Only 19 DAYS For Christmas Shopping

THE OMAHA DAILY BEE

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VOL. XXXVII—NO. 144. OMAHA, TUESDAY MORNING, DECEMBER 3, 1907—TEN PAGES. SINGLE COPY TWO CENTS.

CATTLEMEN ON TRIAL

R. H. Mahaffey Enters Plea of Guilty and is Sentenced.

ATTEMPTED TO GET PUBLIC LANDS

Thomas and Hooker Ranch[illegible] Will Pay Fine and Go to Ja[illegible]

A. F. HATCH SAYS "NOT GU[illegible]

Indicted with Mahaffey, and for[illegible] jury, He Will Stand Trial.

YEAST CONTESTS THE INDICTMENT

Attorneys for Deuel County Ranchman Says His Indictment for Conspiracy is Insufficient and Seek Abatement.

R. H. Mahaffey, the ranchman under indictment for conspiracy to defraud the goverment out of large tracts of land in Thomas and Hooker counties, will serve forty-five days in the Hall county jail of Grand Island and pay a fine of $500 for his offense.

When Mahaffey was brought before Judge T. C. Munger in the United States district court Monday afternoon, he entered a plea of guilty and the court was but a short time pronouncing sentence, and the Hooker county cattleman will spend the holidays in jail. Good behavior will not release him befor January 15, if he begins serving his sentence Tuesday.

Mr. Mahaffey was indicted jointly with A. F. Hatch on the charge of conspiracy, but an additional indictment was found against Hatch for perjury. Hatch was arraigned before Judge Munger at the same time, but entered a plea of not guilty to both indictments. His trial was set for Tuesday morning on the conspiracy charge.

Perjury Trial Saturday.

Judge H. M. Sullivan of Broken Bow, attorney for Mr. Hatch, demurred to proceeding to the trial for perjury at this time, as he was not prepared to answer with witnesses, but was ready to proceed with the trial for conspiracy. The perjury matter will therefore go over until next Saturday.

Attorneys Gurley and Woodrough argued a motion Monday before Judge Munger to abate the indictment against Perry A. Yeast, charged with conspiracy to defraud the United States out of the use and possession to large tracts of public land in Deuel county by means of false and fictitious filings. The attorneys allege that the indictment is insufficient, ambiguous and uncertain.

Assistant Attorney General S. R. Rush argued in support of the sufficiency of the indictment, and the case was taken under advisement by Judge Munger, who will pass on the motion next Saturday.

Reconsignment Hearing Goes Over.

The adjourned term of the federal courts for the Omaha division for November was resumed at 10:45 a. m. Monday, with both Judges W. H. Munger and T. C. Munger on the bench.

The first case called was that of the coal and lumber dealers against the various railroads centering at Omaha in the matter of reconsignment charges, which went over until Saturday.

The case of Merriam & Holmquist against the Union Pacific on a motion separately to state the causes of action and a motion to dismiss for want of jurisdiction went over until the latter part of the week.

The federal petit jury reported and was empanelled and a jury was drawn to try the case of Gustav Schmidt against the Union Pacific Railroad company for $10,000 damages for personal injuries.

Owing to the absence of material witnesses the land cases went over until Monday afternoon. These cases will be heard before Judge T. C. Munger in the north court room.

CRUSADE EXTENDS TO SUBURBS

Chicago Law and Order League Lengthens the Field of Its Activities.

CHICAGO, Dec. 1.—The campaign of the Chicago Law and Order league for the closing of the saloons in Chicago, was extended to the suburbs and outlying districts today. In Englewood twelve volunteers from the Englewood Law and Order league visited numerous saloons in South Halstead street, some one of the twelve purchasing and tasting, but not consuming intoxicating liquors, in each establishment. Evidence against thirteen saloon keepers will be filed with the state's attorney as a result. Similar work was done in other residence sections on the north and west sides of the city. Officials of the Chicago Law and Order league had hinted that "detectives" would be sent into the hotels and clubs of the city today in an effort to obtain evidence of law breaking in those establishments. So far as could be learned tonight, however, this was not done.

PATRIOTISM BROUGHT PRISON

Hungarian Resident of Iowa Falls Has Been Languishing for Months Behind Bars.

DES MOINES, Ia., Dec. 2.—Friends of Frank Polakovic of Iowa Falls have organized a movement and will appeal to the State department at Washington to secure his release from a Hungarian prison, where he was placed last June for a display of American enthusiasm. Polakovic was sent by the United Gymnasium association in June to compete at the tournament at Sikols. For displaying the Stars and Stripes the American party was ordered to disperse by the gendarmes. All complied but Polakovic, who is said to have uttered contempt for the treatment accorded him. For this and his American enthusiasm he was imprisoned and has remained in custody since.

JUROR DELAYS WALSH TRIAL

Illness with Grip Causes Postponement of Case Until December Ninth.

CHICAGO, Dec. 2.—The trial of John R. Walsh on the charge of having misappropriated funds of the Chicago National bank was today postponed until December 9 because of the illness of Juror E. J. Watkins.

Juror Watkins is suffering from grippe and will probably be confined to his bed for four or five days.

Bryan Starts for Washington.

NEW YORK, Dec. 1.—William J. Bryan left tonight for Washington, where he will spend two days in conferences with the democratic leaders in congress relative to forthcoming legislation.

SUMMARY OF THE BEE

Tuesday, December 3, 1907.

THE WEATHER.

Forecast till 7 p. m. Tuesday:
FOR OMAHA, COUNCIL BLUFFS AND VICINITY—Fair Tuesday; colder.
FOR NEBRASKA AND IOWA—Fair Tuesday; colder.

Temperature at Omaha yesterday:

Hour.	Deg.
5 a. m.	23
6 a. m.	24
7 a. m.	25
8 a. m.	26
9 a. m.	26
10 a. m.	26
11 a. m.	26
12 m.	27
1 p. m.	27
2 p. m.	28
3 p. m.	30
4 p. m.	31
5 p. m.	30
6 p. m.	29
7 p. m.	29
8 p. m.	30
9 p. m.	31

DOMESTIC.

Hon. Joseph G. Cannon was re-elected speaker of the national house of representatives. The sixtieth session of congress convened. Page 1

At least fifty miners are believed to be entombed in the Naomi mine of the United Coal company near Pittsburg. Page 2

H. J. Groves dies of his wound inflicted by General Richard Horne at Kansas City. Page 1

Populists of the nation will hold a convention on April 2 at St. Louis. Page 1

The Thaw murder trial is set for January 6, a venire being called for that time. Page 1

The Bradley case was given to the jury yesterday afternoon. Page 1

The Powers murder trial enters upon its fourth week at Georgetown. Page 1

A. I. Vorys has resigned his political position in Ohio to assume charge of the Taft campaign. Page 1

Iowa Falls man is held in prison in Hungary for displaying the American flag offensively to the police. Page 1

Secretary Cortelyou's financial plans are rather favored by the republican leaders of the house of representatives. Page 1

President Roosevelt does not favor the immigration bill introduced by the representative from California. Page 1

Warships that are to make trip to the Pacific are taking on coal. Page 1

Miss Agnes Templeton, missionary in the south, is reported to have been assaulted and killed by Mexicans or Indians. Page 1

NEBRASKA.

Railroad report at Lincoln shows the demand for cars is less by shippers than in October. Page 1

Divorce case of Dr. Celpelka dismissed at Hastings. Involves some unusual features and of international character. Page 3

FOREIGN.

Chinese smugglers defeat imperial troops. Page 1

Czar unwilling to believe much of the present Duma until he hears of actual accomplishments. Page 1

Karl Hau's sentence has been commuted from death to life imprisonment. Page 1

Major General Pershing was a spectator at the Japanese maneuvers, which were the most extensive ever held. Page 1

LOCAL.

R. W. Mahaffey, Thomas and Hooker county ranchman, enters plea of guilty to grabbing public lands, and receives jail sentence and fine. Hatch will stand trial for perjury and conspiracy on separate counts. Page 1

Inside of the crusade against Chief of Police J. J. Donahue shows gross misrepresentation and attempts to force business men into the controversy to carry the ends of a newspaper. Page 3

Trial of Charles Pumphrey, charged with murder of Han Pak, the Chinese restaurant keeper, began in Judge Troup's court, and much trouble is experienced in securing a jury. County attorney indicates that he will ask for the death penalty. Page 3

S. M. Felton has now been president of five railroads and is at last the head of the great Mexican Central, with headquarters in the southwestern republic. His remarkable career in the railroad business. Page 9

Governor George L. Sheldon joins the Omaha delegation to the National Rivers and Harbors congress, instead of accepting the invitation of the Kansas City brigade. Other delegates left Monday evening. Page 5

Cashiers' checks are being retired by Omaha banks and no more are being issued, except small ones needed for change. Situation is said to be so bright that the holiday trade will be normal in Omaha. Page 5

Colonel James H. Pratt files an answer to his wife's petition for divorce in which he says she married him for his money and did not contract the marriage in good faith. Page 5

MOVEMENTS OF OCEAN STEAMSHIPS

Port.	Arrived.	Sailed.
NEW YORK	Patagonia	
NEW YORK	Bluecher	
NEW YORK	Arabic	
NEW YORK	Virginian	Lusitania.
LIVERPOOL	St. Paul	
LIVERPOOL	La Gascogne	
SOUTHAMPTON	Dismina	

BY WIRELESS.

Cape Race—Kron Princessain Cecilie, from Bremen, for New York, was 180 miles east of Cape Race at 6 a. m. Will dock 12:30 p. m. Thursday.

MORE TIME FOR HOMESTEADERS

Department Helps Out Those Pinched by the Financial Conditions.

PIERRE, S. D., Dec. 2.—(Special Telegram.)—Senator Kittridge this evening wired the local land officials that on request the general land department has authorized the local land office to allow thirty days time for payment for land by parties making final proof and a further delay in case of necessity. While not stated the ruling is evidently on account of the financial situation.

HAU'S SENTENCE COMMUTED

Man Accused of Murder of Mother-in-Law Will Not Die for His Crime.

KARLSRUHE, Dec. 2.—The death sentence passed upon Karl Hau, formerly a professor in George Washington university, Washington, D. C., for the murder, November 5, 1906, of his mother-in-law, Frau Molitor, has been commuted to life imprisonment.

CORTELYOU'S PLAN FAVORED

Leaders of House Inclined to Push Currency Legislation.

TO HEAD OFF RUNS ON BANKS

Senators' Opinion Not Yet Crystallized on Financial Questions—Committees Will Be Changed.

(From a Staff Correspondent.)

WASHINGTON, Dec. 2.—(Special.)—Unless there are too many cooks to spoil the financial broth and too many recipes for making the mixture, congress will at the coming session do something with the financial legislation which has been talked of so much during the past three or four years.

Unfortunately there are at least a dozen men in the house, each with a scheme of his own, and it always has been diffcult to bring about anything like unanimity of action in the committee on banking and currency, in which body the panacea for financial ills must originate. But this time it looks as though the leaders of the house will insist upon the adoption in a modified form at least of the suggestions of Secretary Cortelyou. That gentleman has given a great deal of thought and consideration to the outline of a currency bill which meets with the approval of the financial interests of the country as well as of the president. This bill will be offered just as soon as the committees are appointed; and it is understood to be the purpose of Speaker Cannon to change the personnel of the committee on banking and currency so as to assure less bickering and fewer controversies in that sub-body of the house than has been the rule in the recent past. Representative Fowler of New Jersey, who was chairman of this committee in the last congress, openly attacked the action of Secretary Cortelyou in authorizing the issuance of $100,000,000 of treasury certificates, and his untimely criticism will, it is believed, result in his elimination as a factor in the preparation of financial legislation.

Senators of Many Minds.

And yet, while it is possible for the leaders of the house to secure the early adoption of a currency bill which will meet with the approval of the administration, the outlook for the endorsement of the action of the house by the senate is by no means bright. There is scarcely a senator who has appeared in Washington thus far who has not given utterance to views upon the financial situation, and these views indicate that the divergence of opinion among the members of the upper branch of congress is as great as it is among the members of the house. But while the house can be controlled by the committee on rules, there is no cloture in the senate; and even though the speaker should be able to get a financial bill through the lower branch it will be months before such action can be taken by the senate.

In the meantime there are likely to be a number of measures proposed, not only for the cure of the financial ills from which the country has suffered during the past few weeks, but also with a view to making runs on national banks practically impossible, and this will be done by some sort of an insurance proposition. Senator Thomas H. Carter of Montana voiced the sentiment of a number of members of the senate in both political bodies when he expressed the view that runs on banks might be eliminated by a very simple process.

To Avoid Runs on Banks.

"During the forty years of the existence of national banks," said Senator Carter, "the loss to depositors has amounted to less than one-tenth of 1 per cent of the average deposits. It would seem, therefore, that if a tax of, say, one-quarter of 1 per cent of the average yearly deposits should be assessed against the banks holding national charters a fund would thereby be created which would enable the comptroller of the currency to absolutely insure depositors against loss, and with such assurance the depositor would never become alarmed to a degree sufficient to induce him to start a 'run.' Confidence in the national banking system would by this means be so firmly established that the conditions which have existed during the last month or six weeks would never occur again. Thousands of millions of deposits have been withdrawn and placed in safe deposit vaults, old stockings and teapots, with the result that the circulation has been materially reduced. Now, if the depositor of a national bank could be assured that his funds were safe he would not be alarmed whenever there is a flurry and would not rush to the bank to withdraw his cash. One-quarter of 1 per cent on deposits would be sufficient to create a fund which would be in the nature of a governmental insurance, and this tax could be reduced as the funds accumulated. In fact, it would be easy to provide that the tax should cease altogether when the surplus in this insurance fund reached the stage where further additions should be unnecessary."

Provisions Are Higher.

While the housekeepers of Chicago, New York and other centers of population were elated on Thursday morning when they read that the price of meats and poultry had been reduced several cents a pound, the people of the city of Washington were correspondingly depressed, and the reason is easy to understand. Some two or three weeks ago the press dispatches from Omaha announced that the Cudahy Packing company had reduced the wholesale price of meats, and the following day the retailers of Washington increased their price to the consumer. But now while it is reported that Armour & Company have issued a circular noting general reductions all along the line in the price of their products the Washington housekeeper fears it means a further increase to them. It is a notorious fact that right here at the national capital where the trust machinery is put in operation the citizens and sojourners are held up by the retail provision trust and compelled to pay higher prices for similar goods than are paid by any other city of equal size in the United States.

Christmas Excursions.

Every year or two the commercial people of Washington take a splurge and decide to branch out to capture trade from all the surrounding country. This year a committee of the Washington Chamber of Commerce has been formed for the purpose of inviting the residents of the towns and hamlets in Virginia and Maryland to come to the capital for their christmas shopping. Columns and columns of matter has been printed in the local papers to show how earnest are the retailers in their determination to grab off this trade from Baltimore and Richmond. Strenuous efforts have been made to raise a fund with

(Continued on Second Page.)

PERSHING VIEWS MANEUVERS

Japanese Engage in Notable Work on Field—New Signaling Devices Tried.

VICTORIA, B. C., Dec. 2.—The steamer Monteagle, from Yokohama, brought news that the Japanese army maneuvers have proved to be the largest ever attempted in Japan, over 40,000 troops being engaged, all armed with the newest patterned weapons and discharging their functions as though on active service, so much so that a squadron of cavalry, which mistook signals and failed to retire when ordered, was charged with bayonets by an infantry battalion and one trooper and two horses were severely bayonetted.

The artillery engaged have 250 guns. Numerous special corps experimented with new schemes, notably electrical signaling of orders from balloons and field use of heavy artillery. The fighting was a replica of the battle of the Sahho in the recent Manchurian war. Forty-two attaches were present, including Major General Pershing of the United States.

RUSSIAN CREW TURN PIRATES

Torpedo Destroyer, Following Mutiny at Vladivostok, is at Large on High Seas.

VICTORIA, B. C., Dec. 2.—Somewhere in eastern seas, a runaway Russian destroyer with a mutinous crew is on a piratic cruise, if a story brought from Nagasaki by the steamer Monteagle which arrived today, is true. A German steamer reported at Nagasaki having been intercepted fifty miles north of Tsusrima island in the sea of Japan, by a Russian destroyer whose seamen boarded her and forcibly took a quantity of coal, stating their vessel, which escaped from Vladivostok following the mutiny, was short of coal.

VLADIVOSTOK, Dec. 2.—The court-martial which has been trying the men who participated in the recent mutinies at this port handed down its findings today. Twenty-one men were sentenced to death, thirty-four were sent to the galleys, 140 were imprisoned for various terms and five were acquitted.

SMUGGLERS DEFEAT TROOPS

Nineteen Imperial Chinese Junks Captured by Unlawful Band—Many Atrocities.

VICTORIA, B. C., Dec. 2.—Advices from Shanghai tell of a battle between a flotilla of imperial war junks and the salt smuggling fleet at Quinsan, which after severe fighting, involving many lives, resulted in victory for the smugglers who captured the entire fleet of nineteen war junks. Many atrocities were committed upon the prisoners taken, one imperial officer having his eyes gouged out, and right arm being cut off, afterwards being thrown on shore, where he bled to death.

CZAR WILLING TO BE SHOWN

Would Like to See Duma Accomplish Something Before He Grows Enthusiastic.

ST. PETERSBURG, Dec. 2.—Emperor Nicholas received and perused a copy of the address of the Duma in reply to the speech from the throne at the opening of the Parliament with coldness. On the margin of the document he wrote the following note: "I am ready to believe the expressed sentiments. I await productive work."

SOCIAL DEMOCRAT ARRESTED

M. Bogdanoff, a Leading Author, Taken in Charge by the Police.

ST. PETERSBURG, Dec. 2.—M. Bogdanoff, a leading social democratic author of St. Petersburg, was arrested here today.

French Balloon Identified.

LONDON, Dec. 2.—The balloon which passed over the northeast coast of County Antrim, Ireland, at 4 o'clock yesterday afternoon has been definitely identified as the French government airship La Patrie by the men in charge of the Lloyds signal station at Torrhead. Previous statements that the dirigible was manned and under control are not corroborated by the trained observers who, on the contrary, say that the airship was going northward "backwards" before a southerly wind blowing at the rate of six miles an hour. The weather was cloudy and the aerostat soon disappeared in the mist.

Old Policy in Finland.

ST. PETERSBURG, Dec. 2.—The reappointment of Major General Zane as assistant to Nicholas N. Gerhard, governor general of Finland, is considered to be evidence of an intention to restore the "Bobrikoff" policy in Finland. Major Zane was formerly director of the Bobrikoff chancellery.

Leprosy Cure Soon to Be Known.

HONOLULU, Dec. 2.—J. L. Wallach, who has just been granted leave to attempt the treatment of twelve lepers from Molokai, announces that he will shortly make public the secrets of his leprosy cure.

THREE FATALITIES IN WRECK

Baltimore & Ohio Train Sideswiped and One Car Turned Over.

BALTIMORE, Dec. 2.—In a wreck on the Baltimore & Ohio railroad at Shenandoah Junction this morning three passengers were killed and a dozen were injured.

The dead:

W. L. F. HOFFMAN AND HIS DAUGHTER, NELLIE, of Baltimore.

AN UNIDENTIFIED MAN.

It is not believed that any of the injured were fatally hurt. Those seriously wounded are:

Antonio Roscivo, Frostburg, Md., hurt about the body and legs.

Joseph Enigart, Brooklyn, scalp wound.

The accident occurred to the eastbound St. Louis and New York express, which was "sideswiped" by the derailed cars of a freight train that was run into by another freight just as the express was passing at a high rate of speed. The locomotive and first three cars of the passenger train escaped with a scraping of their sides, but the fourth car, a day coach, was thrown from the track and turned over, with the resultant casualities.

Mr. Hoffman and his daughter, who were killed, were employed in the cashier's department of the Baltimore & Ohio at Camden station, this city.

THAW CASE SET FOR JANUARY 6

Court Has Ordered Special Panel of Two Hundred and Fifty Talesmen for That Time.

NEW YORK, Dec. 2.—The second trial of Harry K. Thaw on the charge of killing Stanford White was today postponed until January 6. The court ordered that a special panel of 250 talesmen be summoned for the selection of a jury.

GROVES DIES OF HIS WOUND

Kansas City Newspaper Man Suddenly Succumbs.

RESULT OF SHOOTING BY HORNE

Injury Received at Same Time O. D. Woodward Was Shot—Latter Said to Be on Way to Recovery.

KANSAS CITY, Mo., Dec. 2.—H. J. Groves, managing editor of the Kansas City Post, who was wounded November 23 by General Richard Horne in the editorial rooms of that paper, died here this morning. Mr. Groves' condition had been reported favorable up to a day or two ago. Mr. Groves was 56 years old. He formerly was connected with the Kansas City Times in the capacity of managing editor.

O. D. Woodward, president of the Post company, who was shot at the same time as Groves, is still in the hospital, but his condition is favorable and it is believed he will recover. General Horne is out on bond and is at his home in Marshall, Mo. He will be arraigned and returned to Kansas City and a charge of murder preferred against him.

General Richard Horne is one of the oldest and best known newspaper men in Missouri. He is a man of high standing and at the time of his arrest prominent citizens from all parts of the state offered to furnish his bond.

Horne Well Known Man.

General Horne had been connected with the Post since its organization eighteen months ago. He acted as chief editorial writer and was a stockholder in the company. His salary as editorial writer was $25 a week and a few days previous to the shooting he had been asked to resign, as the management had found it necessary to curtail expenses. After the shooting General Horne asserted he had not been treated fairly in the matter of finances and that the matter had preyed upon his mind. He had, he said, put all his money into the paper and being unable to withdraw any of it, he was left penniless.

MARSHALL, Mo., Dec. 2.—A representative of the Associated Press carried the news of Editor Groves' death to General Richard Horne at the latter's home here this morning. He expressed surprise and displayed much emotion. "I am sorry to learn this," he said. Further than this General Horne declined to talk of the case. He said he was willing and ready to go to Kansas City and would take the first train for that city when notified that he was wanted. He would go alone, he said, and it would be unnecessary to send an officer for him.

STAND BY OMAHA PLATFORM

Populists Who Adhere to It Will Hold National Convention in April.

JOLIET, Ill., Dec. 2.—Chairman James H. Ferriss of the populist national committee issued a call today for a populist national convention to be held in St. Louis April 2, 1908, for the purpose of nominating candidates for president and vice president of the United States, and transacting such other business as may come before the convention.

The basis of representation will be two delegates for each congressional district and four delegates at large for each state and territory, and one delegate at large for each 1,000 votes or majority fraction thereof cast for the people's party national ticket at the election of 1904.

All citizens of the United States who favor action independent of the two parties and who endorse the principles of the people's party, promulgated in the Omaha platform at the birth of the party, will be entitled to affiliate in the choice of delegates and nomination of candidates.

The call says:

Hope cannot be placed in the promises of either of the two old parties. Both have entangling alliances with the enemies of the government and cannot make substantial progress for reform in this generation.

Thus, an independent party, free from predatory affiliations, becomes necessary if the power of monopoly and privileges is to be taken from the banks and stock jobbers; if the rule of the people is to be restored in our time.

The people's party opposes any system permitting any class of citizens to paralyze the industries and bankrupt the industrous millions. To this end the convention has been called.

OKLAHOMA' SOLONS GATHER

New State Institutions Likely to Go to What Formerly Was Indian Territory.

GUTHRIE, Okl., Dec. 2.—Oklahoma's first legislature convened here today in the temporary state capitol. Great interest was displayed in the event and every available seat in the limited space allotted to spectators was filled. The day was taken up in organizing both houses. Governor Charles N. Haskell will not deliver his message until tomorrow. This evening the democrats, who are in entire control, will hold a caucus and decide upon a definite program of procedure.

One of the preliminary skirmishes will be over the selection of the personnel of the public buildings committee, which will deal with the location of the different state institutions. It is understood that the legislature will make no attempt to remove any of the state institutions located in the former Oklahoma territory, but that the new institutions will go to what formerly was Indian territory.

FOURTH WEEK OF POWERS CASE

Evidence of Alleged Conspiracy Being Subjected to Strong Cross-Fire by Attorneys.

GEORGETOWN, Ky., Dec. 2.—The fourth week of the Caleb Powers trial began today. Henry Broughton of Pineville, former sheriff of Bell county, the first witness called, detailed conversations with Powers on the state house ground in Frankfort, in which Powers asked the witness to give him the names of some men who would "do work" or "do the killing." The witness did not remember which words were used.

On cross-examination it was shown that Broughton was under the influence of liquor at Frankfort and that he afterward told Judge Moss of Pineville that he did not recall what did happen there. Broughton also admitted having talked with Arthur Goebel and Attorney Campbell of the prosecution before testifying.

MONEY LOSS CAUSES SUICIDE

C. E. Davis of Savannah, Mo., Ends Life Because of Slump in Live Stock.

ST. JOSEPH, Dec. 2.—Because of a slump of prices of live stock, C. E. Davis of Savannah, Mo., blew his brains out with a shotgun today in the presence of his family.

STATE LAWS ARE MISLEADING

Some Foundation for Charges of Peonage Exists Now in the South.

WASHINGTON, Dec. 2.—In a report to the attorney general concerning his findings relating to peonage in the south, Assistant Attorney General Charles W. Russell makes a strong recommendation that the federal statute relating to slavery be amended in a manner which will destroy all doubt as to the meaning of "involuntary servitude" as set forth therein. He also suggests changes in state laws.

"It is hoped," said Mr. Russell, "that an enlightened self-interest and the demand for labor made necessary by the expansion of old industries and the introduction of new will lead to the amendment or repeal of the state laws which are the chief support of peonage practices.

"These state laws take various forms and are used in various ways to uphold peonage and other kinds of involuntary servitude. Some of them are vagrancy laws, some contract labor or employment laws. Some fraudulent pretense or false promise laws, and there are divers others. Some few of those in question, such as absconding debtor laws, labor enticing and board bill laws, were not originally passed to enslave workmen, but in view of the use to which they are put need amendment in order that they cannot be so abused.

"These laws are used to threaten workmen who, having been defrauded into going to an employer by false reports as to the conditions of employment and the surroundings, naturally become dissatisfied as soon as they find how they have been defrauded. They are used before juries and the local public to hold the peons up as law-breakers and dishonest persons seeking to avoid their just obligations, and to convince patriotic juries that the defendants accused of peonage should not be convicted for enforcing, still less for threatening to enforce, the laws of their state.

"Whether constitutional or unconstitutional, they should all be wiped out, or so amended as to be harmless for the purpose of enslaving workmen."

WAR VESSELS TAKE ON COAL

Big Ships Almost Ready for Long Journey to the Pacific Waters.

PHILADELPHIA, Dec. 2.—The coaling of the four battleships, Kansas, Georgia, Kearsarge and Maine, which are being fitted out at the League Island Navy yard for the Pacific cruise, will be completed tomorrow and the vessels will practically be ready to begin the long voyage. The Kearsarge will carry 1,500 tons of coal. This exceeds the capacity of the bunkers and part of the fuel will be on deck. All of it will be needed on the trip from Hampton Roads to Trinidad, the first coaling station. The Kansas will carry 2,400 tons of coal, 600 tons of which was loaded today, the Georgia will carry 1,950 tons, all of which is nearly on board, and the Maine's bunkers are full with about 2,000 tons. Each vessel is loaded with stores. The Kansas has 850 men and will take on 160 more at Norfolk; the Georgia has 850 men, the Kearsarge has 735 and the Maine has 850. The Kansas will be the first to leave League Island. It will be towed into the middle of the Delaware river Wednesday morning, and will sail that afternoon or the next morning. The Kearsarge is scheduled to follow Thursday. The Georgia and the Maine will sail Friday.

NORFOLK, Va., Dec. 2.—The second torpedo flotilla of six torpedo boat destroyers sailed today on their 15,000 mile voyage to San Francisco. The flagship Whipple led, followed by the Truxton, Hull, Lawrence, Hopkins and Stewart. The destroyers precede the battleship squadron by two weeks.

HOLDS BROWN RESPONSIBLE

Defense in Bradley Case Lays Stress on Importunities of Dead Senator.

WASHINGTON, Dec. 2.—Both the defense and the prosecution made their closing arguments today before the jury in the trial of Mrs. Annie M. Bradley, charged with the murder of former Senator Brown of Utah, at a local hotel last winter. Judge Powers of Salt Lake City, senior counsel, and Attorney Hoover, for the defense, occupied the morning session. District Attorney Baker following during the afternoon. His argument was extended nearly two hours after which the court was prepared to deliver the charge and hand the case to the jury.

The defense laid special stress upon the evidence regarding insanity and contended that it was former Senator Brown and not Mrs. Bradley who importuned for the illicit relations; that it was not a case of breaking up a home, but that with Mrs. Bradley it was an attempt to secure a name for her children.

NO LIMIT ON THE SKYSCRAPERS

New York Will Permit Them to Go as High as the Builders Desire.

NEW YORK, Dec. 1.—No limitation is to be placed on the height of New York's tall buildings in the future. Instead of being held to certain legal restrictions, the builder hereafter may send a skyscraper to as many stories as he chooses, provided his structure is of such form as to guarantee a reasonable amount of light and ventilation to his neighbors on all sides.

This is the effect of an amendment to the New York building code, which will be ratified by the code revision committee tomorrow and probably will be adopted by the aldermen within the coming week.

Several months ago there seemed to be a preponderance of opinion favoring restriction of the height of buildings.

WOMAN MISSIONARY KILLED

Miss Agnes Templeton Said to Have Been Assaulted and Murdered by Mexican.

SANTA FE, N. M., Dec. 2.—Miss Agnes Templeton, the only white woman missionary at the Baptist Indian mission at Valverde, Rio Arriba county, was brutally murdered yesterday either by Mexicans or Indians. An unconfirmed report says that Miss Templeton was assaulted before being put to death. David Martinez Sanchez is under arrest as a suspect.

VORYS LEAVES HIS POSITION

Secretary Taft's Political Manager to Devote Entire Time to Campaign.

COLUMBUS, O., Dec. 2.—Judge C. C. Lemert of Kenton, O., executive clerk to Governor Harris, was appointed state superintendent of insurance today in place of A. I. Vorys, secretary Taft's political manager. Mr. Vorys will devote all his time to advancing the candidacy of Mr. Taft for the nomination for the presidency.

CONGRESS AT WORK

Brilliant Scenes Mark Opening of the Annual Session.

CANNON IS RE-ELECTED SPEAKER

Oath is Administered to Him by Father of the House.

SKIRMISH OVER THE RULES

Democrats Object to Readoption of Those of Last Session.

PRESIDENT'S MESSAGE NOT READ

Early Adjournment Taken in Respect to Memory of Senators and Representatives Who Died During Year.

WASHINGTON, D. C., Dec. 2.—A brilliant scene characterized the meeting of the Sixtieth congress today. In the senate and house of representatives there were notable gatherings in the galleries of representatives of the official society of the capital. The coming together for the first time of the men who have been elected to the senate and the house, about 100 of whom have not before served in congress, made the occasion one of particular interest.

The striking scenes of the day were in the house of representatives, where the formal selection of Joseph G. Cannon again to be speaker of that body and the designation by the democrats of John Sharp Williams as their leader, were occasions for ovations for those gentlemen. The vast hall of the house of representatives rang with the cheers of republicans and democrats for their leaders, and the speaker received as warm a reception from members of the minority as he did from his own party.

The appearance of William Jennings Bryan on the house floor also was the occasion for enthusiastic cheering by the democrats.

When the adoption of rules for the government of the house during the Sixtieth congress came up, the rules of the last congress were opposed by John Sharp Williams, and he was joined in the opposition by democrats and by a single republican, Mr. Cooper of Wisconsin. The old rules were declared to be too autocratic, placing too much power in the hands of the speaker, but after a somewhat acrimonious discusion they were adopted by a party vote.

Committees were appointed by both houses to inform the president that congress had met and was ready to receive any message he might wish to communicate.

New senators and representatives were sworn in and both houses adjourned out of respect to the memory of members who have died during the recess of congress.

PROCEEDINGS OF THE HOUSE

Speaker Cannon Re-elected and Rules Readopted.

WASHINGTON, Dec. 2.—Promptly at 12 o'clock Clerk McDowell entered the chamber of representatives, accompanied by the veteran assistant sergeant-at-arms, Colonel E. S. Pierce, bearing the mace, the emblem of order in legislative bodies. The hum of conversation suddenly ceased and Clerk McDowell declared the body duly in session. Chaplain Couden immediately offered prayer, after which the roll was called.

An interested spectator, who was given the privilege of the floor, was Sir Courtenay Ilbert, clerk to the speaker of Parliament. He was present at the guest of Speaker Cannon. The roll call occupied twenty minutes and showed 365 members present.

Amid great applause on the republican side, Representative Hepburn of Iowa nominated Joseph G. Cannon of Illinois for speaker. Equally demonstrative were the democrats when Representative Clayton put in nomination Representative John Sharp Williams of Mississippi.

The vote on the speakership resulted: Joseph G. Cannon, 207; John Sharp Williams, 154. Amid thunderous applause, in which republicans and democrats alike joined, Speaker Cannon was escorted down the center aisle to his chair by a committee of which Representative Williams was chairman. In a brief speech Mr. Williams said the speakership was the second highest office in the United States. He had the honor, he said, for the third time "of not introducing, but presenting to the congress the Hon. Joseph G. Cannon of Illinois as its speaker.

Speaker Cannon Responds.

When the applause had subsided Speaker Cannon said:

"We are today organizing the Sixtieth congress, marking the one hundred and twentieth milestone in the history of government by the people under the constitution. Our predecessors in the years that are passed have left to us an example of wisdom, moderation and courage that has never failed to preserve the ideals and the interests of republican government in many crises, whether of peace or war, adversity or prosperity.

"Each generation fo statesmen has had its own peculiar problems and its own particular embarrassments. No problems of government ever recur in exactly the same way. The formulas of action in one exigency may never be applied safely in another. Government, so far as it relates to courses of action, has no fixed precedents; and no veneration for those who have gone before justifies living men in approaching live problems with purpose or with vision circumscribed by the limitations of the past."

Interprets People's Will.

"But the fundamental principles of free government are eternal and unchanging, resting on the will and responsibility of the people and put in action through the deliberations and conscientious and zealous representatives of that will. This house is the only institution under our constitution where that will of the people may be expressed with a fairness approximating to scientific accuracy. Other departments of the governments have lofty and important functions, but to this house alone belongs the peculiar, the delicate and the all-surpassing function of interpreting and putting in definite form the will of the people. This duty we must perform ourselves. The principles of the past may help us to the extent of showing us the points of the compass, but beyond that we must depend on our own wisdom, our own constancy, our own industry and our own fidelity to duty.

"So far as the duty of organizing this house shall devolve upon me I shall endeavor to perform the duty in a way to justify the confidence which your selection implies, and to promote the great purposes for which we are assembled. But the du-