

DEADLOCK IN FIGHT

Battle for Control of Illinois Central Goes Over Another Day.

PROXY INSPECTORS AT WORK

Adjournment is Taken Until 2 O'clock This Afternoon.

EACH SIDE IS CONFIDENT

Both Earnestly Pursue the Hunt for More Proxies.

HARRIMAN MAKES STATEMENT

He Tells Reporters that Press Can Materially Help Situation by Always Printing Both Sides at Once.

CHICAGO, Oct. 17.—Until three men, who are locked in a room anxiously counting proxies, are able to report to the stockholders of the Illinois Central railroad, there will be no election of directors. Twice today the stockholders assembled, only to be told that the proxy inspectors were not prepared to report. The final adjournment was taken, shortly after 3 o'clock in the afternoon, and carried the meeting over until tomorrow at 2 o'clock.

Harriman Appeals to Press.

While the meeting was waiting for some further word from the committee, in order to determine the time to which the adjournment should be taken, Mr. Harriman picked up his chair, and carrying with him the proxy table, sat down. As a result of this, the meeting was adjourned until 2 o'clock tomorrow.

Technical Violation of Law.

An instance of where the Southern Pacific was guilty in a technical sense of the violation of the law and was in fact entirely guiltless, is found in the trouble we had when the Colorado river broke over its banks. We spent millions of dollars in forcing the river back into its channel. It was too big a job for the government to tackle and we had to do it ourselves.

FINAL ACT AT THE HAGUE

Detail of All Conventions Agreed on During Session Given in Resolution.

THE HAGUE, Oct. 17.—The peace conference today adopted the final act, which was recorded in the minutes as follows: "The second international peace conference, first proposed by the president of the United States, having been, through the invitation of his majesty, the emperor of the Netherlands, convened by her majesty, the queen of the Netherlands, met June 15, 1899, in the city of The Hague, in the Netherlands, for the purpose of discussing the principles which were the basis of the work of the first conference."

Hunt for Proxies.

Before it was definitely decided that the proxy committee would not be able to report, the attorneys on both sides were somewhat startled by the suggestion that the transfer books of the company were open. When the stockholders' meeting was originally called, it was not thought it would last over one day, and the announcement that the books would be open again in October 17. After a hasty conference it was decided that there was a way in which the books could be closed today, and it was therefore decided that they should be allowed to remain open until 3 o'clock in the afternoon, when they were again closed until next Tuesday, at 11 a. m. It was agreed between the attorneys that no effort should be adopted on either side to purchase stock during the day. At the afternoon meeting, which lasted but a few moments, it was proposed that an adjournment be taken at 3 o'clock tomorrow morning. The proxy committee, however, declared that it was in no way positive that it would be ready to report at that time. Upon motion of Mr. Cromwell, the meeting then went over until 2 o'clock in the afternoon.

The attendance today was much smaller than yesterday, and only a few people were present when the adjournment for the day was taken.

SUMMARY OF THE BEE

Friday, October 18, 1907.

Calendar for October 1907 showing days of the week and dates.

THE WEATHER.

Forecast till 7 p. m. Friday: For Omaha, Council Bluffs and vicinity—Colder Friday.

For Nebraska—Fair Friday; much colder Friday.

For Iowa—Generally fair and much colder Friday.

Temperature at Omaha yesterday: Hour. Deg.

Temperature table for Omaha showing hourly readings and degrees.

DOMESTIC.

The meeting of the Illinois Central directors adjourned until today at 2 o'clock because of delay in figuring out proxies.

F. Augustus Heinze resigned as president of the Mercantile National bank of New York because of the suspension of the firm of Otto Heinze & Co. Controller Ridgely has been asked to accept the position. An allied bank at Butte, Mont., failed following the notice of suspension. United Copper shares were worth much lower, the reduced dividends for Amalgamated and Boston & Montana.

Commercial wireless stations were opened for business yesterday.

E. H. Harriman, in an interview, takes an optimistic view of the financial situation.

Wheat fell 3 cents at New York, due to demoralization of the market.

Fred Magill goes on witness stand in murder trial at Decatur, Ill., and tells incidents connected with the death of his first wife.

Eighteen strikers were taken back by Western Union at San Francisco.

Timothy hay is selling at \$21 a ton in Chicago.

FOREIGN.

Secretary Taft sent the day looking over Manila and was pleased with progress made on improvements.

Mr. and Mrs. Samuel Clarkson, the Philadelphia elopers, are seeking to get the church to legalize their union in England.

NEBRASKA.

Secretary of State Junkin decides to place the railroad commissioner on the ballot "to bill vacancy."

Fifteen years in prison was the sentence of W. J. Sloan, confessed murderer, at Grand Island.

Johann Webber, who returned to his old home in Russia to live, is glad to get back to York county and is glad to get back.

SOCIAL.

Fourth night of Omaha Horse Show a marked success.

Grand lodges of Odd Fellows and Rebekahs of Nebraska elect officers and hold their annual sessions.

MOVEMENTS OF OCEAN STEAMSHIPS.

Table listing ship arrivals and departures from Omaha, including ship names, companies, and destinations.

UNION PACIFIC MUST ERECT HEADQUARTERS BUILDING IN OMAHA.

Union Pacific must erect headquarters building in Omaha.

HEINZE RESIGNS PRESIDENCY

Head of Mercantile National Bank Steps Down and Out.

COMPTROLLER RIDGELY IN PLACE

Butte Bank Owned by Heinze Closes Doors to Prevent Run of Depositors—Copper Dividends Reduced.

NEW YORK, Oct. 17.—F. Augustus Heinze resigned the presidency of the Mercantile National bank today. W. B. Ridgely, comptroller of the currency, has been asked to accept the presidency. The suspension of Otto Heinze & Co. was announced on the Stock exchange this afternoon.

A dispatch from Butte, Mont., says that the State Savings bank of Butte has temporarily suspended. This bank, according to a recent statement, owed depositors \$1,821,570.

NEW YORK, Oct. 17.—Otto Heinze & Co. made the following statement at the opening of the Stock exchange today: "Arthur P. Heinze is no longer a member of the firm of Otto Heinze & Co. The firm of Otto Heinze & Co. feels itself perfectly solvent and will meet and pay all its just and legal obligations in full. The firm, however, refuses to pay obligations which it does not consider legal or just until a proper adjudication of the matter has been made. Rather than submit to such unjust demands it prefers to permit itself to temporarily be suspended from the privileges of the stock exchange."

F. Augustus Heinze said this morning: "I am considering resigning from the presidency of the Mercantile National bank, but whether my resignation will be tendered at the meeting of the board of directors today I cannot say. The troubles of the United Copper company are internal and were brought about by differences between certain interests. I have much to do at this time in bringing about a settlement of affairs and there is nothing more that I can say at this time."

Heinze arrived at his office at the Mercantile National bank early and held several conferences with officials of the bank and several callers.

Situation Much Relieved.

Sentiment in Wall street today before the opening of the Stock exchange was divided between a feeling of relief that the situation created by the United Copper manipulation had been cleared, and a certain amount of nervousness lest the failure of Gross & Kleberg might have an unfavorable effect generally. That firm's claim that its inability to meet its obligations was due to purchases of United Copper made for Otto Heinze & Co., but not accepted by it, brought the name of F. Augustus Heinze into the market.

It was stated that it was denied that he is interested in the firm of Otto Heinze & Co. This firm is composed of Otto C. Heinze, Arthur P. Heinze and Max H. Schulze.

F. Augustus Heinze, president of the United Copper company, was a prominent figure in New York financial circles since the settlement of his long-drawn-out litigation with the Amalgamated Copper interests over Heinze's Montana properties. It was understood that he received a large sum in cash as part of the settlement. Soon afterward he became president of the Mercantile National bank, one of the large financial institutions of the city.

Ridgely is Considering.

Late last night there was a conference on the situation at the home of Charles W. Morse, who is heavily interested in the bank. Afterward it was rumored that F. Augustus Heinze had agreed to resign the bank's presidency today and that he would be succeeded by William B. Ridgely, comptroller of the currency. Mr. Ridgely denied that he had accepted the presidency, but Mr. Heinze said today that he was considering the question of resigning.

F. Augustus Heinze is one of the most picturesque and remarkable figures in American finance. A graduate of the Columbia School of Mines, he went west almost without capital and began the development of copper properties, which brought him into conflict with the great Anaconda company, now a part of the Amalgamated Copper company. This conflict lasted for years and was fought out from court to court until a year or more ago was compromised. The terms of peace were not made public, but it was made known that Heinze received enough as his share to make him several times a millionaire.

Copper Situation.

For some time past the situation in the copper shares has been rather unfavorable. For a number of weeks the Amalgamated Copper company has been holding down the production of its mines to about half normal output because of a heavy overproduction and the refusal of consumers to buy at the prices which had prevailed. Since then the price of the metal has slowly but steadily continued to decline.

Following the collapse of Amalgamated Copper, the Clarke and Phelps-Dodge interests, the Cerro de Pasco copper mines in Bolivia, South America, it was announced today, have reduced their output to 75 per cent of the normal. The mines have been turning out at the rate of 20,000,000 pounds a year. These mines are controlled by J. B. Haggin and the Hearst estate.

HAMBURG, Oct. 17.—The failure of Hagler, Seebel & Co., an old banking house of this city, was announced today. The liabilities are estimated at from \$2,000,000 to \$3,000,000.

COPPER DIVIDENDS ARE LESS

Amalgamated and Boston and Montana Each Reduced.

NEW YORK, Oct. 17.—The Boston & Montana Consolidated Mining company today declared a quarterly dividend of \$2 per share and an extra dividend of \$1 per share. This compares with a quarterly dividend of \$1 a share and \$10 extra declared three months ago.

The Amalgamated Copper company today declared a quarterly dividend of 1 per cent as compared with a dividend of 2 per cent for the last previous quarter. This makes the annual dividend rate 4 per cent, as compared with 8 per cent the previous year.

HEINZE'S BANK CLOSURES DOORS

Result of Suspension of Brokerage Firm in New York.

HELENA, Mont., Oct. 17.—A special to the Record from Butte says that after being open a few minutes the State Savings bank closed its doors this morning. A run had been precipitated because of stories received over private wires that the firm of Otto Heinze & Co. of New York and a large bank in Hamburg, Germany, had failed. These interests are closely identified with A. Heinze in his copper mining operations. Heinze is the largest stockholder and a

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MAGILL TELLS OF WIFE'S END

Defendant in Decatur Murder Case Goes Into Details of Her Death.

DECATUR, Ill., Oct. 17.—The early part of today's session of the trial of Fred and Fay Graham Magill, charged with having caused the death of Magill's first wife, Mrs. Fay Gandy Magill, was occupied with the reading of the seven letters identified by Magill's daughter, Marguerite, when she wrote them last night, as having been written by her deceased mother while the latter was propped up in bed previous to her death.

After the reading of the letter Magill himself was placed on the stand as the first witness of the day. Magill told his first wife's dependence on him and said he saw her propped up in bed with pillows writing letters. He told of the incident testified to yesterday by Marguerite when a veterinarian was called to chloroform a horse, and said that Mrs. Magill stated, upon that occasion that she wished the chloroform was intended for her. Instead of a bottle from the veterinarian, however, she had told him that Mrs. Magill had told him that she was taking morphine and that Davidson had told the witness that he said to her: "You had better get a gun and kill yourself instead of taking chloroform. He said that on the night that Magill had requested Marguerite to telephone to Fay Graham and to forget the promise, whatever it was, that Fay had made to Mrs. Magill."

Just before he retired that night, the witness said, his wife requested him to get her a bottle of beer. He gave her a bottle from the kitchen and then retired. In the morning when he awoke he saw that his wife was not in the room. He made search of the house and found her in the spare room, lying down, with a blanket wrapped tightly around her head. He spoke to her, but got no reply, and upon examining her he detected the odor of chloroform.

Cross-examination brought out that Fred Magill is 38 years old; that he farmed for a year; had been a locomotive fireman for a year; a bookkeeper in a small bank, and a bartender for six weeks.

Asked to state his opinion caused his wife's dependency, he replied: "Her headache and the nagging of my mother and sister."

"You never heard her mention any other trouble?"

"I never did."

"Didn't you know people were talking about you running after Fay, and Fay running after you, and wasn't your wife worried about that?"

"She knew people were gossiping about Fay, and she was mad about it."

"Were you infatuated with Fay Graham before your wife died?"

"I was not."

"Were you in love with her?"

"I was not," the witness replied.

WEST CALLED TO ASSIST

Government is Ascertaining What Canal Materials May Be Secured on Coast.

SAN FRANCISCO, Oct. 17.—The War department officials and the United States government have instructed A. L. Bristow, a special commissioner who has been in this city lately, to inquire concerning the materials that Pacific coast points can furnish for use on the Panama canal. He has sent letters to the Chamber of Commerce of San Francisco, Portland, Seattle and Tacoma, in which the purpose of the War department is made known.

Commissioner Bristow in addition to informing the commercial bodies of the Pacific coast of the idea entertained by the War department, has sent out a great number of carefully prepared questions, the answers to which will reveal the attitude of the business men toward the proposition of governmental competition in the sea-carrying of government freight and also will give the government an inside insight into the conditions that have a bearing on canal construction.

SMALLPOX AT AMES SCHOOL

College Authorities Using Utmost Endeavor to Check the Disease.

AMES, Ia., Oct. 17.—(Special.)—The yellow sign with black letters tells the latest calamity that has befallen the authorities of the Iowa State college. Last night the town marshal served an injunction upon two of the girls living in Margaret Hall, the young women's dormitory, and forced them to move themselves and belongings to an isolated farm house until the smallpox contagion has been checked. Swift arrangements are being made today for every woman in the college to be vaccinated immediately, and the entire building will be fumigated. The college authorities are using every precaution to ally all fears and are extremely anxious to avoid a panic similar to the one that came over the school in the fall of 1904. Outside of college circles there are three well defined cases which have but recently come to light and put under quarantine.

RECORD PRICE FOR HAY CROP

Twenty-One Dollars Per Ton Charged in Chicago for Yield of Western Fields.

CHICAGO, Oct. 17.—No. 1 timothy hay sold today at \$21 per ton, which is the highest price ever paid for that commodity at this season of the year. The high price is due to the unusual scarcity of hay in Chicago, notwithstanding this crop is the largest for the past ten years. The railroads maintain they are unable to furnish enough cars to transport the hay. Most of the hay handled in Chicago comes from Illinois, Wisconsin, Iowa, Nebraska and Kansas.

STRIKERS BEING TAKEN BACK

Eighteen Out of Twenty-One Applying at San Francisco Have Been Given Work.

CHICAGO, Oct. 17.—Within the last two days twenty-one of the striking Western Union operators have applied in the western division for reinstatement. Eighteen of them secured their old positions.

SECOND EARTH SHOCK COMES

Seismograph at Washington Records Trembling of Crust of Short Duration.

WASHINGTON, Oct. 17.—Another earthquake shock of much less violence than that of yesterday, was recorded at the weather bureau shortly after 4 a. m. today.

CALL TO BATTLE SOUNDED

President of Filipino Assembly Throws Down Gauntlet.

NATIONALISTS OPPOSE RADICALS

Secretary Taft is Being Urged on All Sides to Announce the Policy of the United States Government.

MANILA, Oct. 17.—Secretary Taft was entertained at luncheon today by Major General Leonard Wood, commander of the military division of the Philippines. In the afternoon he attended a reception at the Jesuit college, and this evening he will be present at a reception to be given in his honor by the officers of the army and navy.

Mr. Taft is not inclined to discuss Philippine issues until after the official banquet which is to be given him on Monday next, when he will outline the future policy of the government towards the islands. The general impression caused among the Filipinos by the secretary's speech at the opening of the assembly yesterday is excellent, but the American papers here call for a prompt announcement of the government's policy towards the islands, declare that Mr. Taft evaded any positive statements on the subject, and allege that his speech was a rehash of the addresses which he made here two years ago, and has since delivered in the United States.

A clash occurred in the assembly today between the president, Sergio Osmeña, nationalist, and Dominador Gomez, who seconded the president's nomination yesterday in an eloquent address, and during the afternoon delivered a speech declaring against bringing politics into legislative business and asking the delegates to show their patriotism by forsaking party affiliations and legislating for the benefit of the Filipino people.

President's Action a Surprise.

Gomez, whose election is to be contested, but who was formally sworn with the other assemblymen yesterday, made appeal to the delegates to disregard politics, but the president stopped Gomez's speech and announced that he would exercise his authority as president of the assembly to have it stricken from the records. The delegates were surprised at this early beginning of the fight between the nationalists, or conservatives, and the radicals. The adherents of Gomez, who is leader of the famous Katipunan revolutionary society and president of the nationalist party, during the course of the day's proceedings in the assembly defeated a plan to rush through that body a series of special rules for parliamentary procedure, which had been drawn up by the president. The latter, however, managed to secure the temporary adoption of the rules and it is understood that he will not permit them to be changed.

Petitions against confirmation of the election of seventeen delegates, including Gomez, Adriano and Lerma, all of whom are alleged to be unfit to take part in legislation for the islands, were presented today.

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DICKINSON AND YEISER OFF

Both Decline Democratic Nomination Since Court Rules Them Off Republican Ticket.

Following the announcement the supreme court had refused to issue a mandamus to compel the state canvassing board to place their names on the republican ticket as candidates for district judge Charles T. Dickinson and John O. Yeiser have withdrawn as democratic candidates for the same office. Thursday Judge Dickinson wrote a letter to Secretary of State Junkin directing that official not to place his name on the democratic ticket, and Mr. Yeiser wrote a similar letter to George Rogers, chairman of the judicial committee, notifying him he would not run. Judge Dickinson says in his letter:

"I was a candidate for the nomination on the republican ticket for judge of the district court of the Fourth judicial district, and having failed to receive sufficient republican votes at the fourth primary I must decline to accept the nomination on the democratic ticket, and you are hereby informed that I do decline to accept the nomination on either ticket, and directed not to have my name placed upon the official democratic ballot as a candidate for the office of district judge of the Fourth judicial district, to be voted for at the general election to be held in November, 1908."

In his letter to Mr. Rogers Mr. Yeiser says he regrets disappointing his friends in both parties by refusing to run and expresses the belief that under the conditions he could be elected if he did run. However, he said his publisher's letter was sent to the public to mean he would not remain on the democratic ticket if he were not nominated by the republicans and on account of this interpretation he says he feels he must treat it so, though he did not so intend it. He quotes from a decision of the Wisconsin supreme court to the effect that the names written in and printed on the ballots of other parties should be counted for a candidate and then continues:

"On account of this decision, together with the one in Nebraska, 85, and the reasons previously intimated in my letter, I considered it my duty to present the matter to the highest court of the state for interpretation. I would not consider myself fit to preside as a judge if I could not abide by the final decision of our courts, although I am a member of the bar, and I am a member of the court's construction and surrender my own opinion in this regard because I believe it fairly to be said to be capable of two constructions by working in a possible legislative intention. However, I have no objection excepting in constraining ambiguous terms."

Since this decision has the effect of making out of the act a complex primary in the names written in and printed on the ballot on election day. Therefore I adopt the court's construction and surrender my own opinion in this regard because I believe it fairly to be said to be capable of two constructions by working in a possible legislative intention. However, I have no objection excepting in constraining ambiguous terms."

A meeting of the democratic nominees with the chairman of the old judicial committee and a few prominent democrats was held in Judge Estelle's office Thursday afternoon for the purpose of selecting a new committee. Both Yeiser and Dickinson participated, holding they were still candidates until their withdrawals had been filed in the office of the secretary of state.

NEBRASKA OFF TO MINNEAPOLIS

Foot Ball Squad Starts with Big Send-off from Student Body.

LINCOLN, Oct. 17.—(Special.)—Several hundred students led by the cadet battalion and band, bade farewell to the Cornhusker football team, giving the team a rousing send-off on its way to meet the Gophers. The depot platforms were crowded with students for nearly half an hour before the train left, the time being occupied by selections from the band and speeches by several of the best known athletes.

Before leaving the team went through a brief signal practice on the gridiron, final touches being given to the formations designed for the special edification of the Gophers. No scrimmaging was attempted. All the men are in good shape, and will probably present the same front to the Gophers as was announced a week ago. Only a few coolers accompanied the team. Manager Eager being unable to provide accommodations for as many as desired to go.

The embargo over officials has been partially settled. Manager Eager today received a message from Coach Williams, of Minnesota, suggesting that Eager would have been acceptable to Nebraska long ago, if suggested. Williams evinced a willingness to accept Ralph Hoagland, Phil Hamill, McCarthy of Wisconsin, and Ralph Allen of Chicago. Hoagland and Allen served as officials in last year's game. Later information from Coach Williams, however, indicated that the team of Eager from the list on account of his engagement to serve in another game. Hamill may not be able to officiate, either, definite information on the matter not having reached Manager Eager before the team started.

Hamill is known to the Nebraska authorities, having officiated in the Kansas game last year. It is probable he will again act as one of the officials in this year's battle with the Jayhawkers. The acceptance of the other two men to act Saturday removed the most serious obstacle to the continuance of peaceful relations between the two universities, and is greeted here with considerable gratification.

Manager Eager announced this afternoon that the team will start back to Lincoln Saturday night following the game, instead of Sunday night, as has usually been the custom. This will enable the players to rest Sunday before starting on another hard week of practice in preparation for the Colorado game.

SUNDAY WORK MUST CEASE

Law Enforcement in Kansas City May Result in Arrest of Actors.

KANSAS CITY, Oct. 17.—Unusual tactics are, it is stated, to be employed here in an attempt to close the local theaters Sundays by the arrest Saturday morning next of every actor and actress then in the city who may have played here Sunday last. It is alleged violation of the law against working on that day. This would involve several hundred persons, now on the boards of the sixteen theaters, large and small, in Kansas City.