

FLEES UNDER FIRE

Colonel Gurko Makes This Charge Against General Steessel.

REFUSED TO OBEY ORDERS

Message to Turn Command, Smirnoff Disregarded.

ORDER REPEATED THREE TIMES

Finally Allowed to Stay Because of Good Work in Defense.

WOULD ABANDON PORT ARTHUR

Fact Brought to Light That General Kouropatkin Advised This Course Before the War Began.

ST. PETERSBURG, Dec. 18.—Lieutenant General Steessel was accused today of having shown the white feather under fire on two different occasions. This accusation was made by Colonel Gurko, who was on the stand as a witness before the court-martial which is trying the general for his alleged failure in the proper defense of Port Arthur. At the moment the charge was made the court was investigating the circumstances of General Kouropatkin's order dated June 18, 1904, in which General Steessel was told to turn over the command of the garrison to General Smirnoff and join the Manchurian army. General Steessel disregarded this order and it was repeated three times. He suppressed the copy of the order addressed to General Smirnoff and finally was allowed to remain at Port Arthur.

General Kouropatkin testified that early in May doubts had arisen as to the fitness of General Steessel to command the fortress owing to his nervousness. The idea was suggested by a communication sent by General Smirnoff to his aide, Colonel Gurko, that Steessel was a coward and apt to lose his head during an assault and that it might be necessary to place him under arrest to prevent the fall of the fortress. General Kouropatkin after obtaining contradictory details of this statement from General Gurko, sent the order superseding General Steessel.

Answering General Steessel's query as to what grounds he had for making such a statement to General Kouropatkin, Colonel Gurko related two instances in which General Steessel had ordered his staff to scatter under fire, himself heading the dash for shelter.

Order Taken from Files.

Colonel Golovan, who was in charge of the coding of messages to Port Arthur, established the receipt by General Steessel of General Kouropatkin's orders. He said he gave the order for General Smirnoff to assume command of the fortress to General Steessel, who after conferring with General Steessel, directed him to remove the copy from the files and suppress the record thereof. "Only five men in the fortress knew of this order," he said.

The testimony brought to light the surprising fact that General Kouropatkin, before the war, had recommended the abandonment of Port Arthur and the restoration of the Kwang-Tung peninsula to the Chinese, who were to pay \$15,000,000 for it. He considered that the opening of Port Arthur destroyed the strategic importance of Port Arthur. General Kouropatkin said he had finally decided not to interfere with General Steessel on account of his unexpected success in holding the fortress, which theoretically required 120,000 men to be defended successfully.

LIGHT AT LAST FOR THIBET

House of Grand Lama Will Soon Be Gladdened by Presence of Newspaper.

PEKING, Dec. 18.—The throne has sanctioned the construction of a telegraph line into Lhasa, the capital of Tibet and the residence of the supreme head of the Lamas hierarchy. This innovation was recommended by the Chinese resident at Lhasa, who, since the advent of the British expedition of 1904, has been working for the enlightenment of the Tibetans. The throne authorities will give hospitals, schools and a mail service to Lhasa, and it is expected that a newspaper has been made for permission to publish a newspaper there.

FRUIT MEN PROTECT SELF

Americans in Porto Rico Are Protest- ing Against Poor Shipping Facilities.

SAN JUAN, Porto Rico, Dec. 18.—The American fruit growers of Porto Rico, representing a total investment of about \$4,000,000, have organized a committee to securing redress from alleged misbandling of their goods in transit by the steamship companies running between here and American ports. Thousands of boxes of fruit reached New York in a decayed condition during the past few months and the reason is declared to be inadequate shipping facilities.

PERSIA ON BRINK OF TROUBLE

Situation Quiet, but Strained, Each Side Being Armed for Conflict.

TERRACAN, Dec. 18.—Outside of a few isolated killings and robberies, there have been up to the present time, no disturbances of public order in this city. Nevertheless, the situation continues most strained. The constitutionalists are quiet, but determined to fight if attacked. They are well armed, with the supporters of the reactionaries, mostly ruffians and laborers who have come in from neighboring villages, have few effective weapons.

NOVELIST PLEADS FOR POLES

Henrik Sienkiewicz Issues Address Aimed at Scheme of Prussians Against Constaninians.

PARIS, Dec. 18.—The Echo de Paris prints an appeal which Henrik Sienkiewicz, the Polish novelist, is addressing to the most eminent representatives of science, literature and art throughout the world, asking them to protest against the Prussian scheme of forcibly appropriating the lands of the Poles in order to settle Germans upon them. This Sienkiewicz declares is something the Poles have done nothing to lessen.

FRANCE PRESERVES RIGHTS

Belleville, Dec. 18.—France and Belgium have concluded a convention which provides for the maintenance of France's preferential rights in the Congo after the cessation of that territory to Belgium.

SUMMARY OF THE BEE

Thursday, December 19, 1907.

Table with 7 columns (SUN, MON, TUE, WED, THU, FRI, SAT) and 7 rows (1-7) showing dates and weather forecasts.

THE WEATHER. Forecast till 1 p. m. Thursday: For Omaha, Council Bluffs and vicinity—Fair; Thursday, slightly colder.



FORECAST. All South Dakota appointments go over until after the holidays. Finish fight in on between the two senators.

Page 1 Electric railroad managers agree to cents a mile in least fare that will pay in Michigan.

Page 1 Justice Gould regards his boycott decision as having wide jurisdiction.

Page 1 Cab drivers' strike in New York has been settled.

Page 1 Gold to the amount of \$109,000,000 has been imported from England and the continent.

Page 1 Brewers of St. Louis are forced to aid the Eccles commission in restricting the sale of beer.

Page 1 Chicago "get-rich-quick broker" must answer for "high finance."

Page 2 George W. Austin of New York has filed an injunction suit to prevent the distribution of Panama canal bonds according to the plans of Secretary Cortelyou.

Page 1 Testimony in the Walsh trial revealed nearly \$9,000,000 of bonds in his companies in possession of his bank.

Page 1 Pennsylvania railroad raises its dividend.

Page 1 By agreement the meeting of the Illinois Central stockholders was postponed until today.

Page 2 PERIA is on the brink of serious trouble.

Page 1 Fruit men of Porto Rico take steps to protect themselves against the risks of shipments.

Page 2 Chinese government has given permission for a newspaper to be established in Tibet.

Page 1 Polish novelist pleads for the Poles against the Germanization scheme of Prussia.

Page 1 La Follette's manager appears in Lincoln, Neb., to discuss plans in Lincoln.

Page 2 Reports of state institutions show that all are being maintained within the amount appropriated for them.

Page 2 Attorney General Thompson holds the most weighty ruling of Food Commission.

Page 2 President and Mrs. Guy W. Wadsworth entertain the Bellevue foot ball team at a banquet Tuesday evening.

Page 4 Omaha bankers are eager to loan money, but Omaha merchants are not needing badly, having no unusual obligations.

Page 11 Several women in the Hanscom park district are worked by an agent for portrait firm and police are notified.

Page 11 Postmaster Palmer declares postage savings banks would prevent the flow of money from this country to Europe.

Page 5 Mrs. George H. Kelly gives largest card party of the season with more than 100 guests.

Page 5 COMMERCIAL AND INDUSTRIAL. Live stock markets.

Page 5 GRAIN MARKETS. Stocks and bonds.

Page 5 MOVEMENTS OF OCEAN STEAMSHIPS. Arrived. Sailed.

KNOX DRAWS LIQUOR BILL

Measure to Prevent Federal Interference With Local Prohibition Laws.

ACTS ON TILLMAN'S SUGGESTION

Proposed Measure Subjects C. O. D. Packages to Laws of State Where They Cross the Line—Culbertson Talks on Finance.

WASHINGTON, Dec. 18.—In the senate today resolutions were introduced by Senator Tillman asking the Interstate Commerce commission to report whether any corporation engaged in interstate commerce is the owner of stock of any other corporation transporting passengers and freight, and calling upon the Interstate Commerce commission to define the authority of the federal government and of the states in respect to the control of the liquor traffic through the operation of the interstate commerce law.

These resolutions provoked considerable debate and were finally referred to senate committees, though one of them was transformed into a bill by Senator Knox at the request of Senator Tillman.

Senator Culbertson spoke on his resolution calling on the committee on finance to investigate and report on the cause of the present financial stringency and to recommend measures for the prevention of its recurrence. The resolution was referred to the committee on finance.

Senator Tillman today introduced the following resolution: "That the committee on interstate commerce be instructed to consider and report by bill or otherwise what legislation is feasible or necessary to enable the states in the exercise of their police powers to control the commerce of liquors and alcoholic beverages within their borders so as to aid the cause of temperance and to prevent the encouragement by the United States government of illicit dealing in the same."

Mr. Tillman said his purpose was to prevent circumvention of state prohibition laws. Said he: "The courts have held that these laws interfere with interstate commerce. On this account I wish that congress should act."

Mr. Tillman said the express companies are flooding local option southern states with whisky from other states "C. O. D." and the supreme court of the United States has held that such traffic cannot be interfered with because of its interstate character.

He said his resolution sought to define the point at which the police power of the state begins and determine how far congress can go in limiting the control over interstate traffic in intoxicating beverages.

Mr. Knox Draws Bill. A general discussion of the powers of the federal government was precipitated.

Mr. Knox suggested that the whole difficulty could be reached through a bill. "Draw one," suggested Mr. Tillman, whereupon Mr. Knox prepared an amendment to the bill which was referred to the committee on judiciary.

Mr. Tillman then withdrew his resolution and offered the Knox bill, which was referred to the committee on judiciary.

The bill provides that all intoxicating liquors transported into any state or territory or remaining therein shall upon arrival within the limits of such state or territory be subject to the laws of such state, in the same manner as though such liquors had been produced in such state or territory and shall not be exempt therefrom by reason of being introduced in original packages or otherwise.

Culbertson Discusses Resolution. Senator Culbertson discussed his resolution directing the committee on finance to investigate the causes of the financial stringency. He referred to the message of the president in which he suggested the necessity of legislation in the near future and said that either the president had changed his mind or that congress was loath to carry out the recommendation.

"I have noticed," said Mr. Culbertson, "that statements from Mr. Roosevelt have not always been those with that degree of welcome as were those of his illustrious predecessor, George Washington."

Mr. Culbertson had read an article in a Philadelphia paper declaring that banking laws had been dictated by banking interests.

"It is said by some," he said, "that this condition is due to the machinations of stock gamblers who would cripple commerce in order to force the money which was in the interior back to the east where it may be used for speculation."

The resolution was referred to the finance committee.

The senate today, on motion of Senator Allison, agreed to adjourn until Saturday, and after routine business on Saturday to adjourn till January 5.

HOUSE COMMITTEES TODAY

Cannon and Williams Work All Day Behind Locked Doors.

WASHINGTON, D. C., Dec. 18.—When the house reconvenes at noon tomorrow (Thursday) Speaker Cannon will announce the remaining assignments of members to committees. The house will then be organized and in a position to get down to business of the session immediately after the holiday recess, which will last from Saturday, December 21 until January 5.

Speaker Cannon did not complete his committee assignments until nearly 12 o'clock tonight. To insure the printing of the official lists in time for tomorrow's session, each committee table was sent to the public printer tonight as soon as it was finished. John Barry Williams, who by virtue of his minority leadership had the naming of democrats to the various committees, worked behind locked doors all of yesterday and today, and this evening sent his completed list to the speaker. The assignment task was heavier this year than ever before for 1907 reasons.

The creating of about fifty additional committees by the enlargement of each committee by one republican and one democrat, and the fact that many members foresee in the speaker's selection an effect, real or fancied, on the presidential election.

Non-return of members of the Fifty-ninth congress to the Sixtieth congress created six vacancies in committees, not taking into account the fact that Representative H. Bird Cassel of Pennsylvania, though re-elected, has not yet become a member of the house, preferring to resign to his own statement, not to take his seat until the charges against him in connection with the capitol investigation at Harrisburg have been cleared up. Of the 138 vacancies thus created, twelve are equivalent to those of the Sixtieth congress provided for by reorganizations of committee memberships brings up to a total of nearly 200 the assignments to be announced by the speaker tomorrow; and the fact that, to

(Continued on Second Page.)

DECISION HAS WIDE EFFECT

Justice Gould Regards Boycott Injunction as Restraining Act Outside Washington.

WASHINGTON, Dec. 18.—After hearing arguments on various points in the case, Justice Ashley M. Gould today signed the decree temporarily restraining and enjoining the American Federation of Labor, its officers and all others from interfering with the business of the Buck Stove and Range company and from declaring and threatening any boycott against it. All attempts of counsel for the American Federation of Labor to modify the decree failed except in one particular, and that was to exclude from the order the Electrotypers, Molders and Finishers' union No. 17, against which it was shown no specific allegation had been made.

Justice Gould took occasion to dwell upon the question of jurisdiction. He said there would be no attempt made by the court to assume jurisdiction beyond the confines of the District of Columbia, but that its order was operative upon all persons defendant who are within the District of Columbia. An act, he said, committed by an agent or associate of one of these defendants would be held as the act of the person within the District of Columbia so ordering it and subject such person to the punitive power of the court. He believed the decree should be very broad and that he need not be too specific. It was, he said, every brewer's duty to keep his distillery clean, because he was not enjoining ignorant men, but men who knew their rights, and he knew the law. Mr. Gompers, he said, was one of these.

BREWERS AID COMMISSION

Official of St. Louis Calls Upon Them to Keep Lid Down on Restricted Days.

ST. LOUIS, Dec. 18.—Excise Commissioner Mulvihil announced today that he had called upon the brewers of St. Louis, together with the four leading breweries of other cities having depots here, to formally make a written pledge to him that they will not sell beer or other supplies to any saloon or "hit" club which places on a blacklist by which he will refuse to do business.

Mr. Mulvihil said the express companies are flooding local option southern states with whisky from other states "C. O. D." and the supreme court of the United States has held that such traffic cannot be interfered with because of its interstate character.

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RAILROAD DIVIDEND RAISED

Pennsylvania Company Declares Semi-Annual Distribution of Four Per Cent.

PHILADELPHIA, Dec. 18.—The directors of the Pennsylvania company, which operates Pennsylvania railroad lines west of Pittsburgh, today raised the dividend on the stock of the company from a 5 to 5 per cent. dividend to 6 per cent. The regular semi-annual dividend of 2 per cent on the preferred stock and the regular semi-annual dividend of 2 per cent on the common stock.

PHILADELPHIA, Dec. 18.—The directors of the Lehigh Valley Railroad company today declared the regular semi-annual dividend of 2 per cent and an extra dividend of 1 per cent on the common stock. The usual semi-annual dividend of 5 per cent on the preferred stock was also declared. The same was declared at the last dividend meeting.

The Reading company today declared the regular semi-annual dividend of 2 per cent on the common stock.

VAIN SUITOR KILLS HIMSELF

Young Man Resorts to Bullet When His Sweetheart Rejects His Proposal.

MIRSOBHI VALLEY, Ia., Dec. 18.—(Special.)—J. M. Hoffman, 21 years of age, shot and killed himself this morning because he had been rejected by his sweetheart. Hoffman had pressed his suit in vain last night with Miss Mooney and his action is attributed directly to that disappointment. He went to his room at the home of William Neufund as usual last night, arose this morning at about the regular hour, dressed in his usual clothes and then sent a bullet into his heart.

Daughters of Mr. Neufund, occupying an adjoining room, were startled by a pistol shot in Hoffman's room and a heavy fall immediately after. They ran screaming to their father downstairs. The father hastened to the young man's room and found his body lying dead, face downward, a pistol beside him.

An inquest was ordered for this afternoon. The only relative of whom friends here have any knowledge is Ed. G. Daugherty of Alger, O., who has been notified. Hoffman was a laborer.

CAB DRIVERS RAISE PROTEST

Object Seriously to Compromise with Owners Made by Their Executive Committee.

NEW YORK, Dec. 18.—After twelve hours of strike the executive committee of the Cabmen's union agreed to a compromise with the owners and ordered the men back to work. The men objected seriously to the compromise and a great majority demanded that the strike continue until they got everything they had asked for. The compromise provides that the men shall receive \$5 a week instead of \$4 which they now get, and the matter of hours is left to arbitration. The men want twelve hours of every day, with the employers are willing to grant them only ten. When the agreement was announced the men became so violent in their objections to the compromise that the police were called to drive them out of the hall, which was done with much difficulty. The drivers, however, insisted that they would remain out in spite of the agreement made by their committee.

CANAL BOND ISSUE ENJOINED

G. W. Austin of New York Calls Secretary Cortelyou Into Court.

Declares He is Prepared to Take Three Million Dollars Worth at 103.375 When They Are Turned Over.

WASHINGTON, Dec. 18.—Justice Gould of the district supreme court today cited George B. Cortelyou, secretary of the treasury, to appear in court January 3 to show cause why he should not be enjoined from turning over or delivering the balance of \$2,000,000 in Panama canal bonds to certain banks and persons to whom he has announced allotments. The citation issued by Justice Gould is based on a petition filed by George W. Austin of New York, who describes himself as a taxpayer and property owner in the United States and who declares he made a proposal to purchase bonds of the advertised issue of the face value of \$3,000,000. He avers he had agreed to pay \$108.75 and accrued interest per \$100, and on notice of the allotment of the \$2,000,000 of the bonds he refused to deposit the amount with the assistant treasurer at New York.

Mr. Austin informs the court that he had been advised through the public press that in direct violation of the statutes and in absolute disregard of the Treasury department's circular of the \$2,000,000 of the bonds allotted, only \$1,000,000 were allotted to persons who were individual bidders and who in accordance with the statutes and said circular were given an equal opportunity to subscribe therefor; the remaining \$1,000,000 were allotted to divers national banks, and only \$500,000 of which were allotted to banks which had offered a higher price than the bid by him.

When he learned that his bid had been ignored and no allotment made to him, he says he complained to the department and the response convinced him of the secretary's intention to disregard the statutes, and thereby commit a malfeasance, for which, he says, Mr. Cortelyou is not a man fit to be entrusted with the affairs of the citizens of the United States and to him.

In his petition Mr. Austin also refers to the bid of one George A. Romar of New York City, who had complied with the terms of the secretary's circular in every particular, but whose bid was ignored. It is stated that Mr. Romar offered bids for \$103.25 and \$103.00 at \$100, \$103.00 at \$102.50 and \$100.00 at \$102.50 and \$100.00 at \$102.50. A further bid for \$100.00 was made by Mr. Romar at a price of \$103.25.

The petition concludes with the declaration that by reason of the secretary's having exceeded his authority and thereby ignoring these bids, the "United States and the citizens thereof, irrespective of the rights of a third bidder, had been deprived of the sum of \$1,000,000 and of several hundreds of thousands of dollars."

Justice Gould granted the injunction, and the secretary is enjoined from turning over or delivering the balance of \$2,000,000 in Panama canal bonds to certain banks and persons to whom he has announced allotments.

Justice Gould took occasion to dwell upon the question of jurisdiction. He said there would be no attempt made by the court to assume jurisdiction beyond the confines of the District of Columbia, but that its order was operative upon all persons defendant who are within the District of Columbia. An act, he said, committed by an agent or associate of one of these defendants would be held as the act of the person within the District of Columbia so ordering it and subject such person to the punitive power of the court. He believed the decree should be very broad and that he need not be too specific. It was, he said, every brewer's duty to keep his distillery clean, because he was not enjoining ignorant men, but men who knew their rights, and he knew the law. Mr. Gompers, he said, was one of these.

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JEWELERS' BANK IS CLOSED

Massachusetts Institution Whose Vice President Was Found Dead Going Over Books.

NORTH ATTLEBORO, Mass., Dec. 18.—The Jewelers' National bank of this town, whose vice president and cashier, Frederick E. Sargeant, was found dead in a bath tub in his apartments last night, failed to open its doors for business today. A notice, posted on one door, stated that the bank would remain closed pending an examination of its affairs. Bank Examiner Alfred Ewer and Harry N. Currier are making an investigation.

Local Examiner C. S. Holden stated today that he had not given the cause of the death of Mr. Sargeant as "accidental drowning," as reported last night, but simply as "drowning." Further than this he declined to discuss the case.

According to the last statement of the bank the capital was \$100,000, surplus and undivided profits, \$80,000, deposits, \$1,500,000, and loans and discounts \$217,700.

The bank was the successor of the Attleboro National bank, which was organized for the convenience of the jewelry trade in that district.

Alfred W. Wiggins, president of the Jewelers' National bank of North Attleboro, who lives in this city, said today: "The sudden death of Cashier Sargeant naturally excited suspicion and caused an immediate investigation of the condition of the bank. This shows that Mr. Sargeant had exceeded his authority and thereby ignored these bids, the 'United States and the citizens thereof, irrespective of the rights of a third bidder, had been deprived of the sum of \$1,000,000 and of several hundreds of thousands of dollars.'"

FREEDOM MAKES THEM AFRAID

Convicts After Long Term in Sing Sing Lead Friendliness in New York.

NEW YORK, Dec. 18.—Franz Hoffman is in New York after forty-seven years spent in Sing Sing prison. With him is Thomas O'Shea, who has served twenty-two years in prison. Both are at the home of the Volunteers of America, where Mrs. Maud Ballington Booth, known to the Sing Sing prisoners as "Little Mother," promises to care for them. Both have been paroled, having been sentenced to imprisonment for life. The two men were brought to New York by the warden of the prison, to whom they stuck closely until they were turned over to Mrs. Booth. Hoffman says he hasn't a friend in the world and is afraid to be alone outside the grey walls that are the only home he knows.

SMITH GETS A LIFE TERM

Murder Verdict Returned Against Negro as Result of Crap Game Affair.

Ed. Smith, a South Omaha negro, will have to serve the rest of his life in the penitentiary for killing Charles Singleton, another negro, as the result of a quarrel over 25 cents. The jury in Judge Troup's court returned a verdict of guilty of murder in the first degree last night and fixed the penalty at life imprisonment. The jury had little trouble in reaching an agreement. It went out at 5 o'clock and the verdict was agreed upon at 7:30, after the return from dinner.

The shooting of Singleton occurred near Twenty-sixth and N streets, South Omaha, October 22. Singleton and Smith had been shooting craps in a pool hall and Smith had won 25 cents. This angered Singleton, who picked the money up and threw it on the floor. All of it was recovered but 25 cents, and when Singleton refused to make the amount good Smith went to his room, secured a pair of shoes, which he pawned for a revolver, and returned to the pool room. He shot Singleton twice, one bullet passing through the abdomen and causing his death a few days later. The shooting occurred in front of the pool hall, in plain sight of several people.