# THE OMAHA DAILY BEE

VOL. XXXVII—NO. 27. OMAHA, FRIDAY MORNING, JULY 19, 1907—TEN PAGES. SINGLE COPY TWO CENTS.


## LIVE STOCK MEN MEET

National Exchange Association in Session in Kansas City.

FIFTEEN MARKETS REPRESENTED

Body is Clearing House for Local Live Stock Exchanges.

ADDRESS BY PRESIDENT SWIFT

Caustic Criticism of Independent Co-operative Concerns.

REFERS TO POST-MORTEM FIGHT

**Charge Made that Independents Sided with the Packers in the Controversy Just Closed.**

KANSAS CITY, July 18.—Live stock commission firms in the fifteen principal markets of the country that do an annual business estimated at $500,000,000 were represented here today at the opening of the nineteenth annual meeting of the National Live Stock Exchange association. The live stock centers represented included nearly every city of importance from Buffalo to Denver and from St. Paul to Fort Worth. Twenty delegates came from Chicago.

The national exchange is practically the clearing house for the various local exchanges on all matters relating to the live stock trade and the annual meetings are practically for the exchange of business ideas. James C. Swift of Kansas City, the president, said this morning that as far as he knew no pressing matter was to be taken up at this meeting. The post mortem question, among other things, will be discussed, President Swift mentioning this topic in his annual address, the reading of which was the principal work today.

**High Business Standards.**

"While we regret," said Mr. Swift, "the passing of the 7-cent hog, we rejoice that his memory bears no taint of post-mortem and that he left with us the ever welcome 7-cent steers and the lowly sheep, with his high-priced fleece and strong-selling mutton."

Mr. Swift said that live stock exchanges for years had been the butt for shafts of cheap ridicule or the basis for criticism, born either of malice or ignorance. But now he said there was a better understanding of the proposition, that these organizations are formed primarily to preserve and maintain the absolute integrity of contract, and to guarantee to every man who patronizes our markets an absolute, open and unquestionable square deal.

He spoke of competitive organizations, which, he said, "though self-styled as co-operative, in the light of development would lead to the absolute conviction that the co-operation, if any, was limited in extent and confined largely to the individual promoters," and added:

**Public Clamor Played Part.**

This movement at its inception sought to take advantage of the public clamor aroused in other countries and cleverly and unscrupulously tried to engulf us in the same frenzied wave, and at the same time ride the crest to a port of financial blessings for itself. But the attempt failed.

Primarily organized to oppose the so-called Beef trust and fight the battles of the people, we are suddenly advised that the country needs saving from the grasping commission men.

And then followed what might be termed "the seven weeks' war," a spirited contest between the people and the commission men on one side and the large packers and one commission firm on the other. And where did we find our competitors—the self-appointed, direct tory chosen agents of public protection? Did they line up in response to the country's call? Did they heed the tens of thousands of protests against a new and unfair manner of doing business, or did they obey the dictate of the packer? We all know the answer and we all know how different the result had there been no exchanges, or had there been more disloyal organizations.

It is a long cry from organizing to break the so-called tyranny of the buying firms, to enlisting the aid of all questionable agents and combining with the packers to fasten a post-mortem collar upon the producing live stock public; to drive from our markets the principle of cash sale; to discriminate against the little man in favor of the big and to sell the live stock (and I mean all the live stock) on the hoof instead of on the hoof.

**Believes in Co-operation.**

We believe in co-operation; we believe in the brand that works with you and not against you; that is looking after your welfare and not your ruin, and that stands ready at all times to give its time, energy and money in your interests and the principles of right, rather than surrender for a miserable mess of pottage.

We wish to be understood as fully appreciating the great savings and benefits accruing from modern packing methods. It has been our province and our pleasure in the past to do all we could for this great industry and at the same time serve loyally those to whom we are always accountable. It is only, as in the recent instance, when the rights of our customers are in danger and the foundations of business are threatened that we feel obliged to fight; and it is only when our cause is just and we fight together that we can or deserve to win.

Great good will come out of this contest—not only a better feeling between customer and commission man, not only a better feeling between market and market, but eventually a better feeling between buyer and seller—a new respect born of understanding. Each side has its rights and its privileges and we should be just as zealous to guard the one as we are careful not to invade the province of the other; always firm but fair, and in so doing we will best promote the interests of all concerned.

## REID GIVES TOAST FOR TWO

**King Edward and President Roosevelt Linked Together in Neat Speech.**

LONDON, July 18.—At a luncheon today in connection with the bazar to raise funds for the duke of Connaught's Soldiers' home Whitelaw Reid, the American ambassador, toasted King Edward and President Roosevelt jointly, and said: "We honor two men whose lives are of the greatest importance to the peace of the civilized world, two men who have earned the name of peacemakers, and two men who share the belief that in preparation for war is to be found the greatest security for peace."

## RIVER IS SLOWLY RISING

**No Further Serious Damage Expected at Kansas City from the Flood.**

KANSAS CITY, July 18.—The Missouri and Kaw rivers here today continued to rise slowly, but remained within their banks. No further serious damage has been done and none is expected. A fall in both streams is predicted for tomorrow.

**Amalgamated Copper.**

NEW YORK, July 18.—The directors of the Amalgamated Copper company this afternoon declared a quarterly dividend of ¾ per cent. Heretofore the rate has been 1½ per cent each quarter, with ½ per cent extra.

## SUMMARY OF THE BEE

Friday, July 19, 1907.

| 1907 | JULY | | | | | 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: Fair.

Temperature at Omaha yesterday:

| Hour. | Deg. | Hour. | Deg. |
|---|---|---|---|
| 5 a. m. | 64 | 1 p. m. | 81 |
| 6 a. m. | 65 | 2 p. m. | 83 |
| 7 a. m. | 66 | 3 p. m. | 83 |
| 8 a. m. | 69 | 4 p. m. | |
| 9 a. m. | 74 | 5 p. m. | |
| 10 a. m. | 78 | 6 p. m. | |
| 11 a. m. | 80 | 7 p. m. | |
| 12 m. | 83 | 8 p. m. | |
| | | 9 p. m. | |

**DOMESTIC.**

Haywood defense rests its case and Boise attorneys engage in arguments as to the instructions of the court relative to testimony. **Page 1**

Live stock men at Chicago in session listen to address of President James C. Swift of Kansas City, who discusses the post mortem question. **Page 1**

Foreign Minister Hayashi of Japan sends message of pacification to the people of the United States. **Page 1**

Little hope extended for the life of Midshipman James T. Cruse. Naval board decides that flareback caused the explosion. **Page 1**

Former sweetheart of Fred Magill takes poison on the grave of Mrs. Pet Magill at Clinton, Ill.

Union Pacific locomotive at Latham, Wyo., explodes, killing unidentified man and injuring three other members of the train crew. **Page 1**

Twenty-five hundred heat prostrations result in Philadelphia among the crowd that witnessed the Elks' parade. **Page 1**

Karl Hau helps his case along on the second day of the trial by making admissions that be declined to make previously concerning telegrams sent. **Page 2**

North Carolina violators of the reduced train fare law are sentenced to the chain gang. **Page 1**

**NEBRASKA.**

Tremendous rains cause additional washouts and further delay of trains in southeastern Nebraska. **Page 1**

State Railway commission hearing application of Lincoln citizens for universal transfers and reduced fare on the street railway. Otto Meier of Lincoln files as a democratic candidate for judge of the supreme court. **Page 3**

**FOREIGN.**

Corean ministers resign from cabinet of the emperor and the latter receives Marquis Ito in audience. **Page 1**

R. H. Mulford sentenced to eight years at Manila for irregularities in connection with banking operations. **Page 1**

Ambassador Reid toasts King Edward and President Roosevelt at London luncheon. **Page 1**

Joseph Choate at The Hague tells the reasons why the United States favors a general treaty of arbitration. **Page 1**

**LOCAL.**

Rev. John W. Conley of First Baptist church tells colored Baptist conventioners that character is the only solution of race problem and western negroes will apply it. **Page 4**

Cigar dealers begin their fight in district court against the Fire and Police board's slot machine order. **Page 5**

Health officials of Omaha determine that government live stock inspection rule must be rigidly enforced on all cattle killed for consumption in Omaha. **Page 1**

Indications are levy for school district in Omaha will not be lower than 16 mills that of the current year. **Page 4**

Society is agog over the announcement of the engagement of Frank T. Hamilton and Countess de Clatue of Grenada, Spain. **Page 9**

Creditors of J. P. O'Brien make application to the federal court for him to be declared a bankrupt. **Page 5**

**MOVEMENTS OF OCEAN STEAMSHIPS.**

| Port. | Arrived. | Sailed. |
|---|---|---|
| NEW YORK | Laura | Adriatic. |
| NEW YORK | Ultonia | Noordam. |
| NEW YORK | Mesaba | Liguria. |
| LIVERPOOL | Friesland | |
| QUEENSTOWN | | Caronia. |
| COPENHAGEN | Heilig Olav | |
| SOUTHAMPTON | | Oceanic |
| ANTWERP | | Vaderland. |
| PLYMOUTH | Pennsylvania | Majestic. |
| ANTWERP | Vaderland | |
| GENOA | Campania | |
| BREMEN | K. Wilhelm II. | |
| MARSEILLES | | Roma. |
| LONDON | Menominee | |
| CHERBOURG | | K. W. der Grosse. |

## POISON ON WOMAN'S GRAVE

**Former Sweetheart of Fred Magill Found Dying in Clinton, Ill., Cemetery.**

CHICAGO, July 18.—A dispatch to the Record-Herald from Clinton, Ill., says:

Mrs. Mabel Parrotte, said to be an old sweetheart of Fred H. Magill, who, with his bride, is a prisoner at San Diego, Cal., on a murder charge, was found unconscious on the grave of Mrs. Pet Magill, his alleged victim. She had taken strychnine and, despite the efforts of physicians who are working over her, her attempt at suicide may be successful. The young woman was sometimes known under the name of Lillian Ryan. The woman has not been living with her husband for several months. It is alleged that the cause of the separation was Fred Magill's attentions to her.

Mrs. Parrotte is 22 years old and handsome. Late in the night it was announced by the attending physician that she had a chance to recover, although her condition is critical. The body of Mrs. Magill was exhumed last night. Over two hours was consumed in the task, which was performed by two professional grave diggers. They were watched over by eight doctors, among whom were two specialists from Chicago. The two Chicago specialists carried back with them in large jars all the vital organs of the body of Pet Magill. The organs taken were stomach, lungs, kidneys and all the intestines.

It will be at least ten days, possibly fifteen days, before it will be possible to announce the result of the analysis.

SAN DIEGO, Cal., July 18.—Fred H. McGill and wife are in the county jail quietly awaiting the arrival of Sheriff Campbell of DeWitt county, Illinois, who was to take them back to Clinton to face the charge of having murdered McGill's first wife. They are ready to go at his pleasure, as soon as he can stand the trip. Miss Margaret McGill, the daughter, has been removed from the Hotel Robinson by direction of her father's attorney, and her present whereabouts are known only to him.

## MILWAUKEE FUNDS STOLEN

**Expert Accountants Find Evidences of Extensive Irregularities with Funds.**

MILWAUKEE, July 18.—The expert accountants who have been examining the city's accounts report the embezzlement of $29,775 by the clerk of the municipal court; also that the city treasurer loaned $7,000 of trust funds and devoted the interest to his own use.

## COREAN MINISTERS RESIGN

Obstinacy of Emperor Causes Them All to Leave Office.

MARQUIS ITO GIVEN AUDIENCE

**Japanese Think Ruler at Seoul Will Decide Eventually to Turn the Government Over to His Son.**

SEOUL, July 18.—The cabinet ministers, including the newly appointed household minister, have resigned. It is reported that the emperor was very angry at his ministers on account of their having advised him to abdicate. He said to them that he occupied the throne by right inherited from his ancestors and that his subjects had no authority to advise his dethronement, much less to do so with the support of foreigners. Marquis Ito, in compliance with the emperor's urgent desire to see him, arrived a short time, proceeded to the palace this afternoon.

SEOUL, Via Tokio, July 18.—Pak Yong Ho, who was recently pardoned, and upon his return from Japan was appointed minister of the imperial household, has reported that the emperor of Corea emphatically protested his ignorance regarding the dispatch of the deputation to The Hague and says that his abdication would only tend to confirm his relation thereto. For this reason he will not abdicate. The emperor, he says, will prove obdurate in resisting his dethronement.

The audience of Marquis Ito with the emperor of Corea, which was expected to have taken place this afternoon, has been postponed. It is likely that the marquis will proceed to his palace tomorrow in company with Viscount Hayashi, the Japanese foreign minister, who is expected to arrive here this evening.

Placards were posted today in one of the thoroughfares calling for the death of all Japanese officials in Seoul. The ministers are strongly guarded and every precaution has been taken to prevent riot and attacks upon officials. The emperor is reported to be too worried to take food or sleep, but this report is considered to be one of his unusual maneuvers to enlist the sympathy of his people.

**Loses Sympathy of People.**

The emperor's loss of the loyal adherence of a large portion of his subjects will, it is believed, result in the gradual development of his policy to always play one minister or faction against another, so as to prevent the concentration of power in any single body. The result of this is that none will faithfully support him at the risk of life.

The emperor himself is constantly distrustful of all about him and haunted with fear of an attempt upon his life. Consequently, boiled rice is served him at each meal in a locked silver bowl, which he opens with a key always kept about his person. Patriotic Coreans condemn his policy as sacrificing the national interest to his own personal benefit and welfare. The Il Ching Hoi, a progressive association claiming a membership of 1,000,000, is now openly hostile to the emperor and it is doubtful even if the few now standing by him will continue their support until the last. A sufficient inducement is likely to make them desert the emperor, who is now in the most pitiable predicament.

**Japanese Thinks He Will Abdicate.**

TOKIO, July 18.—As a result of urgent representation by the ministers it is very probable that the emperor of Corea will abdicate in favor of the crown prince as the first step toward reform in Corea. This will most likely be followed by the calling of a new convention, which, while keeping Corea's national existence intact, will limit the sovereign power in some form by which the ruler can exercise his powers only with the consent and approval of the Japanese resident general. The present ministers in Seoul are actuated by true patriotism and are determined to place the Corean government upon a firm basis and free from court intrigues and selfish plots.

## SEEK RELEASE FOR VESSELS

**Americans at The Hague Present Proposition in Case Trials Are Impossible.**

THE HAGUE, July 18.—The American delegation has presented to the peace conference the following proposition:

"If for any reason a captured neutral vessel cannot be tried, the vessel must be released."

The Peruvian delegation has presented the following amendment to the American proposition regarding the collection of the contractural debts:

"The principles established by this proposition cannot be applied to differences arising from contract between the government of one country and the foreign subjects of another when the contracts provide that their differences must be submitted to the judges of local tribunals."

The Venezuelan delegation presented a declaration on the same subject, making the same objection as Peru, with the addition that in case no contract exists all diplomatic means of reaching an understanding must be tried before recourse is had to the permanent court of arbitration. The Venezuelan delegation ends with these words:

"It is understood that said differences are to be settled through peaceful means without recourse to coercive measures, implying the employment of military or naval forces."

**Fourteen Persons Drowned.**

COPENHAGEN, Denmark, July 18.—Fourteen persons are reported to have drowned at Marstrand, Sweden, by the capsizing of a sailboat. Only one of the party escaped.

## JAPANESE ARE NOT ALARMED

**Minister Hayashi Sends Message to Americans Conveying This Sentiment.**

NEW YORK, July 18.—Foreign Minister Hayashi of Japan, replying to a cable request by the New York World for an assurance of peace and good will at this time from the mikado, wires as follows:

While appreciating friendly sentiments expressed in your telegram I find it impossible consistent with the usage of this country to ask for the dispatch of imperial message as desired.

I assure you, however, than no erroneous impression, to which you refer has been entertained by Japanese people and still less by Japanese government.

It is here fully and universally believed that reported cruise of United States fleet to the Pacific, if contemplated at all, implies no indication of disquieting nature in the relations between Japan and the United States.

Whole nation has unshaken confidence in policy of justice and peace which has characterized American government and all sensational reports appearing in a small section of the press have absolutely no reflection in the minds of the public who are thoroughly convinced of the pacific character of the situation. HAYASHI.

## AUTOS COLLIDE IN THE DARK

**T. F. Donovan of New York Impaled on Spokes of His Machine.**

NEW YORK, July 1.—While rushing along at express train speed, two automobiles, filled with merry-makers returning from Coney Island, crashed head-on early today on the dimly lighted ocean park way and as a consequence one man is dead and two others are fatally injured. The dead man, Thomas F. Donovan of New York, was impaled on the spokes of his own machine. The injured are Chapman Ropes of Morrison, N. J., and an unidentified man.

Donovan's machine carried no lights. Running along at sixty miles an hour, Donovan determined to take the other side of the road. He did not see Chapman Hopes driving a powerful machine, approaching in an opposite direction and running about forty miles an hour. The two machines were upon one another before their drivers realized what had happened. The crash reduced the machines to scrap iron. Donovan was thrown from his machine and the spokes of a broken wheel pierced his breast. Hopes and his companions were found beneath the wreckage. Donovan died in the hospital and physicians say that the two wounded men probably will die. A third automobile which came flying along the avenue immediately after the accident nearly collided with the wreckage.

## SMALL WILL VISIT CHICAGO

**President of Telegraphers' Union Will Confer Over Advisability of General Strike.**

SAN FRANCISCO, July 18.—There is very little change in the telegraph strike situation. Nominally the companies still have the threat of a general strike hanging over them and the strikers still declare they are confident of winning.

The attitude of the companies has not changed since the strike began. Assistant General Superintendent Miller of the Western Union says he is still willing to meet any of his former employes as individuals and reinstate such as he needs and are not objectionable.

Superintendent Storer of the Postal, when asked about the strike, threw up his hands and declared:

"There is no strike so far as we are concerned."

"I expect to leave Oakland within the next forty-eight hours for Chicago," said President Small of the telegraphers' union yesterday, "where I will hold a conference with prominent leaders on Tuesday next and recommend that our executive board meet in that city on that day. The strike in San Francisco and Oakland will continue. The fact of the matter is, there are not enough telegraph operators to fill the positions and there is no worry about strike breakers."

## BIG WASHOUTS IN SOUTHEAST

**Railway Traffic in Portions of Nebraska Seriously Impeded—Damage in East.**

LINCOLN, Neb., July 18.—Railway traffic in southern and southeastern Nebraska was impeded this morning by serious washouts, the water overflowing 2,000 feet of the Burlington tracks between Verdon and Salem, and the Missouri river also encroaching on the Burlington roadbed near Nebraska City. The Union Pacific officials reported a washout near Valparaiso, while the Northwestern railway encountered little trouble. The rain extended as far west as Red Cloud and North Platte.

PITTSBURG, July 18.—The loss of several lives and great monetary damage is reported from heavy rains throughout Pennsylvania, eastern Ohio and West Virginia during the last twenty-four hours. The rivers and mountain streams are out of their banks, live stock has been drowned and bridges washed away, railroad tracks swept off or undermined, trolley systems demoralized, electric plants crippled and hundreds of families compelled to abandon their homes.

## TWO JAP SCHOONERS SEIZED

**Poachers Taken in Charge Near Island of St. Paul by Americans.**

WASHINGTON, July 18.—The State department has been informed that the revenue cutter Manning on the 5th instant seized two Japanese fishing schooners, the Nitto Maru and the Kaimo, near the boat landing, within about a mile of the seal island of St. Paul. Both of the vessels were fully equipped for sealing and there were evidences that they had been plying their vocation in the shape of fresh sealskins in the small boats. The seized vessels were taken to Ounalaska and left in charge of the United States marshal. The crews were taken aboard the Manning and conveyed to Ungi in charge of a United States marshal, where they will be tried before a United States commissioner on the charge of violating the sealing regulations. The Japanese embassy has been notified by the State department, but as the case appears to be an ordinary one of poaching it is not expected that any diplomatic incident will result.

## PEACE IN CENTRAL AMERICA

**Senor Corea, Nicaraguan Minister, Takes Optimistic View of Southern Situation.**

WASHINGTON, July 17.—Senor Corea, the Nicaraguan minister to Washington, conferred today with Acting Secretary of State Bacon relative to the Central American affairs which, according to reports from the City of Mexico, are in a condition rapidly approaching actual warfare. The minister takes an optimistic view of the future, saying: "There will be no war; the continuance of peace in Central America is certain." This expression is regarded as important in indicating that President Zelaya of Nicaragua, if he ever contemplated any fresh attack upon Salvador, has either abandoned such intention or at least postponed the movement indefinitely.

## SAN FRANCISCO IS HEDGING

**Board of Directors of Merchants' Exchange Will Not Discriminate Against Japanese.**

SAN FRANCISCO, July 18.—The board of directors of the Merchants' exchange of San Francisco has announced that it does not favor any immigration law that will discriminate against the people of Japan, or that will permit them to be treated any differently from the people of any foreign country. It is regarded as desirable, the board contends, that the Japanese people enjoy the same privileges in our country that are accorded the people of our country in theirs. It is considered important that there be no barriers to the most friendly trade relations between the two countries.

## FEDERAL RULE ON CATTLE

Inspection May Be Enforced by Omaha on Meat Used Here.

CITY OFFICIALS TAKE A HAND

**Inspectors Visit South Omaha and Report to Health Commissioner—Matter Awaits Return of Mayor Dahlman.**

An effort is now being made to enforce the terms of the government inspection of live stock on all cattle killed for sale in Omaha regardless of whether it is for state or interstate business.

Dr. Ramacciotti and Inspector Ryan of the Board of Health dropped into South Omaha Wednesday afternoon and held a closed conference with a number of the government officials, city officials and officials of the stock yards company. The inspector is silent as to the result and Dr. Ramacciotti is no more communicative. But it transpires that the result of their visit was a report to Health Commissioner Connell, which was made the basis of a conference with the so-called "independent" packers of South Omaha. The object of this conference was to submit to the packers a suggestion that they comply with the terms of the government inspection law on all meat offered for sale in Omaha under penalty of having all meat not bearing brands of inspectors confiscated and destroyed.

The report of the inspectors to the commissioner of health was to the effect that there is no regulation by which the "independents" can now be prevented from killing any kind and condition of cattle and placing them on sale in the state; that the total number of cattle killed by "independents" at South Omaha is from 1,200 to 1,500 per month, and that no record is made of such killings.

It is proposed to make a city ordinance requiring the same tests for meat offered for sale in Omaha as is required by the government for interstate business. A number of independent packers object to this regulation, but others say they do not object if it is made effective on all, and farmers and others are prevented from offering meat for sale in the city which has not been inspected and approved.

The conference was held Thursday afternoon at 4 o'clock behind closed doors. Dr. Connell would make no statement as to its result, but said that the matter would rest until the return of Mayor Dahlman.

## FLAREBACK IGNITED POWDER

**Naval Court of Inquiry Finds Cause of Explosion on Battleship Georgia.**

WASHINGTON, July 18.—The naval court of inquiry in the case of the explosion on the Georgia will find that the accident resulted from a "flareback," meaning that when the breech of the 8-inch gun was thrown open after it had been discharged some shreds of burning cloth or unconsumed gas was driven into the turret and upon the powder about to be inserted for the next charge.

The following telegram from Captain McCrea of the Georgia was made public this afternoon:

Telegram expressing grief over accident received and published. All are gratified with sympathy expressed, which lightens our sorrow. Full reports sent through Admiral Thomas will be supplemented by report of board. Meanwhile no individual case of greater heroism which saved this ship has been known. The handling room crew responded immediately to the orders of the officer in command, Boatswain Murray closing the doors, removing exposed charges, and drowning the burning powder which fell from the upper turrets. Did the right thing at the right time and steadied his men.

## SENTENCED TO CHAIN GANG

**North Carolina Penalty for Violating Reduced Passenger Fare Law is Severe.**

ASHEVILLE, N. C., July 18.—James H. Wood, district passenger agent, and O. C. Wilson, ticket agent of the Southern railway, who were arrested late yesterday afternoon after the departure of Judge Pritchard for Raleigh, were today found guilty in the police court of selling passenger tickets in disregard of the new rate law and each were sentenced to thirty days on the chain gang. Mr. Wood is an alderman of this city. Little doubt is felt that some way will be found to save Wood and Wilson from serving this sentence.

CHARLOTTE, N. C., July 18.—The case against City Ticket Agent Witherspoon of the Southern railway here, against whom a warrant was sworn out yesterday for charging more than 2¼ cents per mile for railroad tickets, was withdrawn today. Similar cases are being tested at Asheville and Raleigh.

## WESTERN MATTERS AT CAPITAL

**New National Bank Authorized to Commence Business at McCook.**

(From a Staff Correspondent.)

WASHINGTON, July 18.—(Special Telegram.)—The applications of P. Walsh, J. J. Loughran, C. J. O'Brien, P. F. McKenna and C. F. Lehn to organize the McCook National bank of McCook, Neb., with $50,000 capital, has been approved by the comptroller of the currency.

Postmasters appointed: Nebraska, Dix, Kimball county, Henry L. Challburg, vice G. H. Cunningham, removed. Iowa: Copper, Henry county, John J. Mueller, vice Claude Essley, resigned; Robins, Linn county, James F. Snyder, vice S. J. Stamy, resigned.

**Murder Case in Stanley County.**

PIERRE, S. D., July 18.—(Special Telegram.)—The criminal calander in the Stanley county term of court begins in earnest tomorrow with the trial of Gus Tuchas on a charge of the murder of Clyde Whiting by the use of dynamite. The charge of manslaughter against Frank Turner goes over the term. Pleas of guilty with fines have been made in a number of liquor and gambling cases, but the calander yet left will take two wweks on criminal cases alone.

**Secretary Wilson in Montana.**

BUTTE, Mont., July 18.—James Wilson, secretary of agriculture, arrived in Butte yesterday and immediately after visiting the Washoe copper smelters proceeded to the Hell Gate forest reserve on a tour of the national forests of the northwest. He is accompanied by his son Jasper, who is acting as his private secretary.

**Tourists on Way to Canton.**

COLUMBUS, O., July 18.—The Glidden tourists began to start this morning at 7 o'clock on the run to Canton, O. The roads are not so good as those they went over in Ohio yesterday from Indianapolis and they expect to make Canton in eight hours and forty-eight minutes. Forty-eight cars started today. The night will be spent in Canton.

## WILLIAM PAXTON DROPS DEAD

**End Comes Suddenly to Pioneer Resident and Business Man.**

William A. Paxton, sr., for over fifty years a resident of Nebraska, and interested in many prominent enterprises, dropped dead last evening at his home in this city.

Mr. Paxton has been in poor health for some time, going to Texas last winter in hopes the milder climate would benefit him, but in this he was disappointed.

## MULFORD GIVEN EIGHT YEARS

**Sentence Pronounced in Manila for Falsifying Notes as Assets of American Bank.**

MANILA, July 18.—H. H. Mulford, formerly cashier of the defunct American bank at Manila, was today sentenced to imprisonment for eight years and ten months on conviction of having falsified notes purporting to be part of the assets of the bank.

WASHINGTON, July 18.—The Mulford referred to the above dispatch appears in the official records here as R. H. Mulford, who went to Manila in 1898 as a major in the volunteer Nebraska regiment. After being mustered out he engaged in various enterprises among others, founding the American bank in Manila of which he was manager. He was charged with embezzlement and gross mismanagement in making loans of the bank's funds to Chinamen and irresponsible characters without sufficient security. His embezzlement was fixed at $40,000, and December 17, 1906, he was sentenced to six years imprisonment. He appealed from that sentence and it is understood the action today is taken by the court upon his appeal. Meanwhile he has been conducting a newspaper in Manila.

Harry B. Mulford was formerly engaged in business in Omaha in several enterprises at various times and lost out in each of them. He was at one time engaged in the bicycle business on lower Farnam street. He was appointed major of the First Nebraska regiment, United States Volunteers, and went with the regiment to Manila, later he became its lieutenant colonel, and succeeded Colonel Stotsenberg in command of the regiment. Upon the return of the regiment to the United States he remained in San Francisco, and becoming divorced from his Omaha wife, re-married in San Francisco. He was appointed a major in the Thirty-ninth United States Volunteers and returned to Manila with that regiment, remaining in the service until the muster out of the volunteer regiments. He then engaged in the banking enterprises in Manila.

## DESPAIR OF CRUSE'S LIFE

**Others Injured in Georgia Are Likely to Recover—Parents Are with Him.**

BOSTON, July 18.—Midshipman James F. Cruse, one of the twelve sailors injured by the accident on the battleship Georgia, was reported this morning as in such a critical condition that he was not expected to survive the day. His father, Major Thomas Cruse of Omaha, was at his bedside, with the midshipman's mother and brother. The other injured men had passed the night without apparent change in their condition. The hospital physicians now expect all but Cruse to recover.

ATLANTIC HIGHLANDS, N. J., July 18.—The funeral of Lieutenant Casper Goodrich, who was killed in the powder explosion in the turret of the battleship Georgia, was held today in the Episcopal church at Stone Church. The body was buried in the little churchyard. About 250 marines and sailors from the battleships Alabama and Connecticut attended the services.

Captain Townsend at army headquarters has just received the following telegram from Major Thomas Cruse, now at Chelsea hospital, Mass.:

"James' condition very serious. Bad night. But we are hopeful."

## COAL MEN BROUGHT IN COURT

**Millionaire Operators on Trial at Cheyenne on Charges of Conspiracy.**

CHEYENNE, Wyo., July 18.—(Special.)—A jury was secured in the United States court Tuesday to try the cases of the United States against E. M. Holbrook, the millionaire coal operator, and president of the Wyoming Coal company of Sheridan; E. E. Lonabaugh, an attorney of Sheridan, and Robert McPhilamy of Sheridan, all charged with conspiracy against the government in acquiring title to several thousand acres of valuable coal lands in northern Wyoming. The defendants are represented by a brilliant array of talent, including Judge J. W. Lacey, chief counsel in Wyoming for the Union Pacific; Judge Gibson Clark, counsel for the Burlington in Wyoming; N. K. Griggs, attorney for the Burlington, Lincoln, Neb.; William Riner of Cheyenne. It is expected the trial of these three cases will consume nearly all of the present week.

## OPERATORS REJECT TERMS

**Compromise Offer of Telegraph Companies Not Satisfactory to 'Frisco Strikers.**

OAKLAND, Cal., July 18.—The striking commercial telegraphers at a regular meeting today refused, by a standing vote, to accept concessions as framed by their national executive committee. The Western Union and Postal Telegraph companies' concessions were declined. They offered 25 per cent increase of pay after the telegraphers were at work and would take back all but three of the strikers. The Postal would reinstate eighty per cent of the strikers.

President Small this afternoon telegraphed the result of the union's action to headquarters at Chicago.

## VIOLENCE USED ON FARMERS

**Because They Did Not Join Association They Are Subjected to Indignities.**

HOPKINSVILLE, Ky., July 18.—The threshing machine of John Fields, a non-association farmer, was destroyed this morning at Oak Grove by dynamite concealed in the wheat. Two laborers sustained broken bones, internal injuries and cuts. Fields had been warned to join the farmers' association before attempting to thresh his wheat. Twenty-five masked men took Nathan Hester, a farmer, from his home at midnight and flogged him with a rawhide, brutally kicking and mistreating him. His wife fainted when her husband was dragged away. Hester quit the farmers' association several months ago.

## ARGUMENTS IN BOISE

Court Hears Lawyers in Reference to Instructions.

DARROW OPENS FOR DEFENSE

Action of Court in Admitting Certain Testimony Criticised.

RIGHT TO SHOW CONSPIRACY

Strong Objection to Striking Out Evidence Against Mine Owners.

BORAH REPLIES FOR STATE

**He Contends that Defense Has Made No Showing of Plot on Part of Association or Citizens' Alliance.**

BOISE, July 18.—The evidence is all in. Analysis and arguments begin tomorrow and within the next seven days the fate of William D. Haywood will rest with the jury. The session this morning was given up to Clarence Darrow, who, in behalf of Haywood, argued that the showing of the deportation from Cripple Creek during the strike period and the connection of the Pinkerton detectives and hired "gun men," should be allowed to go to the jury. Mr. Darrow reviewed the Colorado situation. He charged the mine owners and the detectives with planning a fake wreck on the Florence & Cripple Creek railway, with blowing up the Independence depot and with fostering riot and disorder through hired thugs.

Darrow was impassioned and hurled invective without stint at the detectives and Orchard. He closed with a whirlwind appeal for the right to show a conspiracy against the Western Federation of Miners. Senator Borah will reply to Darrow's argument this afternoon.

The jury was not brought into court today, the day being given over to the consideration of instructions to be given the twelve men who have the life of the defendant in their hands.

Judge Wood heard the views of opposing counsel, who were requested to give their opinions as to the materiality of the evidence showing deportations and the employment of detectives by the mine owners and citizens of Colorado. Clarence Darrow was the first to speak today. His speech was preceded by a brief announcement on the part of Senator Borah that the state would not oppose the striking out of that part of Harry Orchard's testimony which dealt with his talk to Steve Adams and Pettibone as to Adams going into northern Idaho and "getting rid of some claim jumpers." Judge Wood called attention to this testimony yesterday and indicated that he did not believe it had been connected in any way with the defendant, Haywood.

"We objected to that testimony when it was admitted," declared Mr. Darrow for the defense, "and we do not think that striking it out now will right any wrong that was done by it. We will not ask that it be stricken out."

"But you will not object to the court instructing the jury with reference to it?" asked Judge Wood.

**Darrow Thrusts at Court.**

"No, sir, we can't do that," replied Darrow, "and, while I do not at this time criticise the court for the latitude it allowed the state in this case, there seems to be no disposition to limit its testimony in any particular as to some great, general conspiracy by the Lord only knows whom."

Beginning with the Coeur d'Alene troubles of 1899, Mr. Darrow called the court's attention once more to the fact that William D. Haywood at that time had nothing to do with the general organization of the Western Federation of Miners, but was an obscure member of a union in Silver City, many hundreds of miles from the scene of the disorders.

As to the employment of detectives Mr. Darrow declared the most or practically all of the testimony in the case was secured by Pinkertons and it would be impossible to disassociate them and their methods from the issue. Taking up Orchard's crimes as confessed by him, Mr. Darrow said the defendant at bar was compelled, in refutation of a charge of having murdered Frank Steunenberg, to meet all sorts and conditions of allegations.

"The state was allowed through Orchard to bring in something about an alleged attempt to wreck a train, and of course this defendant was held up as the guilty party. Was it immaterial for us to show that the attempt was made by detectives in the employ of the railroad company and the Mine Owners' association? I think not. Neither is it incompetent for us to show that the men who perpetrated the crime merely wanted to create an impression or appearance of a train wreck so as to trump up another charge against the Western Federation of Miners."

As to the Bradley explosion as claimed by Orchard Mr. Darrow said it was entirely competent to produce testimony that the explosion was caused by gas. It was also the proper course, he said, to show that the Vindicator mine incident might have been an accident rather than the result of design.

Mr. Darrow spent some time in discussing and citing authorities as to the materiality of the evidence showing threats on the part of Orchard against Governor Steunenberg. He declared that if there was any question as to the relevancy of any of the testimony in the case, the doubt should be resolved in favor of the defendant.

**Charge Sterling with Explosion.**

Mr. Darrow charged the Independence explosion directly to K. C. Sterling, the detective of the Mine Owners' association. Three undisputed witnesses, he declared, had told of seing Orchard "sneak" into Sterling's room at night on at least fifteen occasions. The explosion was a part of the conspiracy, the attorney asserted, of the men who were engaged in the laudable occupation of driving out every man who had ever shown any sympathy with the Western Federation of Miners, the men who defied sheriffs and courts and set themselves up as the only competent judges.

Sterling sat in the court room for a week and was not called, said Mr. Darrow, and this he took as an admission of the testimony of three witnesses who saw him so frequently in consultation with Orchard. At any rate, he added, these witnesses have not been arrested for perjury on the word of the most perjured villain who ever came into a court room—Harry Orchard.

Arguing as to the competency of the testimony given as to conditions and deportations in Colorado, Mr. Darrow held that the defense should be allowed equal latitude with the state.

"A man defending his life," he exclaimed,