Supreme Court Rules Out Law Intended to Protect Trainmen.

DIVISION AMONG THE JUDGES Five Decide Against Statute and Four 5

for It.

It Gives Congress Too Much Power Over Local Affairs.

OPINION BY JUSTICE WHITE

He Says Under Act All Parties Engaging in Interstate Commerce Subjected All Acts to Federal Control.

WASHINGTON, D. C., Jan. 5 - That the congressional act known as the "Employers' Liability Law" is not in accordance with the constitution of the United States, because it goes beyond the bounds permitted in the regulation of interstate commerce was the conclusion reached by the supreme court of the United States in deciding two damage cases coming to the

the previsions of the law. The decision was announced by Justice White, the court standing five to four against the law. Among the men who different shades of opinion. Much interest was manifested in the result of the court's deliberations.

Points in the Decision. Following are the principal points from

Justice White's opinion: "The act then being addressed to all common carriers engaged in interstate commerce, and imposing a Hability upon them in favor of any of their employes without qualification or restriction as to the business in which the carriers or their employes may be engaged at the time of the injury, of necessity includes subjects wholly outside of the power of congress to regulate commerce. Without stopping to consider the numerous instances where: although a common carrier is engaged in interstate commerce, such carrier may, in the nature of things, transact business not interstate commerce, although such local termiale commerce. A few illustrations spoils system." showing the operation of the statute as to matters whelly independent of interstate incorporated and will further the interests tent of the power exerted by the statute. Take a railroad engaged in interstate commerce, having a purely local branch operated wholly within a state. Take again test the reserves of National banks. the same road having shops for repairs. and, it may be, for construction work, as well as a large accounting and clerical force and having. It may be, storage rievalors and warehouses, not to suggest be-

The an express company engaged in tocal as well as interstate business. Take
a trolley line moving wholly within a state
as to a large part of its business and yel
as to the remainder crossing the state line
Exceeds Powers of Congress.

"As the act thus includes many subfects, wholly beyond the power to regelate commerce and depends for its sametion upon that authority, it results that
the act is repugnant to the constitution.

Employers' liability law has been declared unconstitutional by the United
States ourt.

Page 1

Former Congressman Williamson of
a sufficiently large body of competent surgeons with military knowledge and training—not only needlessly prolongs the struggie and involves the country in expenditures
of making proper provision in advance,
but, most deplorable of all, brings anxiety
and condemns many promising youths to
unnecessary suffering and possibly to a
premature grave. the act is repugnant to the constituion and cannot be enforced unless there be merit in the propositions advanced to Linited States at war.

show that the statute may be saved. "So far as the face of the statute is concerned the argument is this, that be cause the statute says carriers engaged in commerce between the states, etc. therefore the act should be interpreted as being exclusively applicable to the interetate commerce business and none other of such carriers and that the words should be held to mean any employe, when such amploye is engaged only in SOUTHAMPTON New Yor guire us to write into the statute words of limitation and restriction not now in But if we could bring ourselves modify the statute by writing in the weep was & miles west at \$10, words suggested the result would be to reach Antwerp I a. m. Tuesday. restrict the operation of the act as to the District of Columbia and the ter

Statute is Indivisible.

our duty is to construct the statute so as to render it constitutional. But this does not imply, if the text of an act is is it, generally speaking, that where a statute contains provisions which are constitutional and others which are effect may be given to the legal provisions by separating them from the But this applies only to a case where the provisions are not insengrable and not dependent one upon the other and does not support the contention that that which is indivisible may be divided. Moreover, when a case where the legal which are Blegal, in order to save the staruta, applies only where it is plain that congress would have enacted legislation with the unconstitutional provisions eliminated. All these principles are so clearly settled as not to be open to controversy

Act is Unconstitutional

It remains only to consider the conten-tion which we have previously quoted, that the act is constitutional, although it em braces subjects not within the power of congress to regulate commerce, because one who engages in interstate commerce thereby admits all his business concerns to the regulating power of congress. To state the proposition is to refute it. assumes that because one engages to in terstate commerce he thereby endows congress with power not delegated to it by the constitution; in other words, with the right to legislate concerning matters of pure state concern. It rests on the conception that the constitution destroyed that freedom of commerce which it was its purpose to preserve, aince it treats the right to Juyage in interstate commerce as a privilege nich cannot be availed of except on such conditions as it may prescribe, even though the conditions may otherwise be beyond the power of congress. It is apparent that if the contention were well founded, it would extend the power of congress to vecty conceivable subject, however inherently lice! would obliterate all the limitations of power imposed by the constitution and would destroy the authority of the sinies on to all conceivable matters which from the bugin-

this have been and must continue to be (Centimued on Second Page.)

Tuesday, January 7, 1908, ZANTIARY~ 1908 STAY ME THE HEA THE MY MIT NOTABLE DECREASE IN RANKS

8 9 10 11 12 15 16 17 18 HOLD THAT IT IS TOO BROAD 19 20 22 28 24 25 26 27 9 30 31 -

THE For Omaha, Co. Affords and Vicinity Fair Tuesday. For Nebruska-Pair Tuesday. For lows-Pair Tuesday.



DOMESTIC. Congressman Boyd has introduced a court from the federal courts of Kentucky bill authorizing the payment to the Winand Tennessee, which were brought under nibago Indians of trust funds due them and also to permit them to sell Page 1

voted not to austain the state, there were increased and a number of problems fix the rates of pay within defined limits, needing solution. of scarcity of enlisted men and officers.

> New York and three jurors are secured and desirable that it will not be difficult provisionally. Hartie divorce suit.

bank from robbery. of the Pirst National bank of Kansas the Philippines.

sage to the house of representatives de- by 6,000 acres, to cost \$155,000, and the complayes who are selected in competitive Overton, on the north shore of Mindanae. business may indirectly be related to in- examinations free of the "taint of the to Camp Kelthley, on Lake Lango, in the The Hughes club of New York has been

mmerce will serve to make clear the ex- of the governor for the presidential nomi-Page 1

Representative John Sharp Williams as introduced in congress a bill to pro-Page 2

Standard Oil company seeks to intervene in litigation in supreme court that of the subject leads the secretary to earrebating prosecution. edde the possibility of its being engaged in letter of Admiral Brownson resigning attention having been repeatedly called letter from the efficiency of cited of burery of to it. navigation in the navy. mission of interstate and local messages. Employers' liability law has been de-

that she would like to see Japan and

BERRASKA. State Railroad commission at Lincoln

regard of railroad commission law; Pers. Arrived.

EW YORK La Gascogne K.

LVERPOOL. Baltie

Brow Head President Grant, from New York to Flymouth, Cherbourg and Ham-burg was 15 miles southwest at \$115 p.m. The Lizard-Zeeland, New York for Ant-wers was 6 miles west at \$20 p. m. will

# DRUCE PERJURY CHARGE FAILS

"Of course if it can be lawfully done. Action for Recovery of Portland Estate Will He Pushed in English Courts.

unambiguous that it may be rewritten LONDON, Jan. 6.-The perjuty charge to accomplish that purpose. Equally clear brought against Herbert Druce by his nephew, George Hallamby Druce, has colovery of the estates of the duke of Portland will be continued this afternoon, when Mr. Atheriey-Jones counsel for George Hellamby Bruce, announced that in view of the discoveries made when the coffin of Thomas C. Druce was opened and examined December 30. it will be impossible to proceed with the prosecution. The state ment was made after the presentation of evidence by Prof. Augustus, J. Pepper of were present at the examination. Herbert Druce was charged with com-

milting perjury by swearing that his father, Thomas Charles Druce of the Baker street baxaar died December 28, 1964, and that he saw the dead body placed in a offin and beried in Highgate cemetery. George Hollamby Druce declared that this must be unifue, because T. C. Druce was in fact the fifth duke of Portland, who ived until 1879. Upon this ground George Hollamby Price claimed that he himself writtelt is placed at \$5,500,000 a year

# TARIFF AGREEMENT FINISHED

Franco-American Negotiations Reach Spreasful Termination in Washington-Signatures Soon

PARIS, Jan. 6.-The government has been advised by M. Jusserand, the French ambassader at Washington, that the Franco-American tariff negotiations at Washing ton, have been successfully terminated and that the agreement probably will be signed in that city today or tomorrow.

Hiram N. Sager Reclected. CHICAGO, Jan. 6-Hiram N. Sager was re-elected provident of the Chicago Board of Trade today.

J. Proctor Knott III. Coverage and Ex-Congressman J. Propter Rhott Suffered a stroke of paralysis left night of his house laser fellowing again that the contract of the contract of

Secretary of War Makes This Recommendation to Congress.

Officers and Enlisted Men Both Needed-Thinks President Should Fix Rates of Compensation.

WASHINGTON, Jan. 8. Secretary Taft a strong advocate of increased pay for the army and his annual report, just sent congress, completely dispells any doubt that may exist as to the secretary's position. The report shows rapid decrease in the strength of the regular army in recent years (the loss last year being 4.43 men) and the pressing need for officers to replace thuse now detailed on recruiting duty or as military instructors in educational institutions. The secretary declares that while many reasons have been advanced. to explain the difficulty, a sufficient one is to be found in the inadequacy of army

"I think it quite probable," he says, "that an increase in the pay of the colleted man, including considerable additional induces ment for the men to re-enlist and such reasonable increase in the pay of noncommissioned officers as would stimulate themselves for these higher positions. would have a markedly beneficial effect upon the recruiting of the army.

Naval System Favored.

So the secretary earnestly favors the Report of Interstate Commerco com- adoption for the army of the naval system. mission shows work of hoard greatly under which the president is authorized to Page 1 as a means of obtaining a better discipline Secretary of War Taft in his report of and higher efficiency. He also recomthe military department to congress not mends the creation of a general service vises increased pay to soldiers in view corps to relieve the soldiers of the vast amount of unmilitary work they are now Page 1 called upon to perform. In his opinion, the Harry Thaw's second trial begins at military service should be so attractive Page 1 to get and held the class of men needed Supreme court of Pennsylvania refuses for the enlisted personnel, and to make take any further jurisdiction of the army service a life work, as it used to be, Page 1 by offering rewards for proficiency and Burglar slarm at Maitland, Mo., saves greater increase of pay for length of

the throwing of a bomb in the barement of the new regimental posts at Bagulo in man August Herrmann and Secretary

Page 1 The secretary also urges an enlargement President Roosevelt in a special most of Port McKinley reservation, near Manila. thres the census should be taken by em- struction of an electric railroad from Camp Page 2 center of the More country. He compares Baguio to the Adirondacks in atmosphere and climate and says that nothing could be of greater aid to the army than a post at that point, where every regiment in the island might be sent at some time during Its tour of duty in the islands.

Military Department in Need.

A profound conviction of the importance involves same question as in the Alton nestly adjure congress to give heed to the Page 2 pressing needs of the military department. President Reosevelt makes public the which it has overlooked, notwithstanding

Page 1 The secretary says:

premature grave.

Among the estimates submitted is an Page 1 item of \$6.60.000 for the construction of butteries at Manila and Subig Bay. The only comment made upon this item in the orders suits filed against Postal and report is this: "The places recommended Western Union Telegraph companies for for fertification have all been visited by collection of penalties because of dis- one or more members of the national const defense board and the suitability for Page 3 fortification sites has been carefully studied MOVEMENTS OF OCEAN STEAMSHIPS. by the board, and expenditures are being made accordingly

Estimates Largely Increased. Accompanying the report are the esti

mates for the support of the military department during the next fiscal year, the same being \$11,518,341 greater than last rear's appropriations. More than 90 per cent is for coast defense works, of which about \$35,700,000 is required for the United States and \$18,800,000 for the insular possessions. In concluding the report, Secretary Taft says:

"Il seems to me that the time has come to recognize in the same way the service of one who was not a solder but who as socretary of war, rendered heroic service in the preservation of the union and whose strong personality and intelectual force made him one of the greatest historical figures in a national crisis. Edward M. Stanton labored for the maintenance and perpetuity of this government with unperpetuity of this government with unperpetuity of the second or the strong courses and with a vigor that perpetuity of this government with un-failtering courage and with a vigor that thew no abatement. I recommend that congress make adequate provision for the erection of a statue to Secretary Stanton in this city of Washington, where his great work was done and where his remains are buried.

### SPECIALIST FOR SCHOOLS Eye and Throat Doctor to Be Recommended by Health Commissioner.

City Health Commissioner Connell with ommend to the Board of Education at its meeting tonight that an eye and throat specialist be appointed to examine all children in the public schools with a view to detecting all incipient diseases or abnormalities in the children. These abnormali tics are to be reported to the purents and school authorities and steps taken to have

He will also recommend the employmen of a physician to devote all his time to was the rightful heir of the Portland examining the pupils of the high and other schools to discover infectuous and centagious and skin diseases and having those corrected in their incipiency.

Dr. Connell will recommend also that the card call a special meeting and invite a imber of physicians to be present and give their views on this proposed action.

### BRIEF SESSION OF CONGRESS Both Senate and House Adjourn Out of Respect to Late Scan-

ter Mallery

WASHINGTON, Jan. 6.-The senate was session only four minutes today, adjourning upon the adoption of resolutions n respect to the death of the late Senator

Maltory of Florida. With its organisation completed the today. Almost the full quorum of representatives was present. The galleries were

## President Roosevelt in Special Message to House Condemna Censes Appointments.

WASHINGTON, Jan. 6 - In a message to the house of representatives today President Roosevelt urged that in preparing for RESTS ENTIRELY WITH RAILROADS the work of taking the next census, the four thousand or more additional employes needed be appointed only after competitive examination under the rules of civil service commission and strongly denounced the "patrenage system" of making the appointments, earing that the civil service commission was fully capable of securing a most efficient force.

The non-competitive examinations used for the last two censuses, the president checks upon patronage appointments. "They prevent," he said. "The most in-

political appointments." The president said it is idle to say that requirements."

such examinations are fair, "for the untry them."

The president declared that the great majority of the cierical employes of the last two censuses were far below the avmen to remain in the service and to qualify erage ability, and that statistics show that only about 50 per cent of the applicants who were employed in the last two consuses were able to pass the competitive examinations under the civil service rules. "The taint of the spoils system." he said. will not merely hamper and delay the economical and efficient taking of the censue, but will impair the belief of the publie in its honesty."

### Little Likelihood Anything Will Be Accomplished Toward This End at Meeting.

CINCINNATI, Jan. 6.-More interest was shown in the proposed conference Between the representatives of the miner leagues and the National base ball commission than the other business of the annual meeting before the base ball leaders came to-No known motive has been found for The secretary has decided to create one gether today. The certainty that Chair-John E. Brush will be re-elected without contest and the knowledge that there is little routine business to be disposed of naturally turned attention to the minor leaguers. Changes in classification for the ment in transportation conditions that the American association and the Eastern league and the proposition to give the minor league a representative on the national ommission were much discussed, but no formal actions have been taken by the fundemental justice, the quickened sense minor representatives prior to the meeting. It was not believed that any attempt would be made by the miners to force recognition of either point, nor did there advantage is morally, as well as legally,

> ences over other matters. had been announced, but it is believed the poses for which the law was enacted." requirement.

# THAW'S SECOND TRIAL BEGINS against the defendant carriers, in forty- after the operation had been performed, Entered by His Attorneys In Court.

of Harry K. Thew was begun today before road carried the order into the United and at the very dutset of the proceedings the courts, is complying with the order of a plea of insanity at the time of the killing the commission. of Stanford White was entered in behalf of

lose of the morning session.

None of the jurors will be sworn until federal authority." the box is filled, however, and all will be | Concerning the advance in rates which subjected to pre-emptory challenge until "rests entirely, with the railway," under resumed today at the plant of the Nation- patent to his lands under the provisions of the joint cath is administered. This ar- the law, the commission suggests that al Rubber company, after a shut-down of that treaty. rangement is a departure from last year, when such advance is attached to a normal one month. More than 1,500 operatives when each juror was sworn as chosen.

Neither District Attorney Jerome nor thorsty by legislation to suspend the operounsel for the defense would hazard an ation of the advanced rate until the matestimate today as to the time that will be ter shall have been heard and determined required to find twelve satisfactory men, finally, Eighty-six of the one hundred talesmen | Respecting the important subjects of con- ers silk mill, and the Northampton Cutmmoned were present this morning. Mrs. Evelyn Thaw was pursued by mission says the whole problem 'may be

# New York Keepers of Buildings Will Ask Legislation for a License Law.

NEW YORK, Jan. 5 - Janitors of New York, all a meeting held last night, unanimously decided to advocate the passage by the logislature of a bill licensing janitors and preventing the employment as lamitors of anyone not furnished with a license. Examinations are to be required and no one may receive a license who most earnest thought and effort of all cannot show a good knowledge of sinitation, conduct in case of fire and other things which every good jantter should people know. A committee will attempt to secure passage of the law. More than 700 creased enormously in the last year. Durmen and women junitors attended the ing the year 2% hearings were held in va- along the line of the public range question.

### LITTLE EGYPT TURNS ON GAS Gotham Danseuse Found Bead in Her Apartments, Having Breathed the Fumes.

NEW YORK, Jan 6-Catherine Devine, known as "Little Egyps" the dancer, who was found dead in her apartment yesterday, died from gas asphyziation, according to a report submitted to the coroner today by a physician who performed an autopsy Several marks on the body had caused the proper to believe she had been a victimof foul play. The autopey, however, dislosed that the marks were due to post mortem tissue changes.

# YOUNG WOMAN BADLY BURNED Daughter of Secretary to Wisconsin

Governor Patally Injured by Plames of Furnace. VIROQUA. Wis., Jan. 6-Miss Helen Munson, aged II. a daughter of Colonel O. G. Munson, private secretary to Governor Davidson, state senator, and one of the nouse of representatives reconvened at noon best known public officials in Wisconsin. soday. Almost the full quorum of repre- was fatally burned while starting a fire unusually well filled. After a half hour's The lower part of the girl's body was session the house adjourned until tomos- burned to a blister. Mrs. Munson was

Interstate Commerce Commission Makes Annual Report.

Number of Accidents and Loss of Life Matter for Action-Complaints Being Filed in Large

Numbers.

WASHINGTON, Jan. 4-More signifiother statement in the twenty-first anin selecting the employee at Washington must report of the Interstate Commerce commission, which was transmitted today said, served only "as a cloak to hide the to congress, is that relating to the attinakedness of the speils system." Such tude of railway officials toward the new examinations, he declared, were useless as rathroad law. In a discussion of the operation of the act, the commission says: "Hy rallway managers almost without competent from being appointed, but they exception the amended law has been acdo not secure the appointment of the most cepted in good faith, and they exhibit for competent and they afford no check upon the most part a sincere and carnest disposition to conform their methods to its

The commission adds that it was not fairness and favoritism come in the choos- expected that reforms could be brought ing of the men who shall be allowed to about without difficulty or delay, "but it is unquestionably the fact that great progress has been made and that further improvement is clearly assured. To a gratifying extent there has been readjustment of rates and correction of abuses by the carriers themselves. Methods and usages of one sort and another which operated to individual advantage have coluntarily changed and it is not too much to say that there is now a freedom from fortidden discriminations which is actual and general to a degree never before approached. As this process goes O'BRIEN WILL ASK FRANCHISE the law will become more and more apparent."

> Construction of New Law. The amended act has been in force

little more than sixteen months and the commission points out that a considerable part of its time during the last year has been occupied in giving administrative con struction to various provisions of the law for the guidance of both shippers and carriers. An incidental respect in which equality of treatment has been promoted is in such matters as switching, terminal demurrage, reconsignment, elevation and other charges making up the aggregate cost of transportation. Respecting these matters, the report says: "It is this general and marked improve-

commission observes with special gratification. The amended law with its enforceable remedies, the wider recognition of the of public obligation on the part of railway managers, the clearer perception of shippers of all classes that any individual seem to be any prespect of serious differ. Indefensible, and the augumented influence of the commission resulting from its in-That President O'Brien of the American creased authority have all combined to association would ask that his organization materially diminish offensive practices of commission has no authority in the mat- Since the new rate law became effective National and American leagues is the one 1967, the commission rendered decisions in 105 contested cases under the act. In was performed. NEW YORK, Jan. 6.-The second trial Delaware. Luckawanna & Wectern rall- officials of the county.

# Advances in Rates

the defendant. Last year the case was Two important subjects are discussed at fought out on a straight plea of not guilty, length in the report, the one being the but temporary insanity finally was relied matter of advances in rates, "which the commission is wholly unable to prevent

complaint, the commission is given au-

gosled traffic and car shortage, the com- lery company resumed operations. escorted in and out of the court house of the carriers have not kept pace with One eminent railroad president has esti-JANITORS FORM ORGANIZATION mated that during the period from 1805 to 1966 the traffic offered for carriage in the United States increased lie per cent, while during the same period the instrumentalities for handling this traffic increased only 30 per cent.

nadequacy of transportation facilities is tile less than alarming; that its continua tion may place an aribtrary limit upon the future productivity of the land, and that the solution of the difficult financial and physical problems involved is worthy the who believe in the full development of our country and the largest opportunity for its

The work of the commission has inrious parts of the country, against 72 in testimony were taken.

per cent. The hearings consumed the time of the commission of special examiners from two hours to eighteen days, and several of the hearings consumed little short of a week each. In the course of for dynamiting the First National bank the year the commission received 4.382 in- building, in the basement of which an formal complaints, an increase of over 400 explosion occurred Saturday noon, had been per cent over the previous year. Repara- found up to this morning. The matter in 561 cases, the aggregate amount of the experts still insist that the explosion reclaims being \$104.700. The increase in the suited from some high explosive being correspondence of the commission during off, while others incline to the belief that the year was about 250 per cent. Under an act of congress, the commis-

sion has awarded eight bronze medals of honor to persons who, at grave peril to themselves, saved, or attempted to save, of the injured is in a serious condition. lives on the lines of interstate carriers.

### BURGLAR ALARM SAVES BANK Franccessful Attempt Made to Rob Farmers' Institution at

Maitland, Mo. in the furnace at her home here yesterday, that an unsuccessful attempt was made family, which has owned and conducted to early this morning to rob the Farmers'

# LIABILITY ACT VOID SUMMARY OF THE BEE TAFT FOR BETTER ARMY PAY "TAINT OF SPOILS SYSTEM" RATE INCREASE IS PROBLEM OMAHA WOMAN SEEKS FATHER

TANKTON, Jan. & (Special) Search is

South Dakota Officials Requested to Locate Albert P. Sanders in that State.

ing made here, on request from Omaha or some clue to the whereabouts of Cap tain Albert Powell Sandon, an old pio-neer of this section, and who has a daughter, Mrs. Virginia Heenan, of Omaha who has not seen him since 1874. Born in Virginia, Sanders went to California 1638, and on the outbreak of the Civil War enlisted with a California regiment of cavairy. He served through the war and late went to Omalm, where from 1869 to 1875 he cant and important, perhaps, than any was captain of police. He then went with twelve prospectors into the Black Hills. He discovered the Virginia mine, now part of the Homestake property, sold out, and on his return journey, was robbed by number of white men, dressed as Indians This was the last his family heard of Captain Sanders until recently, when an old friend reported to the daughter in Omaha that he had seen Sanders in Yankton. So far no clue to the man has turned up and if he lives here be is evidently living under an assumed name for some reason. now 14 years of age. The letter of inquirs unfolded quite a bit of history of the early days of this country, when mines that la-ter were discovered to be worth millions were sold for a mere song and often then the seller pever was allowed to reach civilization with his money.

# JUG OF WHISKY CAUSES ROW Five Members of Family of Adam Schneffer Injured at Des

Moines. DES MOINES, Jan. 6.-Five members of the family of Adam Schaeffer are injured. two perhaps fatally, as a result of the the secretary of the interior is authorized on, as special privileges disappear and overturning of a milk pall Sunday even- to pay the per capita which would be due favoritism ceases to be even suspected, the ing. Also Schneffer drove a now behind ndirect, but not less certain, benefits of a cow being milked by his brother Levi. The cow kicked. The trouble started. The injured:

> Adam Schaeffer, htp dislocated; may Alec, stabbed in neck within one-quarter

inch of jugular vein; also cut on mouth and forehead; may die. Levi, bruised over back and hips with ub and out over eye; will live

James, stabbed with pecket knife in left

Mrs. Schaeffer, hands and arms cut. Neighbors stopped the row and summoned physiciana. The Schaeffer family is said to be peaceful usually, but Saturday night Levi and phans without natural guardians. Alec brought home a jug of whisky, spend-

side; left albow shattered.

### ing Sunday drinking. WORKMAN VICTIM OF ASSAULT Employe in Mogul Mine Mill at allenation. This third section protects Pluma Dies fram Fracture

of Skull. LEAD, S. D., Jan. 6 - (Special Telegram.) On New Year's evening Harley Shepperd, one of the workmen in the Mogul secretary of the interior, but the approval of the secretary operates as a removal of found by another employe of the company in an unconscious condition in the mili be permitted to place a team in Chicago every sort and to signally promote the purcaught in the belting and thrown against

ter and will simply be able to explain the on August 6, 1986, the commission has An examination disclosed that he sufsteps necessary for accomplish that purgranted relief in the form of corrective fered from a fractured skull. For two days
several interests pose. The unanimous consent of both the orders in many cases. Up to Nevember 4, he remained uncenscious, and then an oper-

forty-five of these cases orders were made. He did not regain consciousness even

### Justice Dewling in the state supreme court. States courts, but, pending a decision by OPERATORS RETURN TO WORK rights and the unfortunate conductor went Eastern Mills Resume and Many Men Who Were Laid off are Back.

PITTSBURG, Pa., Jan. 5 - According to One juror. Charles E. Gremmels, a ship and the other, dreadful destruction of life the Republic Iron and Steel company and duced a bill directing the secretary : proker, was accepted by both sides at the in railway accidents, "which are not now the Youngstown Tube company at Youngs- interior to issue a patent to any Sartee In the subject of official investigation under town, Ohio, resumed operations today, giv- dian to whom lands were assigned under

ing employment to 8,000 men. BRISTOL, R. L. Jan. Coperations were 1807, who has not heretofore obtained a

were given work. NORTHAMPTON, Mass. Jan. 5 .- More than 300 mill operatives who have been Henry J. Kimbail of Norfolk and Samuel out of work since Christmas, returned to their work today when the Belding Broth-

# Vice President of Union Pacific Will Attend Big Meeting at Laramic.

LARAMIE, wyo. Jan. 6-(Special :- It is Union Papific will attend the fourth annual meeting of the Wyoming Wool Growers' association, which is to meet here Jan- g. D., with his wife and two children, ar uary 10 and 11. Mr. Mohler is expected to rived in Washington today and is atopping read a paper. It is expected by Vice Presi- at the Ebbitt House. dent Bell of the association that some of be present. That the meeting will be a sity of Nebraska, to supply the departmen of the government and take radical steps, the United States navy.

### 1996, and at the hearings \$8,000 felies of NO MOTIVE FOR CRIME FOUND This indicates an increase of about 250 Officers at Kansas City at Loss to Locate Cause for Placing Bomb in Bank.

KANSAS CITY, Mo., Jan. 6.-No motive tion was awarded informally to shippers may always remain a mystery. Several it was from natural causes, probably accumulated gas. No arrests have been made and the police are without any definite cine upon which to work. None

### PEARSON CONTROLS THE TIMES London Newspaper Goes Into New Hands After Hundred Years in One Family.

ST. JOSEPH, Mo., Jan. 6-A special to LONDON, Jan. 6-The Lundon Times has for three generations, ever since it was session the house adjourned until toppose burned to a blister. Mrs. Munson was bank The burned to a blister. Mrs. Munson was bank The burned to a blister. Mrs. Munson was bank to bank and of the two journalists against of the painfully burned while trying to extinguish and two sees the bank and of the two journalists against of the products of Ireland, having been shought over deposits to show their week.

# INDIAN LAND

Bill Introduced for the Winnebagoes by Congressman Boyd.

ENABLES THEM TO GIVE TITLE

Now on Statute Books. TRUST FUND TO BE DISTRIBUTED

Measure Removes Most of Restrictions

Same Congressman Also Has Bill to Perfect Title of Santee Indians,

OLD SURVEYS PROVE FAULTY

Land Much of it of Such a Character Indians Have Not Made the Improvements Required by Present Law.

(From a Staff Correspondent.) WASHINGTON, Jan. 6.-(Special Telegram. - Representative Boyd today introduced a bill to authorize the payment of the funds due the Winnebago telbe of Indians and to enable them to sell and convey their allotted tands to Nebreska nder this bill the secretary of the treasury is directed to place to the credit of the Winnebago Indians \$852.00, being the balance of the unappropriated amounts due the tribe under the treaty of November 1, 1837, and the act of July 15, 1876, and the members of this tribe as provided by

the act passed April D. 1804. The bill further provides that any allotted land to a Winnebago Indian in Nebraska or any inherited interest therein for which a trust patent has been issued may be sold on such terms and conditions and under such regulations as the secretary of the interior may prescribe on petition of allottee or beirs. The lands of any minor or other persons laboring under a legal disability for which a trust patent has been tasued may also be sold in the same number, but only on petition of the natural guardian as to infants, and on petition of an officer designated for the purpose by the secretary of the interior for persons laboring under legal disability and or-

Other Lands to Be Sold. The third section of Judge Boyd's bill provides for the sale of alletted or inherited lands for which patent in fee has been issued but containing restrictions upon miner belrs or persons laboring under legal disability, though a guardian duly appointed by the proper court and upon petition filed by such guardian and conveyances are made subject to approval of the of the secretary operates as a removal of restriction in the patent as far as the land conveyed in concerned, and the deed ap-The proceeds derived from these sales under the bill as introduced by Congressman Boyd are to be used for the benefits

of the allottees or heirs disposing of their Patents for the Santees. Under the treaty of 1868 hearly 35,000 acres of land were located as homesteads for the Santee Indians in Nebraska. The law five the complaints were dismissed, and in and this morning died from the effects provided that they should receive agriculof Insunity at Time of Crime the remaining fifteen no orders were made, of his injuries. It is now believed that he tural lands and conditional patents, after In every instance, except one, the orders was not the victim of an accident, but of an they had made improvements to the of the commission were complied with assault by some enemy, and an investiga- amount of \$300. In many cases the allotpromptly. In the exceptional case, the tion is being made on that theory by the ments made these Indians turned out to be non-agricultural tand and naturally the Indians took little or no interest in their on from time to time without being remedied. As a survey of the reservation under which the original allotments were made has proved faulty and as other objections have arisen to the passage of title in fee either to the Indians or those hold information received here the plants of ing under them Judge Boyd today arrothe provisions of the treaty of April 26

> Judge Boyd today introduced a privat pension bills for Peter Storm of Genou

Beckiey of Creighton. Postmasters appointed; Nebraska, Kwanda. Denel county. John W. Smith, vice A. G. Pickering, resigned; Lomaz, Chater ounty, Carleton B. Crisman, vice G. A. crowde as curious as ever, and had to be said to be due to the fact that the facilities MOHLER WITH WOOL GROWERS Brown, resigned. Iowa, Bentley, Pottawattomie county. Chester A. Muit, vice, Andrew Anderson, resigned. Rural carriers appointed: Nebraska, An

sley, route I. Allen M. Hyatt, carrier; Jo. seph C. Hyait, substitute: Pference, route Harry F. Dodds, carrier; Louise O. new practically certain that General Man- Dodds, substitute. South Dakota, Carthager and Nice President Mobiler of the age, route 1. Edward L. Mack, carrier; Lewis Vercoe, substitute. Congressman Philo Hall of Brookings

The secretary of the navy, through Sen the higher officials of the Rock Island and after Burkett, has requested Professor Ed-Burlington and Northwestern lines will also win Maxey of College of the Law, Univerlively one is indicated by resolutions to be with a copy of his new work on internation presented by the Albany county delegation, at law, that the department may determine which condemn the Pinchot ferest policy its desirability for use in the libraries of

Representative Pollard today introduced bill to grant a pension of \$50 per month William B. Swisher of Lincoln, Neb. He also laid before the Bouse a petition of Omaha Central Labor Union, advocating the passage of a parcels post bill.

### HARTJE MEETS WITH REBUFF Pennsylvania Supreme Court Refuses to Listen to Appeal in Divorce Action.

PHILADELPHIA, Jan. 6-The Pennsylvania supreme court today refused to permit an appeal to be taken to that tribunal from the superior court in the famous Hartie divorce case. Augustus Hartje was refused a divorce from his wife by the Pittsburg courts and the decision was affirmed by the superior court. The higher court in the state having refused to hear the case it is said Mr. Hartje may take his case to the United States supreme

NEW YORK, Jan. 6-The Irish Fair for which great preparations have been made, will open at Madison Square Garthe News-Press from Maitland. Mo. says passed from the control of the Wolter den tomorrow and will continue for three weeks. The Garden has been decorated and there are over 800 exhibits, a large