

LOW RATE IS HIDDEN

Frisco Merchants Make This Charge Against Express Company.

BULK SCHEDULE NOT POSTED

Allegation that Attempt Was Made to Deceive Shippers.

DISCRIMINATION ALSO CHARGED

Association Makes Joint Shipment of 16,000 Pounds from New York.

PACKAGE RATE IS COLLECTED

Statement that Shipments by Express Were Necessary for Christmas Trade Because of Slow Freight Service.

SAN FRANCISCO, Cal., Dec. 27.—Interstate Commerce Commissioner Franklin K. Lane today began an investigation into the complaint filed with the commission against the Wells-Fargo Express company by the California Commercial association of San Francisco, charging the express company with discrimination in concealing rates which had been filed with the Interstate Commerce commission and other violations of the Interstate Commerce law.

The charges of discrimination are based upon the refusal of the express company to transport a shipment of 16,000 pounds, consisting of 43 packages from New York to the California Commercial association in San Francisco last August at the bulk of quantity rate of \$5 per 100 pounds, the company charging the regular package rate.

It is also alleged that the express company charged a higher rate than that published and filed with the Interstate Commerce commission, which was wilfully concealed and hidden from the public. This the complaint avers is distinct violation of the Interstate Commerce act.

Reply of Express Company. In answer, the express company denies all allegations made in the complaint, and states that the association resorted to subterfuge in order to extort unjust discrimination in its own favor and based its refusal to grant quantity rate upon the shipment in question on the ground that while consigned to one consignee it was intended for more than a score of different consignees.

Mr. Lane also elicited by his questions put to witnesses that while freight rates averaged from 2 to 3 cents a pound from New York to San Francisco the express rate is from 8 to 25 cents a pound. It developed that in order to take advantage of the lowest express rate of 8 cents made on shipments of 16,000 to 26,000 pounds a number of the local retail and wholesale merchants formed an association which could not separately make such large shipments.

These shipments gathered and forwarded from New York from a forwarding agency are consigned to the Bank of America and by it delivered to its members.

Because it does not constitute a firm or concern the express company refused to apply the rate on a shipment of 16,000 pounds, charging the association \$200 in excess.

The charge of concealing rates is in the allegations made that the express companies complied with the Interstate Commerce commission schedule containing the bulk rate, but did not post the rate publicly and it was kept locked up so that the public might not know of the lower rate.

THIEVES LOOT MISSOURI BANK

Twenty-Five Hundred Dollars Taken, but Footpads Are Captured and Money Recovered.

ST. JOSEPH, Mo., Dec. 27.—A special to the News Press from the Bank of Camden Point, Camden Point, Mo., thirty miles south of St. Joseph, was robbed by three men at 5 o'clock and \$2,500 in currency taken. A fierce battle between citizens and the robbers took place, in which many shots were exchanged, but the robbers escaped. They were pursued by a posse and are believed to be surrounded in the hills near Dearborn, six miles from Camden Point. Their capture is expected at any time. The robbers were discovered by Prof. Barham, president of the Camden Point college, who saw a light in the bank and aroused the citizens. The alarm was given and the safe and interior of the bank were wrecked.

The Camden Point robbers were captured about 8 o'clock in the woods on Platte river, near Edgerton Junction, a station on the Rock Island road. They have not been identified and were taken to Platte City and jailed. The loot was about \$2,500 of which \$1,000 was in silver.

The robbers have told where they hid the money in a straw stack near Edgerton. One of the bandits has been identified as Clyde Reed, son of a farmer at Edgerton, near Edgerton. He is 35 years old.

VESSEL BATTLES WITH STORM

British Ship Dynamene Reaches San Francisco After Nearly Year on Voyage.

SAN FRANCISCO, Dec. 27.—After a voyage occupying 330 days, during which it encountered the fiercest hurricanes ever felt by the oldest hands on board, the British ship Dynamene reached this port yesterday. The Dynamene left Newcastle, Scotland, November 12, and was not seen until it was sighted in the vicinity of Cape Horn and by May 3 many of the crew were partially disabled. May 19 the Dynamene was struck by a sea which snapped off the bowsprit. The foremast gallant yard fell through the deck and nearly killed a man sleeping in the sleeping berth. By May 20 the Dynamene was a helpless derelict and for five days all hands lived in the cabin aft. After the work of clearing away the wreckage began and while superintending this Captain Proctor was seriously injured. The hurricane meanwhile had blown the ship around the Horn. A chance of wind carried it back, and after weeks of hardship the ship was worked under jury sail into Montevideo, where repairs were made. Captain Proctor was sent home to England with the second mate, who also was injured in the hurricane, and the ship resumed its voyage in command of Captain Burgess.

SUMMARY OF THE BEE

Saturday, December 28, 1907.

Table with columns for days of the week (1-7) and corresponding page numbers (1-7).

WEATHER. COUNCIL BLUFFS AND VICINITY. FOR NEBRASKA—Partly cloudy; Sat., cold.

Table with columns for hours (Hour) and degrees (Deg.) for various locations.

DOMESTIC. Interstate Commerce Commissioner Lane has begun hearing charges of discrimination and concealing rates made by San Francisco merchants against Wells-Fargo Express company.

Trains on Pennsylvania railroad near Camden, N. J., met in thick fog, resulting in three dead and seventeen injured.

Denver girl marries Indian lover after five years' opposition from her family.

Wells-Fargo Express company and other companies are engaged in row over business in Pittsburgh.

Thieves steal \$2,500 from Bank of Camden, Mo., and are later captured.

Frederic Bonfils has been charged with assault and battery in Denver by Senator Patterson.

Vessel battles nearly a year with storms on voyage to San Francisco.

Dec Moines man eludes prison keeper and commits suicide.

Hill and Harriman lines in Oregon are engaged in strenuous warfare.

Senator Hale stands by Rear Admiral Brownson in his refusal to transmit the executive order regarding the commanding officer of the ship.

Panama merchants object to the government stores acting in competition with them.

Nebraska Telephone company terminates its contract with Burlington road whereby special rates are given railroad employes in return for special favors from the road.

Mrs. Barnhart of Norfolk is glad she shot her husband.

Decrease in local receipts of internal revenue department due to temporary closing of distillery for repairs and not to wave of prohibition.

Driver of mail wagon tells of unsuccessful attempt to hold him up by two men near Eleventh and Harney streets.

Japanese student declares Japan extends welcome to Christians, needing influence of their religion and missionaries.

Money is going back into savings banks as a result of their deposits are larger now than a year ago.

Price of seed corn has gone up 4 to 7 cents since contracts were made and seed houses will have difficulty in filling orders.

COMMERCIAL AND INDUSTRIAL. Grain markets.

MOVEMENTS OF OCEAN STEAMERS. Arrived. Departed.

PANAMA MERCHANTS OBJECT. Claim Government Stores Sell at Cost, Killings Legitimate Trade on Isthmus.

NEW YORK, Dec. 27.—Two parties from Panama have arrived in New York, one composed of ten disgruntled steam shovel men who threw up their jobs on the canal because they thought that several of their fellow employes who had been discharged for incompetency had not received the "square deal," and the other a delegation of merchants who are going to Washington to protest to the president against the government stores established on the isthmus for the accommodation of the canal.

The Panama government stores are selling goods practically at cost and that they cannot compete with them, as they are obliged to pay duty on everything they import. The merchants say that many of the employes of the canal purchase goods not only for themselves, but for others not employed on the canal and therefore not entitled to trade at the government stores.

SUITS ARE SETTLED EN BLOC. Forty-One Thousand Dollars the Cost of Interruption Wreck at Charleston, Ill.

CHARLESTON, Ill., Dec. 27.—Forty-three damage suits against the Central Illinois Traction company, on account of the wreck on the road last September, were settled today for \$41,000. On account of these suits a receiver had been named for the road, which is owned by Chicago capitalists. One of the latter is Judge Peter Grosscup of the Chicago court, who with other directors was indicted after the wreck for alleged concealment. It is said the receiver will now be discharged.

COMMISSION FOR STOKES

Medical Officer to Be Assigned to Command of Hospital Ship.

HALE DEFENDS BROWNSON'S STAND

Head of Senate Naval Committee Says All Commissions Should Be Held by Line Officers in Interest of Discipline.

WASHINGTON, Dec. 27.—The orders assigning Surgeon Charles F. Stokes to the command of the hospital ship Relief are expected to be signed very soon, it having been definitely decided, according to Secretary Metcalf to appoint him to that position. With this end in view every effort will be made to obtain a permanent crew and man for the vessel. Failure to man the Relief with a crew from the merchant marine the enlisted force of the navy will be drawn on and a line officer assigned as captain, in which case he will have command.

While the ship is practically ready for service there are a few things to be done to put it in the best of shape, which will take probably until February 1. The scheme of having a medical officer command the Relief in the event a merchant crew is secured is to have a trial for at least six months and if the experiment proves satisfactory there is the expectation is that the assignment of a surgeon to command hospital ships will be a permanent feature of naval administration.

Admiral Brownson's relinquishment of his position as chief of the bureau of navigation, carrying with it, as it did, extensive connections and a reputation to be heard, will result in a considerable loss of pay to the officer. Being entirely without duty and relegated to the retired list, his income will be diminished in the first place by the loss of 25 per cent of the full pay of an admiral on the active list, namely, \$7,000 a year. He will no longer receive the allowance to an active officer of his grade of \$1,500 a year for quarters and \$500 a year for heat and light. It so happens, however, that Admiral Brownson is a man of independent means and able to disregard financial considerations in taking his stand as champion of the line in the present battle with the staff.

The formal order detaching Rear Admiral Brownson from duty as chief of the bureau of navigation was made public today. The same order detaches him from membership in the joint army and navy board.

Hale Defends Stand. Senator Hale, chairman of the senate committee on naval affairs today voted frankly his attitude toward the resignation of Admiral Brownson as chief of the bureau of navigation.

"I think that Admiral Brownson has acted with praiseworthy courage and promptness in tendering his resignation," said Senator Hale, adding that he had not seen the admiral since his resignation. Mr. Hale continued:

"I have always sustained the staff officers in their fight for positive rank and complete recognition such as is received by army officers. In the present case, however, I am in favor of the staff officers. The bill pending which gives them such recognition throughout the service. But in that measure there is a precautionary provision against giving them actual command of any naval vessel. This is the continuation and extension of the fight between the two branches of the service. That is the crux of the present controversy and because I think he is right my support is given unreservedly to the admiral as against the contentions of Surgeon General Rixey. It may be that on some occasions staff officers have been in command of vessels, but I do not believe that such officers have been given command after the point was raised and both sides were heard. I do not believe that the contention for command by staff officers has ever been pressed seriously in the past."

In Interest of Discipline. When asked for his reasons for the position taken, Mr. Hale replied:

"They are entirely in the interests of discipline. Think what might happen if the command of the vessels should be turned over to a chaplain, or even to a surgeon, or to a medical officer. It would put the law of the land and the best policy in the interest of the service was overruled. He will not lose anything by his many course, either in the navy or with the public."

Physicians Stand by Rixey. CINCINNATI, Dec. 27.—Dr. C. A. S. Reed, chairman of the legislative committee of the American Medical association, today sent the following telegram to Surgeon General Rixey at Washington:

"Your demand and the president's order giving the medical corps of the navy actual control where it has actual responsibility commensurate with the number of the 14,000 physicians of the United States."

When Dr. Reed learned of Rear Admiral Brownson's resignation and the reason therefor he telegraphed the president commending his stand in the name of the American Medical association.

DARROW MUST LEAVE CASE

Chief Counsel for Pettibone Unable to Remain to Finish Trial at Boise.

BOISE, Idaho, Dec. 27.—Clarence Darrow, chief counsel for the defense in the Pettibone case, has been forced to retire from the case for the present at least on account of his health. He will leave this afternoon for Los Angeles, where he will submit to a mastoid operation, which has become necessary because of an abscess in the middle ear, which has given him trouble for the last six months. After he delivered his opening statement to the jury yesterday afternoon his physicians informed him that if the operation was not performed his life would be endangered. There is little probability that he will be able to return to Boise in time to make the closing address for the defense.

Former Congressman Edgar Wilson will be in charge of the defense for the present at least. Mr. Wilson, however, was unable to be in court today on account of illness.

Second Trial in Kansas City Test Case Results in Verdict of Acquittal. CHICAGO, Dec. 27.—The jury in the case of Thomas Chamales, the first saloon keeper to be placed on trial for violation of the Sunday closing law, today returned a verdict of not guilty. This was the second trial of Chamales, the first jury having disagreed after being out twenty-four hours. The second jury was locked up eighteen hours.

RUSSIA DEFERS TO AMERICA

Premier Stolypin Says Fair and Speedy Trial Will Be Given Accused Persons.

ST. PETERSBURG, Dec. 27.—The petition from the United States pleading for the liberation of Nicholas Tschakovsky and Madame Brezhkovskaya have attracted the attention of the highest circles here to M. Tschakovsky, whose arrest had been known to comparatively few persons in Russia. The petition represents the sentiments of thousands of citizens of New York, Chicago and Boston. Upon receipt of the petition Premier Stolypin inquired personally into the case, and this afternoon he informed the Express that the petition would receive due consideration.

"The American public can rest assured, however," the premier said, "that everything will be done to avoid delay and give M. Tschakovsky a fair trial as soon as possible."

The request of the Associated Press correspondent for permission to interview him was at first refused with a flat negative, and, as a thing against all traditions, but in deference to American sympathy the request was taken under consideration, and, if possible, an interview will be arranged.

It is believed that the indictment against Tschakovsky will be based upon his connection with the importation into Russia of arms for revolutionary purposes. It was to collect money for this purpose that he visited the United States. Several large shipments of the arms thus secured were brought into Russia in 1905 and 1907 and other shipments were intercepted at the frontier.

M. Tschakovsky's co-partner, Mme. Brezhkovskaya, probably will face the more serious charge of being a member of the fighting organization which openly proclaimed its responsibility for the assassination of Lieutenant General Vladimir Pavlov, General Maximoffsky and many others.

Madame Savinkoff, who was arrested here December 16, charged with complicity with M. Tschakovsky in his revolutionary propaganda, was released today and ordered to leave Russia within three days.

LESS CASH FOR GOVERNMENT

Decrease of Internal Revenue Receipts in Nebraska District.

CLOSE OF DISTILLERY FOR REPAIR. Loss to the Government on Report for the Year Amounts to Two Hundred and Ninety Thousand Dollars.

"The fact that there has been a diminution of approximately \$200,000 in the internal revenue receipts for the Nebraska district during the year 1907 cannot in any respect be attributed to the wave of prohibition now sweeping over the country," said Special Agent Evans of the internal revenue department. "The cause lies wholly in the shutting down of the Omaha distillery during the last few months for repairs and overhauling."

WESTERN ROADS IN CONTEST

Allegation Portland and Seattle Terminal Company is Violating Anti-Trust Law.

PORTLAND, Ore., Dec. 27.—In a far-reaching answer last night to a complaint brought in the state circuit court the Northern Pacific Terminal company, a Harriman corporation, avers that the Portland & Seattle Railway company, one of the James J. Hill lines, is doing business illegally and therefore is without standing in court in seeking to condemn a right-of-way across the terminal yards in Portland.

The terminal company says that the Portland & Seattle road is owned jointly by the Northern Pacific and Great Northern railroads and that the three roads are units of one great system; that there is no competition between them; that the formation of the Portland & Seattle was to secure a right-of-way at strategic points to prevent competition; that the formation of a third company by the Great Northern and Northern Pacific is in violation of the statutes of Minnesota and Wisconsin, under the laws of which the two last named roads are incorporated, and finally, the answer asserts the alleged attempt at preventing competition is in violation of the Sherman anti-trust law.

GROCERIES AS SHIP'S CARGO. Honduran Authorities Making Investigation of Disparsh of Vessel to South.

NEW ORLEANS, La., Dec. 27.—The Honduran consul here has called his government to hold for investigation a cargo of groceries consigned to the Honduran government, which was shipped to Puerto Cortes on the steamer Alps last week. The groceries were largely from the wholesale firm of Adler & Co., recently placed in the hands of receiver, William Adler, leading member of the firm, and late president of the State National bank, has not been heard from since he left the city last week. One report has been to the effect that he has gone to Honduras.

When the receiver assumed charge of the Adler & Co. business yesterday, he looked up the papers in the shipment to Honduras and discovered the goods were consigned to the Honduran government. The Honduran consul said the cargo could not have been intended for his government, and he called the facts and asked that the matter be inquired into.

The Alps should have arrived at Puerto Cortes some days ago, but up to last night had not appeared.

BONFELS STILL BELLIGERENT. Denver Publisher Arrested on Charge of Assault and Battery—He is Anxious.

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In a card published in the Post today Mr. Bonfils states that the reason for his action was the publication of articles in Mr. Patterson's newspapers, "vilifying" him and declares he will call the senator to account every time they meet if similar publications continue to be made.

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MEMBERS OF FLEET AT PLAY

Libertymen at Port of Spain Visit Races and Enjoy Them—Selves.

PORT OF SPAIN, Dec. 27.—The tender Yankee left here in advance of the American fleet for Rio Janeiro. It is conveyed by the auxiliary cruiser Panther. Five of the battleships today steamed out into the Gulf of Para to "swing ship" for the adjustment of compasses. Other vessels of the fleet will do likewise tomorrow.

The fleet will see Rio Janeiro Sunday morning. The coaling will be finished by tonight.

A fresh batch of about 2,000 libertymen came ashore this afternoon and went about the town or to the races. Many officers came ashore for the race meeting, where this is the second day. The libertymen are here to see the higher prices.

The visiting officers last night in honor of the color Hannibal left today for Penzance, whence she will reach the sunbat, Machias to New York. The collier Leonidas left today for Hampton Roads.

The Virginia and Vermont vied today in the fastest race in the fleet. The Virginia won and retained the record gained previously.

INDIANS BREAK UP IN FIGHT. National Congress at Surat Fails to Come to Understanding Over Home Rule.

SURAT, Bombay, Dec. 27.—After two days of futile efforts to elect a president the Indian national congress broke up this afternoon in a bitter fight, during which passions broke loose, and the platform from which moderation and constitutional action had been advised was rushed by the extremists in a body, who loudly demanded the speedy establishment of complete home rule. Chairs and tables were broken in the scrimmage and table legs and other pieces of shattered furniture were used by the delegates as bludgeons on each other. The fighting became fierce and many delegates sustained serious injuries before the police finally cleared the hall.

ENAMEL WARE FIRMS SUSPEND. Both Hope Eventually to Reorganize and Settle with Stockholders—Other Trouble.

BUFFALO, N. Y., Dec. 27.—A petition in voluntary bankruptcy was filed today against the Lisk Manufacturing company of Canandaigua, N. Y., and the Reed Manufacturing company of Newark, N. Y. Both companies were appointed. Receivers of the two amounts to \$1,562,215, of which \$1,475,460 is represented by paper held by banks in New York, Philadelphia, Chicago and Providence. Each have over 1,500,000 worth of manufactured goods and stock on hand.

Both companies hope eventually to reorganize and pay in full, and save the plants and business for the stockholders.

The receivers will operate the plants and the \$89 employees will not be out of work. The capital stock of the Lisk company is \$2,000,000. That of the Reed company is \$500,000, and is owned by the Lisk company.

NEW ORLEANS, Dec. 27.—On the application of William P. Luck, who represents several large manufacturing concerns, the Schwartz Foundry company was today placed in the hands of a receiver, Moses Schwartz, the president, disappeared from New Orleans at the same time as William Adler, head of the wholesale grocery firm of Adler & Co.

MUCH INTEREST IN TEST CASE. Right of Executive to Discharge Battalion of Army Challenged by Lawyers.

WASHINGTON, Dec. 27.—War department officials are much interested in the reported action of a firm of New York lawyers in bringing a test case in a federal court in New York to determine the right of the executive to discharge a battalion of the Twenty-fifth infantry as an outcome of the rioting at Brownsville, Tex. No such action has ever before been brought against the secretary of war in a United States circuit court under the Tucker act of 1857. The secretary of war has not yet been served with papers directing him to take answer in the suit filed in behalf of Private Reid of Company C, to recover \$125.26, the amount of pay which he claims from the date of the termination of his enlistment, July 15, 1907.

TELL OF COST OF TESTIMONY. Witnesses in Powers Case Relate Conversations About Payments Made Them.

GEORGETOWN, Ky., Dec. 27.—The defense rested its case in the Calley Powers trial today and the prosecution began rebuttal testimony. The defense called several witnesses for the purpose of breaking down the testimony of Neokes and Golden. Attorney W. R. Jewell of Danville, Ill., testified that Neokes made his Danville statement in the presence of himself and Attorney Max Lewis, but refused to sign it unless paid to do so.

B. L. McClure, a newspaper correspondent, testified that Wharton Golden said to him: "That damn fool (meaning Youstey) is talking too much. He won't get a cent. I had that checked."

WELLS-FARGO STEALS MARCH

Katers Pittsburgh by Trolley and Seizes Large Amount of Business Thereby.

PITTSBURGH, Pa., Dec. 27.—Local executive officers of express companies operating in Pittsburgh have been summoned to a meeting in New York next week to consider a situation growing out of the Wells-Fargo Express company gaining an entrance into Pittsburgh via a trolley line.

A long standing agreement among express companies requires that freight or packages taken in one office for delivery to another company that alone reaches the point of destination, must be delivered to the company at its nearest office.

The second company, which delivers the package to its destination in this way, usually gets the larger share of the freight charges. The Wells-Fargo company is the only transcontinental express company and an immense exchange of freight has always taken place between that company and others. Its business from Pittsburgh has been enormous and most of this has come from Adams, United States and American Express companies, which had the carrying of the freight to points along the Erie railroad, across the Pennsylvania and Baltimore & Ohio railroads, securing a liberal share of the charges for it.

The Wells-Fargo company, by contract with the Bessemer & Lake Erie railroad and the Pittsburgh & Lake Erie Electric railroad, secured entrance to bringing in the present holiday season developed that the local companies lost heavily in business because they were obliged to turn over transcontinental freight here and also all that came to Pittsburgh from the east along the Pennsylvania and Baltimore & Ohio railroads.

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SENATORS IN RACE

Both Burkett and Brown Desire to Be Delegates to National Convention.

TO GO ON THE PRIMARY TICKET