THE OMAHA DAILY BEE

VOL. XXXVIII—NO. 217. OMAHA, WEDNESDAY MORNING, FEBRUARY 24, 1909—TWELVE PAGES. SINGLE COPY TWO CENTS.

RAPID FIRE INQUIRY

Whitewash Applied by Legislature While You Wait.

GOOD JOB IN FIFTEEN MINUTES

Kraus and Howard Ask Investigation of Riot Talk.

LATTER FILES HIS SPEECH

Taylor of Custer Gets Back at Senator Ransom.

STOCK YARDS BILLS BROUGHT OUT

One Recommended to Pass and Other Held in Reserve in Case First One Falls by the Wayside.

(From a Staff Correspondent.)

LINCOLN, Feb. 23.—(Special.)—The house this afternoon gave Jerry Howard and Kraus an ample coat of whitewash on their demand for an investigation of the conduct of those two members of the body in South Omaha Sunday. In response to the request the speaker's committee remained in session fully fifteen minutes, after which it made a report that the two members had done nothing censurable and the report was adopted. The sentiment of the committee and of the house was to make a josh of the entire matter instead of considering it seriously, as the merits of the charge made against these two of its members warranted.

Kraus of Douglas county insists that he has been unjustly paraded before the public by his connection with the South Omaha riot and he therefore asked that the speaker appoint a committee to investigate Mr. Howard, his colleague, and himself.

The speaker appointed the following committee: Leidigh of Otoe, Broderick of Clay and Killen of Gage.

Howard of Douglas filed the following statement, which was made a part of the records of the house:

Mr. Speaker: I desire as a question of personal privilege an opportunity to explain to the members of this house the cause of all this claptrap that has appeared in the press relative to a so-called inflammatory speech delivered by me at a mass meeting of my fellow citizens at South Omaha. The exact words made use of by me at said meeting, if they were published, should read as follows:

"Fellow Citizens: I shall take for my text the assassination of Officer Lowrey, but nothing less than inspiration would allow me to do justice on this occasion where so large a gathering of the very best citizens has assembled for the purpose of forming a committee to put a stop to the lawlessness going on in this city. I am not inspired; therefore I shall only endeavor to make a few practical remarks and point out to you, my fellow citizens, where the blame belongs for the murders and outrages perpetrated upon our fellow citizens. The blame rests on our police commissioners, on account of the great privilege that they have given to the cheap labor imported into the city by the corporations. They allow these men to do as they like in the way of gambling, drinking, shooting, fighting, killing and resorting to all kinds of immorality around the sporting houses of the city.

"The labor commissioner could do something towards helping the laboring men, but he is handicapped in the way of finances. The labor commissioner is allowed $8,250, while the fish commissioner is allowed $23,280, thereby proving that a fish is more valuable than a working man.

Fellow citizens, in reply to the resolutions read by your secretar, Mr. Hunter, relative to the loathsome disease of the cheap laborers employed in the packing houses, I would suggest that the committee appointed here this afternoon would take that subject matter up with the federal government, for it is not right that diseased men should be handling the meat that the general public is eating."

Trouble for Ransom.

When Senator Ransom killed the bill by Taylor of Custer providing that the State Board of Canvassers shall canvass the election returns on constitutional amendments he builded up for himself a house full of trouble.

The first penalty was exacted this morning, when Taylor had the house take from the standing committee on live stock a bill by Taylor of York regulating rates to be charged by the stock yards and a bill by Armstrong of Buffalo relating to the same subject. But Taylor did not stop there. He had the house resolve itself into committee of the whole and recommend the first bill for passage. The second bill was sent back to the standing committee for should the first one by some hook or crook fall by the wayside then the second one will be brought forward.

Taylor was sufficiently strong in the house to shove the stock yards bills ahead of the general file, already yards long, in the face of the fact that Senators Tanner and Howell, who had responded to a hurry up call from their friends, were openly fighting the proposition on the floor of the house.

"The standing committee on live stock and grazing has had H. R. 145 and H. R. 211 under consideration two or three weeks," said Taylor during a lull in the house proceedings, "and I move that the chairman of the committee report those bills for general file immediately."

Harrington of Brown, chairman of the committee, explained that he had several meetings of the committee with only a few members present, but that the representatives of the stock yards had asked to be heard, and they had informed him each time they were unable to be present. A meeting, he said, had been set for Wednesday. He said further that the author of H. R. 145, W. Z. Taylor, had agreed to the appointment.

When the motion was put it carried unanimously for the committee to report. Taylor of Custer, as soon as the bills were again in the possession of the house, moved that the house resolve itself into a committee of the whole for the consideration of the two measures.

Kelley of Furnas came to the front with a motion to have the bills sent back to the committee to report in forty-eight hours. The motion was lost.

Bill Made More Radical.

In the committee of the whole the bill, H. R. 145, was amended so that the stock yards may charge 35 cents a hundred pounds for hay and 35 cents for corn above the market price in place of 50 cents. Then the bill was recommended for engrossment and third reading.

Kelley raised several points of order until finally, when he again raised a point of order, Taylor of Custer, who was in the chair, said:

"I don't know of anyone out of order as often as the gentleman from Furnas."

H. R. 211, by Armstrong, was then sent back to the standing committee and the representatives of the stock yards may talk to the committee about that bill.

During the generous discussion Greig of

(Continued on Second Page.)

SUMMARY OF THE BEE

Wednesday, February 24, 1909.

FEBRUARY 1909

SUN	MON	TUE	WED	THU	FRI	SAT
		2	3	4	5	6
7	9	10	11	12	13	
14		17	18	19	20	
21	22	23	24	25	26	27
28						

THE WEATHER.

FOR OMAHA, COUNCIL BLUFFS AND VICINITY—Fair and colder Wednesday.

FOR NEBRASKA—Wednesday fair, with warmer in west portion.

FOR IOWA—Wednesday partly cloudy, with colder in east portion.

Temperature at Omaha yesterday:

Hour.	Deg.
5 a. m.	34
6 a. m.	34
7 a. m.	34
8 a. m.	34
9 a. m.	33
10 a. m.	33
11 a. m.	33
12 m.	33
1 p. m.	33
2 p. m.	33
3 p. m.	33
4 p. m.	31
5 p. m.	31
6 p. m.	30
7 p. m.	29
8 p. m.	29
9 p. m.	28

DOMESTIC.

Second trial of the Standard Oil case, in which a $29,000,000 fine was assessed by Judge Landis, closed abruptly at Chicago when Judge Anderson quashed the jury panel on motion of the Standard's attorney. **Page 1**

Colonel D. P. Cooper, aged defendant in the Carmack murder case, goes on the witness stand and testified to his relationship with the murdered man. **Page 1**

President-elect Taft spends the day with his brother and leaves for New York. Secretary of the treasury in his cabinet to be selected before he leaves New York. **Page 2**

NEBRASKA.

John L. Webster, in an address at the state university, declares Asia is a menace to the world's peace. **Page 3**

LOCAL.

Attorneys who have been looking up the matter express doubt whether the city of South Omaha or the state can be held liable for the damages in Sunday's riot. Greeks must look to the federal government. **Page 1**

Policeman Lowery, victim of Greek's bullet, laid to rest. **Page 5**

March 25 the date fixed for the formal opening of the new Young Women's Christian association building. Exercises to continue for nine days. **Page 5**

COMMERCIAL AND INDUSTRIAL.

Live stock markets. **Page 11**

Grain markets. **Page 11**

Stocks and bonds. **Page 11**

MOVEMENTS OF OCEAN STEAMSHIPS.

Port.	Arrived.	Sailed.
NEW YORK	Campania	
NEW YORK	Chicago	
NEW YORK	Verona	
QUEENSTOWN	Lusitania	
COPENHAGEN	C. F. Tietgen	
FIUME		Atlanta.
GLASGOW	Mongolian	Sicilian.
GLASGOW	Columbia	
LONDON	Minnetonka	
GIBRALTAR		Grosser Kurfurst.
GIBRALTAR		Koenig Albert.
TRIESTE	Pannonia	
LIVERPOOL	Bohemian	
LIVERPOOL	Celtic	
PLYMOUTH	K. P. Cecilie	
GENOA		Romania.
NAPLES	Mar. Washington.	
NAPLES	Venezia	

HADLEY NAMES NEW WARDEN

Henry P. Andrae of Jefferson City Made Head of Missouri State Prison.

JEFFERSON CITY, Mo., Feb. 23.—Governor Hadley sent the following appointments to the senate today:

To be warden of the penitentiary: Henry P. Andrae of Jefferson City.

To be members of the board of managers, state hospital for the insane, St. Joseph: Henry H. Beardsley, Kansas City; W. C. Pierce, Marysville; Jacob Dieger, St. Joseph.

A. E. L. Gardiner introduced a bill in the senate today requiring foreign corporations to invest one-half their capital in Missouri before being allowed to do business in this state.

AID IN PANAMA LIBEL SUIT

Attorney McNamara Commissioned to Help in Prosecution of Cases.

WASHINGTON, Feb. 23.—United States Assistant District Attorney McNamara has been commissioned by Attorney General Bonaparte as special assistant to the attorney general to aid in the prosecution of the Press Publishing company, the editors of the New York World and the owners of the Indianapolis News, recently indicted for alleged criminal libel of President Roosevelt, William H. Taft and others in connection with the purchase of the Panama canal.

Old Tom Murray, who built the Murray Hotel, in the early days in Omaha had a store, where you could buy anything from a candle to a second-hand coffin.

He would buy anything that was cheap and sell anything he had, at a little profit. He grew rich and died rich.

Tom Murray would have revelled in the want ad page of The Bee. Do you look it over every day? It tells you where you can buy most anything you want. It offers a way to sell anything you don't want. It will save you money; it will make you money.

It is a constant lesson to the thrifty and the wide awake.

STATE ANTI-TRUST LAW GOOD

Arkansas Case Decided Against Hammond Packing Company.

DEFENDANT LOSES ALL POINTS

Decision is Important as Defining Rights of State to Regulate Outside Corporations Doing Business Within It.

WASHINGTON, Feb. 23.—In an opinion by Justice White, the supreme court of the United States today upheld the validity of the Arkansas anti-trust law of 1905, which provides a penalty of from $200 to $500 for each offense and the forfeiture of the right to do business in the state. The decision was handed down in the case of the Hammond Packing company of Chicago, which, it was charged, had combined with other packers to fix the price of meats, against the state of Arkansas. The case originated in the circuit court of Pulaski county, Arkansas, where a $10,000 fine was imposed. That verdict was sustained by the Arkansas supreme court, whose finding was today affirmed.

The constitutionality of the law was attacked on the ground that it impaired the obligation of contract, denies equal protection under the law and stands in the way of due legal process. It was also contended that inasmuch as the packing company is an outside corporation its offense, if it committed any, which it denied, was committed outside the state. It was also urged that the trial had been irregular in that there had not been a jury as required by the Arkansas constitution in criminal actions.

Justice White's decision was against the packing company on all those points. He gave especial consideration to the complaint that where the company refused to produce its books in obedience to an order from the court, a judgment was given against it contrary to the federal constitution. Justice White declared that it was the duty of a corporation to live in the light of day and to "be prepared at any time to exhibit its proceedings to its creator, the state."

He added: "As the Hammond company absolutely declined to obey the order, and stood on what it deemed to be its lawful rights and privileges, it is not within our province to afford relief because of an error of judgment in this respect. We may not hold that the statute and the order were arbitrary and unjust in the particulars asserted when they do not have that effect."

New York Central Must Pay.

The verdict of the United States circuit court for the southern district of New York, imposing a fine of $108,000 upon the New York Central railroad on the charge of granting rebates to the American Sugar company, was today affirmed by the supreme court of the United States.

The rebates to the American Sugar Refining company were given on shipments of sugar in 1903 from New York to Cleveland and Detroit. Six offenses were charged and fines of $18,000 each were imposed by the trial court. The government prosecuted under the Interstate Commerce and Elkins laws. Between New York and Cleveland the railroad's published tariff called for a charge of 21 cents per 100 pounds, while the rate to Detroit was 23 cents. The cut in the first instance was 5 cents and in the second 2 cents.

The court also rendered a similar decision upholding the lower court in the case of a shipment to Cleveland in which a fine of $26,000 was imposed.

All Parties to Rebate Liable.

The case of the United States against the New York Central & Hudson River railroad involved the question whether a railroad company, which is a party to a rebate transaction, but which was not the initiatory road, can be criminally prosecuted for a violation of the Elkins anti-trust law, was decided by the courts against the company. The New York Central was indicted in connection with a number of other companies, including the Missouri Pacific, on the charge of granting rebates in 1903 to the Brooklyn Cooperage company on cooperage material shipped from Poplar Bluff, Ia., to Brooklyn, N. Y.

It was shown that all the railroads concerned in the shipment had a joint tariff of 35 cents a hundred on such goods between the points named, and that all of them had been parties to a rebate of 5½ cents a hundred on shipments made by the Brooklyn company.

The New York Central was the delivering carrier and it replied to the complaint by filing a demurrer, in which it took the position that as it was not the initial company it could not be held criminally responsible under the law. The case was heard in the United States circuit court for the southern district of New York and the demurrer sustained for the reasons given. The government immediately appealed, with the result that it obtained a reversal of the lower court's holding.

Express Franks Illegal.

In an opinion by Justice Day in various cases of the United States against various express companies the supreme court of the United States today held that under the Elkins law express companies could not legally grant franks for the free transportation of the property of their own employes or of the employes of other express or transportation companies. The decision held that to grant this privilege would be to exercise an undue preference under the law, which prohibits all transportation companies from giving to any one rates which are not included in the published schedule. In his opinion Justice Day said: "It cannot be doubted that the property upon which franks issued by the express company is within the terms of the act. Within the terms used by the Elkins act such transportation enables one class of persons to obtain transportation at a different and less rate than that named in the published rates."

He concluded by saying that there was no reason why congress should not grant the express companies the privilege enjoyed by the railroad companies, "but the law must be amended by congress and not by the courts."

Negro Denied Rehearing.

The case of Marcellus Thomas, a negro under sentence of death on the charge of killing two men in Harris county, Texas, was decided today by the supreme court of the United States against Thomas. As the grand jury by which the indictment was returned against him contained no man of his own race, he charged that he had been discriminated against contrary to the constitution of the United States and therefore asked the supreme court to intervene in his behalf. The court refused to reverse the decision of the Texas court, which was adverse to Thomas.

"A BIRD IN THE HAND IS WORTH TWO IN THE BUSH."

From the Chicago Inter-Ocean.

ELDER COOPER ON STAND

Aged Defendant Testifies in Carmack Murder Trial.

STATE IS EASY ON JOHN SHARP

Further Cross-Examination of Co-defendant Waived by Attorney General—Cooper Tells of Relations with Carmack.

NASHVILLE, Tenn., Feb. 23.—Colonel D. B. Cooper, one of the three defendants, was called to testify today in the trial for ex-Senator Carmack's murder, of himself, his son and John Sharp. Although the throng which greeted the deputies when they opened the court room today was less immense than that of yesterday, enough were there to fill three court rooms and furnish audiences for a couple of overflow meetings.

Defendant Sharp had resumed the witness chair, but to the surprise of everyone the attorney general announced:

"The state does not desire to cross-examine Mr. Sharp any further."

Sharp started to leave the stand, but was waved back by General Meeks, who asked him a few questions on redirect.

"Call Cofonel Duncan B. Cooper," said General Washington. Then the central figure in the famous tragedy arose and walked calmly to the stand.

Colonel Cooper is short, heavy set and very florid. He is somewhat bald, but what hair he has, like his mustache, is very white. His eyes are clear and his face is free from wrinkles. As he began to talk his two daughters leaned forward and drank in every word. The colonel said he was 64 years old and that he has four sons and two daughters. General Washington had the witness give his war record with Forrest. The state finally objected, after some recital, and was sustained.

Friendly with Carmack.

"I met Senator Carmack years ago at Columbia, when he was quite young. I brought him to Nashville as editor of the American and he remained with me until 1892, when he went to Memphis."

"Were your relations friendly?"

"More than friendly—they were cordial and close until his race with Senator Taylor four years ago. Then we disagreed."

"Did Carmack ever give expression to sentiments of gratittude to you?"

"Yes; when he went to Memphis in 1892 he wrote an editorial thanking me."

The defense offered the editorial and Judge Hart asked to see it. He marked part of it and said he would permit that portion to go to tthe jury. It was signed by E. W. Carmack. The state next examined it and agreed to let the entire editorial in. The court agreed. It was in the paper of February 12, 1892, and was Carmack's farewell, in which he expressed regret at leaving the American and gratitude to tha paper and its friends.

"Did you, after he left, maintain friendly relations?"

"Absolutely so. We corresponded and the last very friendly letter I had from him was in December, 1904. Our relations were pleasant after that, however. At that time he was in the senate."

Sharp Badly Confused.

When court adjourned last night in the midst of the cross-examination of John D. Sharp, the honors seemed divided between the state and the defense in the Cooper-Sharp trial, for the slaying of former United States Senator Edward W. Carmack. Young Robin Cooper, under cross-examination of nearly four hours, appeared cool. The next witness, and the only other one of the day, was John D. Sharp, another of the defendants. On direct examination, Sharp swore that he saw the killing and that "Carmack fell after Robin Cooper had fired three times."

One of the bullet wounds, a necessarily fatal one, pierced the senator's neck within one-sixteenth of an inch of the spinal cord and came out under his tongue.

On cross-examination, Sharp said that Carmack turned his head just as the second shot was fired. He did not explain

(Continued on Second Page.)

THIRD DEGREE STORY DENIED

Mrs. Wilhelm Viewed Husband's Body at Own Request and Prearrangement.

NEWARK, N. J., Feb. 23.—Chief of Police Michael Corbitt denies the accuracy of the report published on February 4 stating that Mrs. Mary J. Wilhelm has been subjected by the police to what is known as the "third degree." An investigation shows that the socalled "third degree" was not made use of. Chief Corbitt's statement of the occurrence is as follows:

"Mrs. Wilhelm, on the day preceding the funeral of her husband, pleaded to be permitted to view the body. She agreed to hire a coach to convery her to the undertakers if her request was granted. The request was granted and it was arranged with her that the journey be made at 9 o'clock that night so that she would not be subjected to the gaze of a morbid crowd or the fire of many cameras, a condition she could not have escaped were the trip made in daylight. Furthermore, her relatives had been informed of the intended trip and they brought her mourning garments to wear. She prepared for the journey early in the night and was fully dressed and waiting to make the trip when the coach arrived exactly at the hour that had been set. She had not retired and consequently was not aroused from her sleep and hustled out at midnight without being told whither she was going.

"At the undertakers the body of the slain man rested in a handsome carket; it had been made as presentable in appearance as it was possible for an expert mortuarian to make it. No sheet covered the body; consequently a sheet was not suddenly jerked aside to reveal the corpse when the woman entered. After Mrs. Wilhelm had gazed on the dead man's face for a few moments the glass side covering it was drawn down so that she might, if she desired, press a last kiss on the lips. Not a question was put to her. This all took place in the large room used by the undertaker for the holding of funerals and not in the morgue. After Mrs. Wilhelm had composed herself she returned to the coach, was driven back to police headquarters and was profuse in her thanks for having been permitted to make the journey.

SON-IN-LAW FOR HETTY GREEN

Miss Sylvia Green Becomes Wife of Great Grandson of John Jacob Astor.

MORRISTOWN, N. J., Feb. 23.—Miss Sylvia Green, daughter of Mrs. Hettie Green of New York, one of the wealthiest women in America, was married at noon today to Mathew Astor Wilks. Mr. Wilks is the great-granson of John Jacob Astor.

Mrs. Green and her daughter have been living in a modest apartment in Hoboken, but today came to this city with a wedding party of about thirty persons in a special car.

Arriving somewhat in adavnce of the hour of the wedding the party went to the Morristown inn and remained there until shortly before noon, when the party proceeded to St. Peter's Episcopal church, where the marriage ceremony was performed by the rector, Rev. Philamon Sturges. Owing to the recent death of a cousin of the bride, it was stated, the wedding party was a small one.

Miss Green wore a simple brown traveling dress, while Mrs. Green wore her customary black satin. The bride was given away by Howland Pell, and Woodbury Langdon of New York was best man. Following the wedding the party returned to the inn, where a reception was tendered to the guests. Mr. and Mrs. Wilks will start on a wedding trip tonight and it is understood will visit Galt, Ont.

STAGE TRAGEDY MADE REAL

Revolver Used by Amateur Actor Discharges Unexpectedly, Killing Friend.

HATTIESBURG, Miss., Feb. 23.—Not knowing the gun was loaded, Mimms Holmes in repeating the part he had in a recent amateur theatrical performance, shot and killed Woodcliffe Ellis, son of City Attorney S. W. Ellis, last night.

OIL CASE PANEL QUASHED

Contention of Defense that it Contained Too Many Farmers Upheld.

COURT ORDERS NEW VENIRE

Jury Commissioner is Ordered to Place Names of Number of Business Men in Box for This Drawing.

CHICAGO, Feb. 23.—The retrial of the Standard Oil company of Indiana was unexpectedly delayed today when Judge Anderson in the United States district court quashed the panel of 150 veniremen on what he considered the singularly large proportion of farmers thereon.

It was a so-called "farmers'" jury that brought in the verdict making Judge Landis' fine of $29,240,000 in the original case possible and John S. Miller of the defense was prompt in calling the court's attention to the fact that the panel of the new trial contained but three Chicagoans.

"It looks like design or if not design, it looks like a strange coincidence," commented Judge Anderson, whereupon the jury commissioners insisted that the panel had been drawn exactly as in other cases. This the court later admitted.

District Attorney Sims said there was no statute to compel the jury commission to take geography or occupation into consideration.

Panel is Set Aside.

"I don't want to start in this hearing feeling that there is something not quite fair," answered the court.

"I think this panel ought to be set aside. I will instruct the jury commission to put in 150 names of men, a good proportion of whom shal be good business men from Chicago and Cook county. It so happens that this case is tried in a district composed of an enormous commiercial city and several rural counties. The country may have purer air, a higher moral standard and greater intelligence than the city but that is an open question. However, I am not going outside the issue when I say that if the jury was composed partly of business men who would realize industrial and commercial phase of the case a more satisfactory and just verdict may be reached. Judge Anderson said he would hear argument of counsel tomorrow as to whether shipments or settlements of freight charges constitute the offense. The government will contend that each shipment of oil on which an alleged rebate was paid forms a separate violation of the law. Under this construction of the law it would be possible to fine the defendant, if found guilty, a maximum of $10,000,000. There was, it is charged, thirty-six settlements of freight charges on these shipments. Accepting this view, a maximum fine of $720,000 is possible.

The jury commission was odrdered to produce the new panel Thursday.

OIL CASES ARE DISMISSED

Prosecution of Promoters of Uncle Sam Company Ends with Nolle.

TOPEKA, Kan., Feb. 23.—Two indictments against H. H. Tucker, A. L. Welson and G. J. Fleming for using the mails to defraud in selling stock of the Uncle Sam Oil company were dismissed in the United States circuit court today on motion of H. J. Bone, United States attorney. Tucker has been tried on one indictment and acquitted. The other men who were associated with him have never been tried.

TRAVELING MAN A SUICIDE

Owen Campbell of Eldora, Ia., Kills Himself Because of Family Troubles.

MARSHALLTOWN, Ia., Feb. 23.—(Special Telegram.)—Owen Campbell, aged 55, a traveling man living in Eldora, committed suicide at Blairsburg, Ia., this morning. It is believed Campbell was despondent over brooding about estrangement between himself and his wife, she having left him two years ago.

QUESTION OF CLAIMS

Doubt Expressed as to Validity of Action for Damages.

GREEKS AND AMERICANS ON A PAR

Joel W. West, Injured Property Owner, Can't Find Law.

BELIEVES NEBRASKA HAS NONE

Greek Minister Takes Up Matter with Secretary of State.

MAY COME TO ADVISE COLONY

Some of the Refugees Talk of Returning to South Omaha Today to Resume Their Residences.

MUST UNCLE SAM PAY FOR IT?

WASHINGTON, Feb. 23.—Secretary of State Bacon had a call today from L. A. Koro Milas, the Greek minister, who took up the case of the Greek residents of South Omaha, whose interests suffered rough treatment by a mob Sunday night. The minister merely called the department's attention to the matter as a basis for any further action that may be decided upon. He is awaiting detailed reports of the damage. The State department will ask the governor of Nebraska for information about the case.

Hegira Homeward, Maybe.

The return of molested Greeks to resume their residence and business in South Omaha today and plans to test their indemnity rights against that city are just now about the most conspicuous features in the situation growing out of the Sunday riots.

Several prominent Greeks have stated that their people—many of them at least—would return to their homes today, but it is doubted if the normal number ever will return to South Omaha. While there is no popular fear of an immediate revival of hostilities, the impression is common that since the packing houses have decided to let out the Greeks gradually they will not all resume their homes in that city.

As to the claims for damages against South Omaha by the Greeks and American property owners, extreme doubt is expressed of their validity. Joel W. West, an attorney and also one of the damaged property owners, has spent much time since the riot investigating this question and thus far he fails to find warrant in the statutes of Nebraska for such procedure. He also doubts that the federal government may be held in such action.

As to the Minister.

In this connection some of the local leaders among the Greeks say they are advised by their minister at Washington, L. A. Koro Milas, that he or Nikolaos Salloponios, the consul at Chicago, will come to Omaha to direct and advise the Greeks. From the press dispatches of yesterday it is inferred that the minister contemplates redress, even if he has to ask Uncle Sam to reimburse his people for what they lost in South Omaha Sunday night.

The law firm of Sullivan & Rait, composed of former Supreme Justice John J. Sullivan and James Rait, has been retained as the local legal advisers of the Greek community, numbering 3,000 persons. But Mr. Rait said yesterday they had decided upon no definite action as yet. He did not know whether civil suits would be instituted or not.

It is understood that the owners of property damaged in the riot are, as originally stated, still contemplating some sort of action in the court.

West Cannot Find the Laws.

Joel W. West after looking into the matter of indemnity against the city of South Omaha says:

"Provision is made by statute in a number of states, where municipalities are held liable for damages resulting to property through the action of mobs. But such a law does not apply to Nebraska. I also question whether there is any federal law that exacts compulsory compensation for damages to the property of aliens under such circumstances, particularly as may apply to Greece. I am not aware of any treaty between the United States and the Greek government as would apply to such circumstances as the South Omaha affair. In brief, I do not think that we have any recourse, whatever, or any ground upon which to begin a civil suit against the city of South Omaha.

"I am, however, of the opinion that if the newspapers correctly report the addresses at that mass meeting, that these speakers could be held amenable for damages for inciting the riotous acts and that action could be brought against them. The case is analogous to that of the Haymarket riots in Chicago, where the speakers through their incendiary talk wrought the anarchists up to doing what they did.

"The South Omaha affair should be the incentive for the enactment of a law affixing civil responsibility to municipalities for damages resulting from riots and mobs. Such a law would not help the property owners damaged in Sunday's riots, as a law cannot be made retroactive."

Troops Encourage Them.

The action of Governor Shallenberger after a visit to South Omaha Monday, in calling out three companies of the Nebraska militia and keeping them assembled in the armories and halls Tuesday seems to have had the effect of encouraging the Greeks. Many who left South Omaha and took refuge in Council Bluffs returned Tuesday and went to South Omaha for their personal effects.

Before going to their former homes, however, the Greeks visited the armory and hall at Fifteenth and Dodge streets, where companies were stationed. They peered in at the windows and peeked through cracks around the doors to make sure the soldiers were there and ready for business.

Sentries were making long wet paths across the cement floor of the armory and streaks of mud showed they had walked the halls where the companies were stationed.

Just Hold the Fort.

Commanding officers said their instructions went no further than that they should remain in possession and assemble until further orders were received dismissing them.

Not more than twenty-five men of each company were in the stations. The vigilence of the sentries was well calculated to impress the Greeks who looked in. No one was allowed to pass the lines without an order from the officer in command.