

JUDGE LURTON IS CONFIRMED

Senate, After Taking this Action, Adjourns for the Christmas Holidays.

URGENT RULE IN HOUSE

Unanimous Consent Concession Used for First Time to Pass Bill.

PRESIDENT SENDS NOMINATIONS

Richard C. Kerens Named for Ambassador to Austria-Hungary.

ROBERT BACON FOR FRANCE

Henry Lane Wilson of Washington to Succeed David E. Thompson in Mexico—Marshals and Attorneys Named.

WASHINGTON, Dec. 20.—The senate and the house concluded their arduous labors by 2 o'clock today. The adjournment for two weeks will be taken to enable the members properly to observe the Christmas holidays.

After the confirmation of the nomination of Justice P. Lurton of Tennessee as an associate justice of the supreme court and the confirmation of W. J. E. Hill to be governor of New Mexico the principal feature of the senate proceedings was a speech laden with optimism and good cheer for the Christmas season by Senator DeLoach.

The address of the New Yorker was called forth by what he characterized as the pessimistic predictions in Senator La Follette's magazine and in many newspapers and other periodicals relating to the effect of the present tariff law upon prices of necessities of life as well as in relation to dangers to the people because of a pending exhaustion of national resources.

For the first time since the Fitzgerald rule providing for a "unanimous consent" calendar was adopted that rule was invoked today in the house and one joint resolution making available a small appropriation for the improvement of the Tennessee river and a bill of local interest were passed.

Representative Mondell of Wyoming spoke at some length against the proposition given by the federal government control of dams and water power rights in the different states, defending Secretary Ballinger in that connection and assailed the action of "certain government bureaus" in attempting to usurp rights belonging to the people.

The District of Columbia bill carrying about \$1,275,000 was passed without opposition.

Representative Hardy of Texas denounced the publication of stories charging members of congress with corruption in connection with proposed ship subsidy legislation.

Diplomatic Appointments. President Taft today sent to the senate the nomination of Richard C. Kerens of Illinois to be ambassador to Austria-Hungary.

President Taft also sent to the senate today the following other nominations of ambassadors and ministers: Robert Bacon of New York, ambassador to France; Henry Lane Wilson of Washington, ambassador to Mexico; Charles Page Bryan of Illinois, minister to Belgium; William James Calhoun of Illinois, minister to China; Henry P. Fletcher of Pennsylvania, minister to Chile; Henry T. Gage of California, minister to Portugal; R. S. Reynolds Hill of Illinois, minister to Panama; John B. Jackson of New Jersey, minister to Cuba; Peyton R. McCree of Michigan, minister to Honduras; Edwin V. Morgan of New York, minister to Paraguay; Charles W. Russell of the District of Columbia, minister to Persia; Laurence S. Swenson of Minnesota, minister to Switzerland; Horace G. Knowles of Delaware, minister and consul general to the Dominican republic; Stephen M. Tamm of Virginia, minister to the Dominican republic.

The president also sent in the names of the following secretaries of embassies: Philip M. Brown of the District of Columbia, at City of Mexico; Henry L. Jans of Wisconsin, Constantinople; Irwin B. Laughlin of Pennsylvania, at Berlin; Hoffman Philip of New York, at Rio de Janeiro; Montgomery Schuyler, jr., of New York, at Tokio; George Post Wheeler of Washington, at St. Petersburg; Lewis Blinn of New York, at Peking; Paxton Hibben of Indiana, at Netherlands and Luxemburg; Charles Dunning White of New Jersey, at Christiania, Norway; Reikan Schuyler of Pennsylvania, at Bogota, Colombia.

To be agent and consul general at Cairo, Egypt, Peter Augustus Jay of Rhode Island.

Attorneys and Marshals. President Taft sent to the senate today the nominations of the following United States district attorneys: William E. Troutmann, for the eastern district of Illinois; William A. Northcutt, for the southern district of Illinois; Arka S. Van Valkenburg, for the northwestern district of Missouri; Joseph E. Morrison, for the territory of Arizona; Robert T. Devlin, for the northern district of California; Marlow E. Irwin, for the southern district of Georgia; Robert Whitehouse, for Maine; I. P. French, for Massachusetts; Ernest F. Cochran, for South Carolina.

The president also sent in the nominations of the following United States marshals: Charles F. Hitch, for the eastern district of Illinois; William Henkel, for the southern district of New York; Creighton M. Furaker, for New Mexico; Pope M. Lons, for the northern district of Alabama; Walter H. Johnson, for the northern district of Georgia.

Night Rider Jury Still Out. ENON CITY, Tenn., Dec. 20.—The jury in the night rider case reported late today that they were unable to agree on a verdict. Judge Jones, however, sent them back for further deliberation.

Collector Says Million is High for Deputy Parr

Loeb Thinks Assistant Will Not Get that Amount for Sugar Fraud Work.

NEW YORK, Dec. 20.—While Deputy Richard Parr's claim for a moiety of the \$1,000,000 recovered by the government through exposure of the sugar frauds at this port has been approved it appeared probable from the statements made by Collector of the Port William Loeb, jr., today that Parr's share in the funds was not likely to be \$500,000 or anything approaching it.

The collector was believed to be liberal in the case of Mr. Parr, who was not prepared to state that million dollar fraud cases have been approved by Collector Loeb. They did not think, however, it would be very great.

Sugar frauds under investigation here today officially led to an indictment against an individual believed to be "higher up" than men previously indicted might be returned by the federal grand jury.

Ernest Grebnacht, formerly superintendent of the American Sugar Refining company's plant at Williamsburg, was arraigned today. Grebnacht pleaded not guilty to an indictment charging him with conspiracy in connection with the sugar weighing frauds. He was continued at liberty under bail.

WASHINGTON, Dec. 20.—Treasury officials were not willing today to hazard a guess as to the amount of money that may be awarded to Richard Parr, whose claim for moiety in the sugar fraud cases has been approved by Collector Loeb. They did not think, however, it would be very great.

WASHINGTON, Dec. 20.—Scouting the idea that there is a water power trust and defending Secretary of the Interior Ballinger against some of the adverse criticisms of the administration of land laws, Representative Mondell of Wyoming spoke today in favor of state as opposed to federal control in the development of the water power, particularly on the navigable streams.

He said the phantom of a water power monopoly which certain persons had attempted to conjure up, was indistinguishably grotesque and ridiculous.

Mr. Mondell spoke of the influence of certain "powerful" bureaus of the federal government in building up and fostering "artificial" public sentiment. He referred to what he termed the "nose talk" about "giving away power of the public domain," etc.

Representative Mann, then defended his bill on federal control of dam and power sites against what he termed was unwarranted construction of its language by Mr. Mondell.

A colloquy ensued between the two gentlemen, in which Mr. Mann exhibited considerable impatience and finally exclaimed:

"Nobody on earth excepting the gentleman from Wyoming can see the meaning of my bill. The trouble is that he is so wrought up over this subject that the action of any member from east of the Rocky mountains in introducing a bill having a bearing on it is like waving a red flag at a bull."

WASHINGTON, Dec. 20.—Urging upon Mexico the importance of hurrying the trial of James A. Cook was in substance the message telegraphed by the State department today to the American ambassador at the City of Mexico. The action followed a conference between Assistant Secretary of State Wilson and Representative Scott of Kansas. Cook is a constituent of Mr. Scott.

Cook was arrested some months ago by the Mexican government at the request of the robbers of a freight train in the country. He protested his innocence, but, according to advices here, was held responsible for the affair because he was in charge of the train.

Mr. Scott advised the department that railroad men in Texas were threatening reprisals on Mexico by making it difficult for Mexican railroad men entering Texas if some action was not speedily taken.

The latest telegram from Managua, dated last night, states that 300 troops reached there the night before from Leon, the home of Madriz, and were at the railroad station when Madriz tried to escape. His train was earlier than was expected, but he was escorted to his hotel by the troops from Leon and other followers with drawn pistols, the police being armed with rifles.

In politics he was identified with the populist party when at its zenith and before his election to the United States senate he served as a populist member of congress in 1889-90.

Mrs. Harris was with her husband at the time of his death. The body will be taken tomorrow to Lawrence, Kan., where the funeral will be held Friday.

Warrior Trial Wednesday. CINCINNATI, Dec. 20.—The trial of Charles L. Warrior, who is alleged, confessed to snatching \$161,000 while treasurer of the Big Four railroad, was today set for next Wednesday.

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The trial of the Dahlmans Democracy club took the floor, and in a graceful little speech recalled the fact that this was the twenty-fifth anniversary of the wedding of Mr. and Mrs. Dahلمان.

"In these days, when the marriage tie is held so lightly," said Mr. Flynn, "it is a pleasure to find that there are those in high place who will regard that tie as sacred and binding, for better or for worse, until the end of life. It is with most anxious pleasure, then, that we take this occasion to tender to you, Mr. Mayor, and to Mrs. Dahلمان, a slight token of our regard and friendship. We feel that this little present will be cherished by you and your children as a memento from appreciative friends on your twenty-fifth anniversary, and we hope you will both live many years in enjoyment of health and happiness."

The token alluded to by Mr. Flynn was a beautiful, solid silver tea set of three pieces, the appearance of which brought smiles of pleased gratification to the faces of the mayor and his wife. When he had looked at the present the mayor faced his friends and assured them that the present evidencing their friendship and esteem would be kept as a reminder of a most happy event to be transmitted to their children.

"Coming as it does from the rank and file of an organization that stands for everything I stand for," said Mayor Dahلمان, "we cherish it all the more fondly, and our hearts will go out to every one of you with sincere feelings of appreciation. We have lived together for a quarter of a century with a fair degree of happiness, and expect to continue so to the end. In the same spirit in which it is offered we accept your present. In the years to come its presence in our home will recall this day, and we thank you most gladly for your thoughtfulness and good will."

After the presentation the mayor and Mrs. Dahلمان shook hands with all present, and each man extended personal congratulations. Then cigars were passed around, and the mayor and his good wife spent a few minutes in laughing converse with their visitors.

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UNITED STATES STANDS FIRM

Change of Presidents in Nicaragua Makes no Change in Attitude of Uncle Sam.

NO INTENTION TO DICTATE

Will Insist on Responsible Government for Little Nation.

ZELAYA REGIME MUST END

Estrada Says Peace Will Come Only with Elimination of President.

MADRIZ IS NOT ACCEPTABLE

General of Insurgents Declares His Followers Will Not Accept Anyone Named by President—Asks Recognition.

WASHINGTON, Dec. 20.—Secretary of State Knox let it be known today that the attitude of the government toward Nicaragua would not be changed by the election of Madriz to the presidency as the successor of Zelaya, resigned. Madriz will have to show that he is capable of directing a responsible government which is prepared to make reparation for the wrong which it is claimed have been done to American citizens in the little Central American republic.

It was announced at the State department that the attitude of the United States toward Madriz would be as it was outlined in the note which Secretary Knox directed to Mr. Rodriguez, at that time the Nicaraguan charge in this city several weeks ago, severing all diplomatic relations with Nicaragua.

"This country will maintain that until a responsible government is set up and is in entire control so that definite negotiations can be held, diplomatic relations cannot be resumed.

"We are not trying to coerce Nicaragua," said a high State department official this afternoon, after a call at the White House. "We want it to settle its own affairs and we are not dictating what shall be done in Nicaragua, or who shall be named as president. All we want is a responsible government that we can do business with."

Statement from Estrada. "Peace in the country can only be assured by the complete exclusion of Madriz and his followers. We will continue fighting until this is secured. In the name of liberty and of justice on our side we ask you to recognize my government."

This message from General Estrada at the head of the revolutionary army in Nicaragua, has been received by the secretary of state. The telegram is dated Bluefields and was sent by wireless from Colon. In the same telegram Estrada says that no change in the person of Zelaya's chief executive selected by him or by the congress he contends will be accepted by the majority of the Nicaraguan people allied to the revolutionary cause.

This telegram contains the first authoritative statement that the revolutionary party will not accept as president of Nicaragua anyone who has any affiliation with Zelaya. The selection of either Madriz or Irujo for this post, therefore, means a continuance of the revolution with all the energy at the command of the Estrada party.

Zelaya Directs Assembly. Late telegrams received at the State department from Nicaragua say the national assembly of Nicaragua has been instructed by Zelaya to elect Madriz as president and Irujo to the chief command of the army. This everywhere in Nicaragua is regarded as a move to continue Zelaya as the dominant figure in the state.

A telegram from Corinto, dated the 17th instant, expresses the opinion that Irujo is to be given the presidency. This statement, however, is generally doubted. Managua telegram received this morning states that Zelaya is making active military preparations, and is putting in office in all the principal cities, including Managua, Leon and Granada, known supporters of Irujo, who, it was believed, would hold the real power of command-in-chief of the government military forces.

An official dispatch from Managua shows that considerable hostility is being displayed against the American consulate there by Zelaya's followers. Petty annoyances, such as abusive language and daily threats, are of constant occurrence, but no violence up to this time has been attempted.

Leon Troops Guard Madriz. The latest telegram from Managua, dated last night, states that 300 troops reached there the night before from Leon, the home of Madriz, and were at the railroad station when Madriz tried to escape. His train was earlier than was expected, but he was escorted to his hotel by the troops from Leon and other followers with drawn pistols, the police being armed with rifles.

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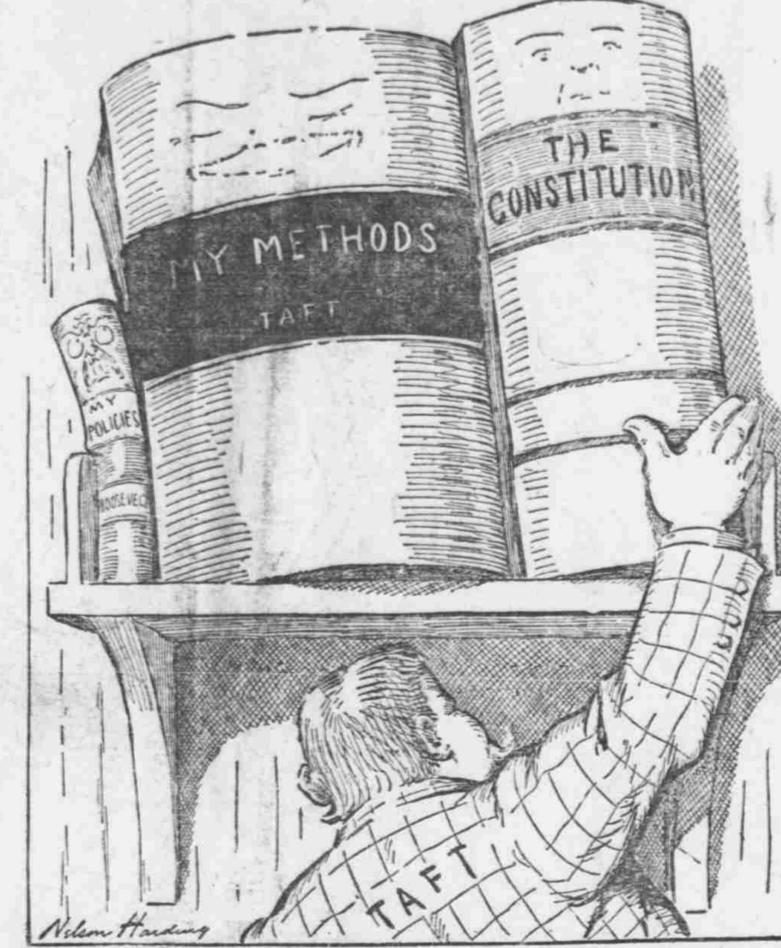
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His "Five-Foot Book Shelf"



EX-SENATOR HARRIS DEAD

Prominent Kansas Live Stock Man Drops Dead in Chicago.

BREEDER OF SHORTHORN CATTLE

He Was a Director of the International Live Stock Exposition and Prominent in Public Life.

CHICAGO, Dec. 20.—Former United States Senator W. A. Harris of Kansas died suddenly here today at the home of a relative. Heart disease was given as the cause of death.

William Alexander Harris was United States senator from Kansas from 1897 to 1900. He died at the home of his sister-in-law, Mrs. Lydia M. Mackey. Senator Harris had been in Chicago for a month, having come here to attend the International Live Stock exposition, in which he was interested. He had not been complaining of ill health and was apparently in good condition when suddenly stricken. He sank to the floor at his sister-in-law's home and died within a few minutes. Senator Harris was born in Loudoun county, Virginia, October 25, 1841. He was graduated from Columbia college, Washington, in 1869 and the Virginia Military Institute in 1869. He served with honor in the confederate states army for three years as assistant adjutant general and ordnance officer.

In 1866 he removed to Kansas, where he became engaged as a civil engineer in the construction of the Kansas division of the Union Pacific railroad. In 1868 he became agent for the sale of the Delaware reservation and other lands. Since 1876 he had been prominent throughout the United States as a farmer and breeder of pure bred Shorthorn cattle. This identified him with the live stock industry and brought him often to Chicago, where he was a member of the Saddle and Siroin club and a director of the International Live Stock exposition.

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Whose was Voice on 'Phone Begging for Governor?

Tommy Allen Appears and Storckan Fails to Come Across for Felix Newton.

THE plot seems to thicken around the hearing of the charges against the Nebraska Hospital for the insane at Lincoln and the deposition which was scheduled for the law office of Fred W. Anheuser for Monday failed to materialize.

Monday noon Mr. Storckan said that he had seen Dr. D. S. Woodard, against whom the charges had been made, and that he had made up his mind he would not testify, and even if he did testify his testimony would be against Newton.

The plot thickened when Tommy Allen, campaign manager for Bryan and Shallenberger and brother-in-law to Bryan, appeared, ostensibly as representative of Woodard. He maintained that he did not represent Governor Shallenberger.

While both Mr. Anheuser and his law partner, H. B. Fiehrer, were out of the office a telephone message was received by a clerk in the office. The voice said over the phone that it was from Governor Shallenberger's office and it said that it wanted Mr. Anheuser to see that morning came out in the hearing which could be used against Governor Shallenberger.

Mr. Storckan did not appear and the hearing was not held.

H. T. CLARKE BALKS MERGER

Founder of Bellevue Serves Restraining Order on Trustees.

WILL FIGHT IT TO LAST DITCH

"It Simply Balks Proceedings," Says Dr. E. H. Jenks, One of the College Board that is Enjoined.

When the trustees of Bellevue college assembled at the Young Men's Christian Association building at 1 p. m. Monday to discuss the proposed merger with Hastings college, they were served with a court restraining order issued by Judge Troup on petition of Henry T. Clarke.

Hardly had the members entered the committee room when Mr. Clarke, accompanied by his lawyer, J. Burbank, and a deputy sheriff, appeared and handed to members of the board writs from district court restraining them from authorizing the consolidation of the two schools.

Unable to take any definite action on the proposed merger the members of the board entered into a general discussion of the plans with members of the faculty at Bellevue and supporters of the school.

Mr. Clarke's move in securing the restraining order was to prevent any action on the spur of the moment. Mr. Clarke indicated that he would fight the plan to the last ditch.

Restraining orders were served on the following: E. H. Jenks, William S. Gibbs, John T. Beard, Enoch Benson, H. F. Maxwell, B. R. Stauffer, C. M. Wilhelm, E. M. L. Braden, W. A. Cotton, F. M. Hall, John P. Haskell, M. P. McClure and J. H. Salisbury.

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ENTRYMEN TO ASSIGN LANDS

Senator Burkett Introduces Bill Giving Relief to Dwellers on Reclamation Projects.

PATENTS GIVEN IN FIVE YEARS

Delay of Government on "Big Ditch" Cause of Hardship.

ANOTHER INJUNCTION MEASURE

Bill to Stop Conflict Between State and Federal Courts.

INDIAN TAX BILL GOES IN

Congressman Kinkaid Has North Platte Postoffice Scrap on Hand—No Relief for Charles Thomas.

WASHINGTON, Dec. 20.—(Special Telegram.)—Senator Burkett introduced an important measure today providing that reclamation entrymen can assign their holdings after five years' residence. The bill provides that after the specified residence, persons who have made or who shall make homestead entries within reclamation projects under the provisions of an act of June 17, 1902, may assign such entries and such assignees upon submitting proof of reclamation of land and upon payment of charges apportioned against same, may receive from the United States patents for the lands.

A very pronounced situation exists in the reclamation districts of the west, particularly upon the Nebraska-Wyoming project. Under the present conditions, settlers along the "big ditch" can get no patent until the waters come, notwithstanding they are tied there by law. The Burkett bill gives these settlers permission to hold the land and get title to it without having to wait until the government gets ready to give them water by completing the canal. Senator Burkett hopes by this measure to relieve the people who are living in and along the project and who are getting physically tired of "holding the bag" and waiting upon the government to complete a project which has been long in building. It is understood the bill has the endorsement of the Interior department.

Shaft as Injunctions. Senator Burkett also introduced a bill preventing federal injunctions in the enforcement of state laws and amending chapter 12 of the 18th statutes-at-large by adding the following:

"Provided, however, that no circuit court of the United States nor any judge exercising powers of such circuit court or judge shall have jurisdiction in any case to restrain or enjoin any officers of state or any administrative board or persons from instituting in a state court any suit or any other appropriate proceedings to enforce any statute or statutes of such state or to enforce any order made by such administrative board; nor shall they have jurisdiction in any suit instituted by persons interested in such corporation or corporations, as stockholder or otherwise, to restrain or enjoin such corporation or corporations from obeying the statute or statutes of the state in which they are doing business."

This bill is the outgrowth of a movement on the part of the attorneys general of various states, who in a meeting at St. Louis passed resolutions along these lines:

Much agitation has been going on, particularly in reform states, against the power of the federal courts to enjoin state officers in the enforcement of state laws. With the right of the federal courts to interfere it has generally been a foot race between the railroads on the one hand and the state officers on the other to the federal courts for the purpose of taking out injunctions that would prevent the state officials from carrying out the express provisions of the statutes. This, however has not been the case with the attorney general of Nebraska. He has generally circumvented the railroads by going into the federal court, ahead of the railroads and getting injunctions to enjoin the railroads from enjoining the state officers.

Indian Bill Goes In. Senator Brown today introduced the bill which has the approval of the Indian office providing that all lands in Nebraska belonging to members of the Omaha tribe now held under trust patents are made subject to appropriation and the secretary of the interior, he shall certify that fact to the county treasurer, which certificate shall operate as a release and discharge of the tax assessed.

It is further provided by the Brown bill that such Omaha lands shall not be subject to levy and tax sale as provided under the law of Nebraska for the collection of such taxes, but if such tax shall not be paid within one year after the same shall become due, then the list of all such unpaid and delinquent taxes on such lands of the Omaha Indians shall be certified by the county treasurer of the county in which the lands are located to the secretary of the interior, who shall be authorized to pay the same from any funds belonging to the Indian allottees owning such lands so taxed, and arising from rentals thereof, in his possession or under his control, and in the event no such funds shall be in possession or under control of the secretary of the interior, he shall certify that fact to the county treasurer, which certificate shall operate as a release and discharge of the tax assessed.

North Platte Postoffice. Congressman Kinkaid has a little postoffice squabble on his hands in filling the office at North Platte. The present incumbent, Footmaster Thompson, seems to have the inside track and the Postoffice department gives him a clean bill of health for efficiency. There are two others in the field, Dave, editor of The Tribune, and Davis, the county treasurer. Judge Kinkaid has not yet made a recommendation, but will doubtless reach a conclusion shortly after congress convenes after the holiday recess.

Senator Crawford today introduced a bill to increase the limit of cost of the public building at Huron, S. D., to \$50,000. This increase is deemed necessary in order to provide adequate quarters for the surveyor general, weather bureau and a division of field inspectors of the agricultural department.

A bill was introduced by Representative Martin extending the time within which settlers on public lands