

COMMERCE COURT RETAINED IN BILL

Provision Kept in Railroad Measure by Senate is Victory of "Regulars."

CUMMINS' MOTION TURNED DOWN

Town's Attempt to Strike Item Out Loses 37 to 28.

IS TRIUMPH FOR REPUBLICANS

Regarded as Fruit of Efforts to Solidify Administration.

BACON'S AMENDMENT LOSES OUT

Georgian's Proposal to Have United States Circuit Courts Act on Commerce Cases Proves Not Popular.

WASHINGTON, May 16.—Whatever may be the fate of the other provisions of the railroad bill the proposal to establish a court of commerce will be retained, the senate today taking affirmative action in that direction, as the house previously had done. The vote was obtained on a motion by Senator Cummins to strike out the entire six sections providing for the establishment of the court, the result being in the negative, 38 to 27.

The entire negative vote was cast by republicans, although eight republicans voted with the democrats in support of the motion. The affirmative republican votes were cast only, except in the instances of Senators Borah and Stanford, by the most pronounced of the "insurgents," Messrs Beveridge, Bristow, Clapp, Cummins, Doolittle and LaFollette.

Conditions at Chang Sha Again Most Serious

All Foreigners Are Officially Notified to Seek Refuge on Ships that Are Available.

WASHINGTON, May 16.—Another uprising at Chang Sha, China, is feared. The commander of the United States gunboat Henshaw has telegraphed the State department from Hankow that the conditions at Chang Sha were most serious and that all foreigners were notified officially on the 15th inst. to seek refuge on the ships that were available. The war vessels in the river are believed to be sufficiently strong to control the situation.

Halley's Comet Changes Its Form

Its Nucleus is in Shape of Pointed Crescent and Tail is Much Longer.

GENEVA, N. Y., May 16.—Excellent observations of Halley's comet were taken this morning by Prof. William R. Brooks, director of Smith observatory, who reported the comet's tail stretching out in a broad band across the heavens to a length of more than 45 degrees. The nucleus, Prof. Brooks said, was very bright, being easily visible with the naked eye long after all the stars except Venus had disappeared.

Light Rains Check the Forest Fires

Towns of Walker and Bemidji, Minn., and State Hospital Are No Longer in Danger.

ST. PAUL, Minn., May 16.—A telephone message from Walker, Minn., today conveyed the information that the forest fires which threatened that town and the State Tuberculosis hospital near there had been checked by a light rain and that the danger was temporarily passed. The same report came from Bemidji.

Finds it Hard to Marry Often

Iowa Man, Divorced, Tries Two States in Effort to Get License for Next Match.

Isaac E. Kirby of Spencer, Ia., got rid of his first wife a month ago, or else, she got rid of him. Anyhow, the two were divorced.

Woman Defends Old House Number Before Police Bar

With a volume of the city ordinances and certain maps and other documents, Miss Elizabeth F. McCartney presented the old spectacle of a woman attorney in police court in defense of Dr. and Mrs. J. M. Whittaker, who live in a residence on Pine street, the number of which has been a mooted question for some time.

Convicts Killed Trying Escape

Thirty-Four Inmates of Alabama Prison Dead Through Fire Set to Burn Stockade.

CENTERVILLE, Ala., May 16.—A long distance telephone message says that thirty-four convicts were burned to death and another was shot and killed while trying to escape from a stockade at Lucile today. The stockade was set on fire by a convict and a wild dash for liberty is thought to have been planned.

ROOSEVELT GOES TO LONDON TOWN

Special Ambassador to Attend King Edward's Funeral Met by Vice Admiral Neville.

CALLS UPON KING GEORGE V Views Body of Deceased Monarch at Buckingham Palace.

CALLS UPON DUKE OF CONNAUGHT Received by New Sovereign at the Marlborough House.

LITTLE DISPLAY MARKS VISIT Mourning for Dead Ruler Puts Quiet on Program Initially Prepared—Last Rites Scheduled for Friday.

LONDON, May 16.—Theodore Roosevelt, special American ambassador to the funeral of King Edward VII, arrived in London this morning and was received by King George at Marlborough house and later visited the throne room in Buckingham palace, where the body of the late monarch is privately lying in state.

The entrance to the city of the distinguished American was a quiet one and in marked contrast with his appearance at other capitals and with what would have been made of the occasion here but for the demise of the British ruler.

DEMOS ARE UP IN THE AIR

On Anxious Seat as to What Mr. Bryan Will Say.

PEEVISHNESS IS VERY APPARENT Both Jacks and Jims Are Keeping Quiet as to the Situation—Smaller Hall Used for Mr. Bryan.

Peevishness is in the air here, and it is not among most of the local democrats, but among the Bryanites. It was evident at the meeting to be held at Washington hall, address on the extreme situation in Nebraska.

Oil and Tobacco Cases Will Be Reargued in Fall

Supreme Court Sets November 14 as Date for Rehearing—Morse Application Denied.

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Kentucky Liquor Law is Valid

Supreme Court of United States Upholds the State License Tax Statute.

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Nebraska Grain Elevator Act Void

Supreme Court Refuses Rehearing in Case Against Missouri Pacific.

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C. G. Walker, President of Defunct Cleveland Concern, Given Five Years.

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Every day someone is advertising an article that they do not need, and every day somebody is snapping up these articles.

Call Douglas 238 and describe it to the ad taker and she will tell you what an ad will cost to sell it.

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Mr. Bryan—"Can that be the presidential bee I hear buzzing?" From the Spokesman-Review.

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BOOSTERS INVADE DAKOTA

Omaha Trade Excursionists Get Welcome Everywhere.

AT YANKTON AND SIOUX CITY Gate City Bells Ring Out Everywhere—Sioux Citizens Unite to Boom Missouri River Markets.

SIOUX CITY, Ia., May 16.—(Special Telegram)—Met at Lesterville, S. D., this afternoon by Judge E. T. White, mayor of Yankton, elected on the commission plan for five years.

At Yankton, the Omaha trade excursionists were escorted into the city famous for its cement, and taken uptown in automobiles decorated with flags.

At Sioux City, the Omaha trade excursionists were escorted into the city famous for its cement, and taken uptown in automobiles decorated with flags.

At Vermillion the University of South Dakota welcomed the visitors. Elk Point, one of the oldest towns in the state, had another occasion waiting.

While Sioux City is no mean city, it was sinking in three minutes with Omaha bells after the party arrived at 7:30 this evening, and marched to the Commercial club rooms for an informal reception by the Sioux City Commercial club.

Speaking at Tyndall Monday afternoon, the crowd yelled for more from Jeffe when the whistles blew, and the train got behind for a few minutes for the first time.

This is the route of the trade excursion for Tuesday, May 16, the party traveling over the Milwaukee & St. Paul railway and spending the evening in Scotland, S. D.

Sioux City, Ia. Leave. Arrive. Westfield, Ia. 6:45 am 8:45 am Akron, Ia. 8:15 am 8:30 am Chatworth, Ia. 8:45 am 8:55 am Hawarden, Ia. 9:05 am 9:25 pm Callippe, Ia. 9:35 am 9:45 am Hudson, S. D. 9:58 am 10:13 am Fairview, Ia. 10:25 am 10:35 am Beloit, Ia. 10:50 am 10:55 am Hartburg, S. D. 11:20 am 11:30 am Scotland, S. D. 11:55 am 1:00 pm Canton, S. D. 1:45 pm 2:30 pm Worthing, S. D. 2:30 pm 3:00 pm Yankton, S. D. 3:15 pm 3:25 pm Chancellor, S. D. 3:45 pm 3:55 pm Parker, S. D. 4:10 pm 4:20 pm Scotland, S. D. 4:30 pm 4:40 pm Freeman, S. D. 5:30 pm 5:45 pm Menno, S. D. 5:55 pm 6:05 pm Scotland, S. D. 6:30 pm midnight.

All Scramble for the Bells. GEDDES, S. D., May 16.—(Special Telegram)—Under the brightest of skies, the

(Continued on Second Page.)

LIFE SENTENCE FOR DR. HYDE

Kansas City Physician is Found Guilty of Murdering Colonel Thomas H. Swope.

JURY CUT FOR THREE DAYS Every Attorney in Case Had Given Up Hope of Agreement.

WILL MOVE FOR NEW TRIAL If This is Refused Appeal Will Be Taken.

PRISONER MUST STAY IN JAIL Missouri Law Does Not Permit Release on Bond of Persons Who Have Been Convicted of Murder.

KANSAS CITY, May 16.—Behind the bars of the county jail, Dr. B. Clark Hyde is confined, convicted of murdering Colonel Thomas H. Swope, his wife's uncle, on last October 3. The jury, after being out since last Friday, returned its verdict this morning. The prisoner smiles.

Out in her fashionable home on Fore-avenue, Mrs. Hyde and two sisters of the convicted man weep and hope. All of the believe the supreme court will reverse its decision.

In Independence Mrs. Logan O. Swope, mother-in-law of Dr. Hyde, is near collapse. She is glad to be endorsed by jury for ceaseless prosecution of her daughter's husband, but the shock of the conviction has made her nervous and weak. She was not present today when the verdict was returned.

Dr. Hyde will be sentenced late this week. At first Judge Latahaw thought he would sentence the prisoner Thursday, but it will probably be Saturday. The physician's attorneys will ask for a new trial and then appeal the case. By law, Dr. Hyde cannot now be admitted to bail.

Dr. B. C. Hyde was found guilty at 10:23 today of murdering Colonel Thomas H. Swope. His punishment was fixed at life imprisonment.

"Oh, Clark!" cried Mrs. Hyde when the verdict was read by Judge Latahaw. She threw her arms about his neck and wept bitterly. Then she patted her husband on the cheek.

Dr. Hyde sat motionless. He looked firmly at Judge Latahaw while the verdict was being received. As the words "imprisonment in the state penitentiary during his natural life" were pronounced his eyes fell upon the floor.

"Don't worry, dearie," Dr. Hyde said to his wife as she clasped him in her arms. Mrs. E. N. Hopkins and Miss Laura Hyde, sisters of the physician, looked distressed, but did not break down. They tried to comfort Mrs. Hyde and appear brave before her.

"We hope for the best," they said. "We don't understand this verdict. Clark is innocent."

"I haven't lost hope," declared Dr. Hyde. Within ten minutes after the verdict had been returned the physician was on his way to his cell. Mrs. Hyde remained in the court room for some time. She was extremely weak. Neither Mrs. Logan O. Swope nor any of her children except Mrs. Hyde was in the room when the jury reported.

The physician will be sentenced in open court by Judge Latahaw either Thursday or Friday. The law allows the defense four days in which to file a motion for a new trial.

"Treat that prisoner the same as any other," Judge Latahaw ordered. County Marshal Joel B. Meyers "Give him a few privileges and no luxuries."

The usual custom of permitting prisoners to send out for their meals will apply in Dr. Hyde's case, but he must sleep in a cell.

Will Ask New Trial. "I will file a motion for a new trial and then take an appeal in the case," said Frank P. Walsh, chief counsel for Dr. Hyde.

The verdict came unexpectedly. Every attorney in the case had given up hope of the jury, which had been out since Friday night, coming to an agreement. It was reported this morning that one jurymen vowed that he would vote for acquittal "until I die of old age."

Judge Latahaw was obviously perturbed by the actions of the jurymen. Half an hour before the verdict came in he decided to change his plan of discharging the jury tomorrow morning, if they did not agree. He planned to hold them for several days longer.

Crowd Quickly Gathers. Only a small crowd was in the court room when the announcement came that the verdict was ready. However, the news spread rapidly and every inch of space in the court room was occupied when the judge took his seat.

"There must be absolute quiet in the room," said the court. "The marshal is ordered to arrest anyone making a demonstration."

From out of a little side room Dr. Hyde, his wife and his sisters walked and sat down at the defense's table. The overcoat the physician had worn for two days, as if he were ready to go home was conspicuously absent.

Judge W. T. Johnson and John A. Lucas, attorneys for the defense, came in and sat down. All of the state's attorneys were present.

The group at Dr. Hyde's table was hopeful, but inclined to nervousness. Reports unverified, but persistent, were that for many hours the vote had been eleven in one for conviction. The arrival at an agreement made it practically certain the physician had been found guilty. But in the face of all the discouraging prospects, Mrs. Hyde tried to be brave.

"I think it will be all right," she said to her husband, and smiled. "Little time was wasted in reading the verdict. The crowd heard it, and, at the marshal's orders, arose and silently trooped out of the room. There was no more confusion than if the throng had been leaving a theater."

Jurors Go Home. Judge Latahaw thanked each of the jurors individually and then they hurried home. And they were glad to go, for it is just five weeks ago today that the trial started.

An hour after the verdict was reached,