvement clubs, churches and financial and commercial interests, met this afternoon at the Labor temple on Fourteenth street to bring about industrial peace in this city.

Six subcommittees were appointed wait upon the striking car men, telephone girls, ironworkers and laundry workers, and President Calhoun of the United Railroads, President Scott of the telephone company and the officials of the Metal Trades association and the Laundry Owners' association, and, if possible, obtain from each an authoritative proposal for a settlement of the existing differences.

These subcommittees will report tomorrow afternoon.

Police Arrest Rioters.

At 2:30 p. m. two cars manned by strike breakers left the car barns at Oak and Broderick streets going west toward the ocean beach. The two cars finished their trips at 4:50 p. m. and were then run into the car barn at Oak and Broderick streets. The trip was made without much difficulty. At one point a man in a buggy pulled a pistol, but a dozen policemen were after him before he had time to shoot. The man dropped the gun and ran, but was soon captured. At another place a carpenter working on a building threw a hatchet at one of the cars. He was a prisoner in less than a minute. A telephone lineman driving a wagon blocked the cars and tried to hit a mounted policeman with a pair of heavy pliers. He was clubbed into submission and arrested. The temper of the police was radically different from that of yesterday. Today they showed a disposition to watch the cars and prevent union men from throwing missiles. Each car was manned by a half dozen men, none of whom were armed.

With Other Trades.

The situation remains unchanged in the other industries in which a strike has been declared. The telephone company is still handicapped by a lack of operators, but it is believed that the action of the linemen in voting against a strike will lead to a speedy settlement of the question at issue between the company and its employes. The linemen do not seem inclined to go beyond extending their aid in helping the girls to settle with the company.

Little is heard just now from the other striking trades, their differences seeming to await the settlement of the issue now brought to a focus by the car men.

Quiet prevails in and around the several shops involved in trouble with the iron workers, and the striking employes are now merged with their colaborers similarly situated. The laundry workers are still out and the industry has been already so badly crippled that one or two of the largest concerns employing this class of labor are talking about retiring from business entirely. The latest strike reported is that of the Sandstone Cutters' union, which went into force yesterday. The men struck for $6 per day, an increase from $5, the scale of wages now existing. There is no question of hours or conditions involved in this case. This strike will delay work on many of the new class A buildings now in cause of erection. The union declines all offers to arbitrate the question at issue.

The electrical workers, with whom the linemen of the telephone company are connected, are for the time being held in check from striking by the request of the labor council made to all the unions, that no action be taken until some general arrangement is concluded.

Thornwell Mullaly, assistant to President Calhoun of the United Railroads, stated today that the company had a number of affidavits showing that the shooting yesterday was begun by persons in the crowd trying to obstruct the movement of street cars and not by the men who were operating them.

Business Is Crippled.

The strike already has severely injured business interests in this city. Many of the big retail stores have decided to open late and close early and most of them have laid off a number of their employes. The absence of adequate transportation facilities through the burned district makes that section of the city almost deserted by pedestrians and almost impassable at night. The retail establishments, therefore, see only added expense in maintaining their usual business hours.

The same is true of the principal restaurants, several of which have closed their doors, announcing that they will not reopen until the strike is settled. The theaters also have seen the advisability of temporary suspension and few places of amusement remain open.

The crippled telephone service adds to the gravity of the situation, which shows no immediate prospect of improvement.

Injured Man Dies.

The second death as a result of yesterday's street car riot occurred this afternoon, when John Buchanan, a carshop employe, 21 years of age, died at the Emergency hospital. He was shot through the abdomen. Two others, Albert C. Palm, a chauffeur, and Nathan Leiser, a 16-year-old boy, are not expected to live.