

THE OMAHA DAILY BEE

LANDS AT AUCION

Bill to Dispose of Some Odd Franklin County, Nebraska.

COME FROM INCORRECT SURVY.

Settlers Had Supposed for Years They Had Title to Them.

INDIANS ASK AN ACCOUNTING

Northern Arapahoes of Opinion They Have Been Shortchanged.

NO TRUE SURVEY OF SALT CREEK

Agricultural Department Waiting to Furnish Expert, But People Benefited Must Pay Part of the Expense.

(From a Staff Correspondent.)

WASHINGTON, Feb. 10.—(Special Telegram.)—The house committee on public lands today made a favorable report on Congressman Norris' bill to authorize the sale of certain lands in Frontier county, Nebraska, titles to which by survey have been found to still rest with the United States. The surveyors disclosed the fact that some 400 acres of land still remained as the public domain, though for many years under the original survey having passed to settlers and been occupied and cultivated by these homesteaders. The Norris bill authorizes the secretary of the interior to sell under sealed bids or at public auction, at his discretion, for cash, any or all vacant public lands in township eight, north, range thirty, west of the sixth principal meridian, which are embraced within fractional subdivisions which resulted from disconnected surveys.

It is further provided by the Norris bill that a sum of money equal to the net proceeds of the sales shall be pro-rated among the persons who acquired title to the lands in sections six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, in township eight, north, range thirty-nine, in proportion to the loss in area severally sustained by such persons.

Indians Want An Accounting.

The secretary of the treasury today transmitted to congress a letter of the secretary of the interior, asking an appropriation of \$150,000 for the employment of an expert accountant to figure out the account of the Northern Arapahoe Indians. It appears in explanation of this request that the Northern Cheyenne Indians of the Tongue river agency, Montana and Northern Arapahoe Indians of Shoshone agency, Wyoming, although separate and distinct tribes, made a joint treaty with the United States in 1868, which was supplemented by another treaty in 1876 an annual appropriations in fulfillment thereof have always been made for the two tribes jointly.

The Northern Arapahoe, believing they have not been receiving their full pro- portion of benefits asked, asked that the question be looked into.

People Must Pay Part.

Senator Burkett is in receipt of a letter from Secretary Wilson, relating to the drainage of Salt creek valley. The financial co-operation of local people in making surveys and plans of drainage is necessary to work out the main problems relative to the development of a most economical and effective plan for drainage of the agricultural lands of the valley. Secretary Wilson in his letter to Senator Burkett states that his office gives response to the people of the Salt river valley on the ground that by doing so an efficient plan may be made that the various interests concerned will unite and get together on the work. It is thought that the contribution of a small part of the property holders who are interested in the proposed improvement. The sum to be used for local labor is necessary for the prosecution of the field work and then Secretary Wilson suggests that a complete investigation and report, while costing the office a greater sum than names in the estimate will be compensated for in a definite contribution of \$500 from local interests.

Minor Matters at Capital.

Representative Pollard today named Alexander Magurn as alternate to take the examination for admission to the naval academy, Magurn is at present employed by the Lincoln Star as office boy.

Lieutenant G. F. Neal has been detached in charge of the navy recruiting station, Omaha, and will wait orders.

Lieutenant P. B. Dungan is assigned to duty in charge of the navy recruiting station, Omaha, March 1.

Rural routes ordered established May 1: Nebraska, Oconto, Custer county, route 1, serving eighty-seven families; Trenton, Hitchcock county, routes 1 and 2, serving 123 families; South Dakota, Owanke, Pennington county, route 1, serving 110 families.

Rural carriers appointed: Iowa, Titonka, route 2, Lewis C. Heifner, carrier; Roy Hedlung, substitute, South Dakota, Avon, route 2, George W. Simpson, carrier; Fred H. King, substitute.

Postmasters appointed: Nebraska, Lemax, Custer county, Benjamin T. Blackburn, vice C. B. Crisman, resigned; South Dakota, Ferny, Brown county, Margaret F. Doyen, vice C. K. Kaper, resigned.

WOMAN AGENT MAKES ARREST

Miss Mary McCarty Captures Man She Accuses of Robbing Ticket Office at Sturges, Mo.

CHILLICOTHE, Mo., Feb. 10.—Miss Mary McCarty, agent for the Chicago, Milwaukee & St. Paul railroad at Sturges, northeast of here, today captured, single-handed, a man whom she accuses of having robbed her ticket office last night, when several tickets were stolen. When a man appeared at the ticket window today with one of the stolen tickets, Miss McCarty demanded all of them. The man attempted to leave, but she covered him with a revolver and held him prisoner until the arrival of the sheriff.

GIRL FOUND WITH THROAT CUT

Eighteen-Year-Old Belle Believed Murdered, Eye of Wedding.

PITTSBURG, Pa., Feb. 10.—Within a few hours of the date set for her wedding, Emily Martoroff, 18 years old, the belle of the Russian-Greek colony of Duquesne, a suburb, was found with her throat cut, in the cellar of her home. She died without having regained consciousness. The authorities believe the girl was murdered.

SUMMARY OF THE BEE

Thursday February 11, 1909.

1909 FEBRUARY 1909

| | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|
| SUN | MON | TUE | WED | THU | FRI | SAT |
| 1 | 2 | 3 | 4 | 5 | 6 | |
| 8 | 9 | 10 | 11 | 12 | 13 | |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | | | | | | |

THE WEATHER.

FOR OMAHA, COUNCIL BLUFFS AND VICINITY.—Fair Thursday; slowly rising temperature.

FOR NEBRASKA.—Fair Thursday; slowly rising temperature.

FOR IOWA.—Fair Thursday; rising temperature.

Temperature at Omaha yesterday:

| Hour | Deg. |
|----------|------|
| 5 a. m. | 7 |
| 6 a. m. | 7 |
| 7 a. m. | 7 |
| 8 a. m. | 8 |
| 9 a. m. | 8 |
| 10 a. m. | 9 |
| 11 a. m. | 11 |
| 12 m. | 14 |
| 1 p. m. | 15 |
| 2 p. m. | 16 |
| 3 p. m. | 17 |
| 4 p. m. | 18 |
| 5 p. m. | 19 |
| 6 p. m. | 19 |
| 7 p. m. | 19 |
| 8 p. m. | 19 |
| 9 p. m. | 19 |
| 10 p. m. | 19 |
| 11 p. m. | 19 |
| 12 m. | 19 |

NEBRASKA.

Herman Taylor, a prominent stockman living near Plainview, froze to death in the storm of Tuesday.

Cheyenne county ranchman proposes to make a creek furnish power for lighting plant and to drive machinery on the ranch.

C. E. Benson of Omaha drops dead in the depot at Kearney while waiting for a train to Omaha.

WASHINGTON.

Bill for sale at auction of lands in Frontier county, which resurvey showed better title to the public domain.

Legal questions as to whether Philander C. Knox is eligible for cabinet position have created interest at Washington.

DOMESTIC.

President Roosevelt gives it out to Nevada senator that negotiations now on with Japan will solve race question in coast states.

New Orleans is preparing to give a royal welcome to Judge Taft this afternoon when he arrives from Panama.

Formal ratification of the election of Taft and Sherman was made in joint session at Washington.

LOCAL.

Many commands stationed in the Department of the Missouri destined for the front.

Hartman's plan to have the best possible system of railroads.

Jur ysecurd to try the Goodell murder case.

C. E. Benson, Omaha real estate man, dies in the depot at Kearney while waiting for a train to Omaha.

Charles Ball of Chicago elected president of the plumbers' organization.

LEGISLATIVE.

Appropriations in eight the largest in the history of the state and passage another state debt in place of legacy of last democratic rule which is just wiped out.

Dramatic debate in which Clark supports liar to Taylor takes place when Slink railroad bill comes up in the house.

COMMERCIAL AND INDUSTRIAL.

Live stock markets.

Grain markets.

Stocks and bonds.

MOVEMENTS OF OCEAN STEAMSHIPS.

| Port. | Arrived. | Sailed. |
|------------|-------------|-------------|
| NEW YORK | Hellig Old. | Calabria. |
| LONDON | Columbia. | |
| GLASGOW | Edna. | |
| MANCHESTER | Nundian. | |
| BREMEN | W. W. G. G. | W. W. G. G. |
| FALERMIO | Cecilia. | |
| SIBERIAN | Frederic. | |
| HALIFAX | Frederic. | |

DR. A. D. MCGREW IS DEAD

Pioneer Physician of Geneva, Brother of Omaha Banker, Dies at Advanced Age.

Dr. A. G. McGrew of Geneva, brother of Charles F. McGrew, vice president of the Omaha National bank, died Wednesday morning at his home at the age of 72 years. Pneumonia, resulting from a cold contracted at Chicago in December, where he attended the national convention of railway surgeons, was the cause of death.

Dr. McGrew was graduated in 1861 from the Rush Medical college in Chicago and had practiced medicine and surgery for over forty years. He located in Geneva about twenty years ago. His widow, five children and two brothers survive him.

The children are Mrs. W. E. Chapin of Lincoln, Dr. F. A. McGrew of LaPorte, Ind.; P. M. McGrew of Callaway and the Misses Virginia and Marion McGrew, who live in the old home at Geneva. Charles F. McGrew of Omaha and J. B. McGrew, a banker of Bloomington are the surviving brothers. Charles F. McGrew returned a week ago from Geneva, where he had been to see his brother, but it was believed then that the doctor was better.

The funeral will be held tomorrow at Geneva.

COLLISION RUMORS DOUBTED

Navy Department Receives No Confirmation to Report of Accident to Georgia.

WASHINGTON, Feb. 10.—The Navy department has received no advice tending to indicate a collision between the battleship Georgia and another battleship of the Atlantic fleet. There have been rumors abroad of such a mishap, but official dispatches fail to confirm the rumor.

GIBRALTAR, Feb. 10.—Reports that the Georgia was in collision with another battleship of the American Atlantic fleet while enroute to America which has been circulated here are not confirmed. The reports were originally published by Spanish newspapers.

LEAPS FROM HIGH BUILDING

Deaver Woman Attempts Sensational Suicide in Heart of Business District.

DENVER, Colo., Feb. 10.—In an effort to destroy herself, Miss Violet Brierly, aged 28, step daughter of R. A. Powell, leaped from a window on the sixth floor of the Mining Exchange building in the business district today, landing on the stone pavement below. The girl was picked up unconscious but still breathing. In the pocket of Miss Brierly's coat was found a note directing that communication should be had with "C. M. W., a civil engineer" in case of her death. It is thought the girl cannot live.

CLEARING WAY FOR MR. KNOX

Bill to Repeal Part of Act Increasing Pay of Secretary of State.

TO DISPOSE OF TECHNICALITY

Point is Made That Raise in Salaries Bars Senators and Representatives From Accepting Places in Cabinet.

WASHINGTON, Feb. 10.—Just before the senate adjourned today Senator Hale introduced a bill repealing the portion of the act of 1907 which increases the salary of the secretary of state.

WASHINGTON, Feb. 10.—Is Senator Knox eligible for appointment as secretary of state in the incoming administration, or must the president-elect, when he again touches American soil tomorrow, find himself confronted with the pressing and disagreeable necessity of selecting a new premier for his cabinet?

This was the question that all official Washington was confronted with this morning. It was true that the first suggestion of the possible constitutional obstacle to the appointment of Senator Knox as secretary of state was broached yesterday, but it was so late at night that no one had an opportunity to lay hands upon the legal authorities which might serve as a basis for an answer to the question. Consequently today there was much conning of constitutions, statute books, supreme court decisions, opinions of controllers of the treasury and other usual sources of such information.

The facts in the case are perfectly plain. There is no dispute about them. Senator Knox was last elected for a six-year term, which will not expire until March 2, 1911. The constitution prohibits the appointment of a senator to an office created, or the salary of which has been increased during the term for which he was elected.

Knox Consults Attorneys.

So the question is, whether under this uncontrovertible state of affairs, Senator Knox can lawfully succeed Robert Bacon as secretary of state on March 4. It is quite evident that the senator himself is a good deal perturbed by the springing of this question at this moment. He had denied himself to all callers, but is advising with his personal friends, especially those of a legal turn of mind, and without doubt he will have a message on the wires before President-elect Taft arrives at New Orleans containing his own conclusions regarding his eligibility to the office of secretary of state.

Before the day is over there will also be deliveries from legal lights of more or less importance in Washington, so that the question should not long remain unanswered. Meanwhile a lay opinion, entitled to some consideration, is to the effect that President-elect Taft can find a way to make Philander C. Knox secretary of state without severely straining the United States constitution.

MacVeagh for Treasury Portfolio.

CHICAGO, Feb. 10.—As George M. Reynolds is out of the field for the position of the secretary of the treasury of the United States, the name of Franklin MacVeagh of this city will probably be presented to President-elect Taft.

Mr. MacVeagh is a brother of Wayne MacVeagh of Pennsylvania. He is a prominent merchant of this city, but has taken an active interest in politics for many years.

Mr. MacVeagh expressed surprise when told that a move was afoot to place him in the Taft cabinet.

"It's new to me; really, I never heard of it before," said he.

Despite official denials, the presence here of Chairman Hitchcock of the republican national committee, is believed to be in connection with the filling of the secretaryship of the treasury.

Mr. Hitchcock has been here several days, and accompanied by Fred W. Upham, assistant treasurer of the republican national committee, he will leave for New Orleans tomorrow.

Mr. Upham said he believed the position would be given to a Chicagoan, but he was reticent when Mr. MacVeagh's name was mentioned. He hinted that Charles G. Dawes, former comptroller of the currency might be considered in the matter, but the United States secretary stated that the suggestion of Mr. Dawes which might be going on was without the encouragement of the latter.

PROCEEDINGS OF THE HOUSE

Agricultural Bill is Discussed and Several Minor Bills Passed.

WASHINGTON, Feb. 10.—The ever interesting ceremony of counting the electoral vote was performed today by the senate and house of representatives in joint session. William H. Taft of Ohio was officially declared elected president and James S. Sherman of New York vice president, who the count disclosing 221 electoral votes for the republican candidates as against 162 for Bryan and Kern.

Following the refusal of unanimous consent for the consideration of a resolution appropriating \$100,000 for a Lincoln memorial in Washington, the house considered several bills of minor importance, consideration of the agricultural appropriation bill was resumed. The effort of Mr. Lever and his followers to abolish the board of trustees of the Department of Agriculture failed.

The bill was pending when the house, at 5:07 p. m., adjourned.

NAVEL BILL IS BEFORE SENATE

Carries \$1,055,425 More Than When Introduced.

WASHINGTON, Feb. 10.—Senator Hale, chairman of the committee on naval affairs, today reported to the senate the bill making appropriations for the support of the navy. It carries \$136,225,190, an increase of \$1,055,425 over the amount carried by the bill as it was passed by the house.

No change was made in the item provided for the construction of two 26,000-ton battleships. The senate committee provided that no part of the appropriation for the marine corps may be expended unless the corps is continued in service as heretofore, on battleships, cruisers, and other naval vessels.

CORK LEG SUCCEEDS WEAPON

Dependent Ohio Engineer Strangles Himself With Strap From Artificial Limb.

COLUMBUS, O., Feb. 10.—By means of a strap attached to an artificial limb, Cornelius Cummins, aged 68, for years a member of the American Atlantic fleet while enroute to America which has been circulated here are not confirmed. The reports were originally published by Spanish newspapers.

SEDITION CHARGES IN MEXICO

Several Partisans in Jail for Sympathy with Anti-Federal Movement of Leyva.

MEXICO CITY, Feb. 10.—Following the riots in the state of Morelos, where several men were killed and injured, the Mexican government has made a number of arrests, all followers of Patricio Leyva, the anti-federalist candidate for governor of the state. Leyva has been dismissed from his government position, inspector of the Irrigation Department. Tomorrow morning a number of his followers have been charged with sedition. The president and secretary of the Free Suffrage club at Juquila and the president and vice president of a similar club at Elaquiltepec have been put in jail on this charge. Many others have been arrested in different parts of the state, including a number of women. Some of these latter, it is said, merely shouted "Viva Leyva."

The Mexican Herald is outspoken in the declaration of the sentiment that a majority of the people of the state favor Leyva. "To understand the situation," the Herald says, "it is necessary to show the history of Mexico and the suffering of the people at the hands of the Spanish landlords. This condition is more in evidence in Morelos than almost any other state, and Leyva represents the people aligned against this rule."

CHARGES IN HOSPITAL CASE

Attorneys for Perko Assert His Witnesses Have Been Tampered With.

SHERIDAN, Wyo., Feb. 10.—(Special Telegram.)—Charges were made in district court here this morning that witnesses for Mesko Perko, who is suing the Lane-Bradbury hospital of Cody for \$25,000 damages arising from alleged neglect to treat him properly, had been tampered with and had disappeared under suspicious circumstances. The charges were referred to during the argument of counsel for the plaintiff and motion of the defense for a continuance for one month, the latter representing, they would then be able to secure attendance in court of Dr. Bennett, a member of the legislature from Big Horn county to testify in behalf of the Lane-Bradbury hospital.

It was claimed certain witnesses for the plaintiff have been offered money to leave the state and not appear at trial, but the charge was hotly denied by the defense. Judge Parmelee over-ruled motion for a continuance and the trial is in progress today.

The case is attracting wide attention. Among those watching the trial is Miss Caroline Lockhart, a well known magazine and short story writer.

SENTENCED TO WED INDIAN

Carious Provision Made By Montana Judge in Hanby Bigamy Case.

HELENA, Mont., Feb. 10.—Thomas Hanby, a former South Carolinian, received a remarkable sentence in the federal court here today. Hanby, convicted on a bigamy charge, was not only fined \$500 and sent to jail for six months, but was also sentenced to marry an Indian woman.

Hanby's first wife, learning of his marriage to pretty Mary La Breech, a Blackfoot maiden, secured his indictment and then a legal separation for herself. Because of the first marriage, the second marriage was possibly void, and Judge Hunt not only imposed the sentence indicated, but instructed the United States marshal to see that the marriage was carried out immediately, and this was done, a justice of the peace uniting the couple.

SUDDEN STORM KILLS TWO

High Wind, Lasting Ten Minutes, Does Damage in Eastern Pennsylvania.

PHILADELPHIA, Feb. 10.—A 10-minute wind storm of almost cyclonic dimensions struck the upper part of Delaware and southeastern Pennsylvania this afternoon, causing the death of one man and a child and doing much damage in the narrow path it made through the two states. In Philadelphia the roof of Holy Trinity Baptist church was blown off and one of the heavy timbers struck Robert G. Weightman, who was passing the building. He was so badly injured that he died within an hour. The storm did considerable damage in this city, blowing the roofs off dozens of houses. An unidentified girl who 11 years old was knocked down and rolled into a culvert by the storm in West Philadelphia, and before she could be reached she was drowned.

NO REVISION, SAYS BRYAN

Nebraskan Declares Present Congress Will Make No Reduction in Tariff Schedules.

PENSACOLA, Fla., Feb. 10.—William J. Bryan, who here last night, said: "This country need not hope for a revision of the tariff at the hands of the present congress. There will be no revision, for the reason that the republicans cannot afford to lower the tariff, for every man here has a scheme to contribute to their campaign fund and must be protected. It is true that the contributions to the national fund were published, but money received by the congressional fund were so small that the republicans dared not publish them even after the election.

"While there may be talk of a revision and a lower tariff, there will absolutely be no change."

MOVE TO KILL BILL FAILS

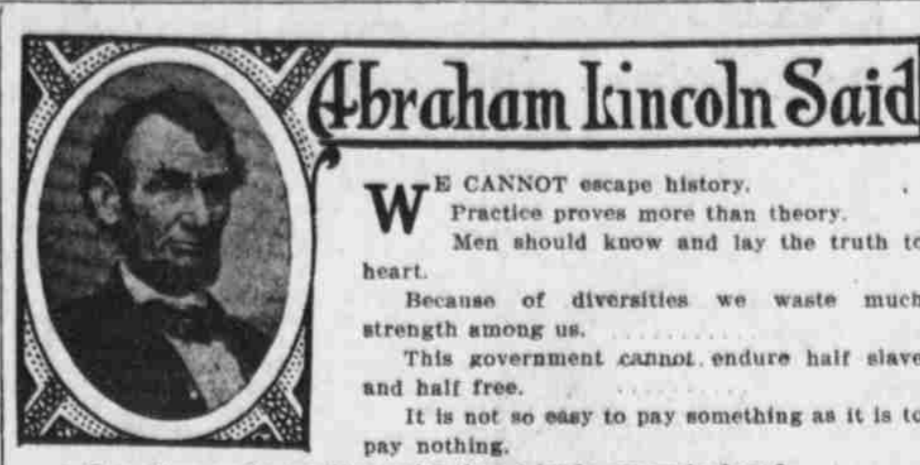
Indiana House Adopts Report Recommending Tomlinson County Option Measure for Passage.

INDIANAPOLIS, Ind., Feb. 10.—The house of representatives this afternoon by a vote of forty-four to fifty-four, rejected the minority report of the committee on public morals, recommending indefinite postponement of the Proctor-Tomlinson county option repeal bill. The majority report, recommending the passage of the bill, was adopted. A motion to pass the bill to engrossment was lost. The bill therefore is still before the house.

TIDAL WAVE RUMOR DENIED

Wireless Dispatch Says Reported Destruction of Port Limon Is Without Foundation.

NEW YORK, Feb. 10.—There is no truth in the rumors that a tidal wave has destroyed Port Limon, Costa Rica. A wireless dispatch was received this afternoon by the Western Union telegraph company from Port Limon saying the rumors of a tidal wave were without foundation.



Abraham Lincoln Said

WE CANNOT escape history. Practice proves more than theory. Men should know and lay the truth to heart.

Because of diversities we waste much strength among us. This government cannot endure half slave and half free.

It is not so easy to pay something as it is to pay nothing.

Can aliens make treaties easier than friends can make laws? In giving freedom to the slave we secure freedom to the free.

The dogmas of the quiet past are adequate to the stormy present. I do not seek applause or to amuse the people, but to convince them.

There is no line straight or crooked upon which to divide this country. My wish is not that I may save the union, but that the union may be saved.

Those who live under the protection and enjoy the blessings of our benign government must learn that they cannot stab its vitals with impunity.—Extracts from Various Speeches and Messages.

NEW ORLEANS IN GAY DRESS

Crescent City Ready to Give Taft Royal Southern Welcome.

State Scored for Finest Fish and Game and Cellars for Oldest Wines to Delight Presidential Palate.

PORT EADS, La., Feb. 10.—A wireless message from the battleship North Carolina states that President-elect Taft has declined the program outlined by the New Orleans committee for his entertainment is agreeable in every way and that he will meet the committee eight miles below New Orleans at 1 o'clock tomorrow afternoon.

A northerly blow this morning was the first heavy weather encountered by President-elect Taft and party while making their trip from Colon to the Mississippi river passes aboard the armored cruisers North Carolina and Montana. On the whole the weather has been unusually pleasant.

NEW ORLEANS, La., Feb. 10.—Although the time scheduled for the arrival of President-elect Taft and party was delayed, New Orleans awoke today already prepared to greet the distinguished visitor, who is expected at 3 o'clock Thursday afternoon on the return trip from Panama.

Last night a wireless message bore the news up to the city of the arrival at the wharf of the great cruiser and all the Birmingham, which will lie in the offing until the North Carolina and Montana are sighted and will then prepare for the transfer of the president-elect who will come up the river on the Birmingham. A heavy thunderstorm late yesterday played havoc with many of the decorations which had been placed in honor of the president-elect and caused some anxiety on the part of those who imagined the storm was also raging in the Gulf. The decorations were replaced early today, however, and marine guards assure that the North Carolina will possibly have made such good time as to have gotten within the storm area.

Already requests are reaching this city from towns along the route between New Orleans and Cincinnati asking that the president-elect be notified of their desire to have him make speeches and acknowledge their welcome. While civic and military parades, tours to points of historic interest and receptions are all to play a prominent part in the entertainment during his two days stay in New Orleans, it is very apparent that the 25-a-plate banquet on Friday night is to be made the principal feature of the visit. It is planned to bring the list of those subscribing to the banquet up to the 1,000 mark, so cost will not be a deterrent factor in the success of the feat.

Viands for Taft Palate.

The very finest fish and game which can be procured within 100 miles of New Orleans will be used in preparing the dishes, all of which will be cooked a la creole by the most skillful chefs.

Many imaginary menus have been made up and circulated as the official bill of fare, but the chefs and officers are still busy considering what will be best to serve. Some insist upon "poulet creole," young chickens stuffed with fresh mushrooms, while others declared that teal duck with a carefully prepared pecan nut butter sauce is much more appealing. Many favor crawfish bisque, but others hold out for the old fashioned creole gumbo. The fish will be either pompano or sheepshead and will be cooked in wine. There will be a fruit salad in which the principal ingredients will be pineapples, bananas, oranges, grape fruit, celery and a rich creole dressing. Light glass, praline of coconut and other sweet things will be served for the last courses.

Old cellars have been ransacked and wines of rare vintage unearthed for the occasion. There will be a montillado, chateau LaFette and many other fine old wines according to the chefs. Many have been stored away for so many years that rakes will be required to separate them from the cobwebs which have formed over the bottles.

A feature of the banquet is to be the serving of the cafe Broutet. Several hundred silver spoons have been secured and the coffee, rich with the aroma of spices and cognac, will be stirred with silver ladies by barkees chanting old creole songs while the alcohol is burning.

Cardinal Gibbons, who will pronounce the invocation at the banquet, arrived last night.

Taft Party Heard From.

PORT EADS, via New Orleans, Feb. 10.—Wireless communications received here today say that President-elect Taft and party are reported 300 miles off the passage at the mouth of the Mississippi river. He is due to arrive at South Pass at midnight.