

ludge Prouty Likely to Be Chosen Chairman of State Republican Committee in Iowa.

(From a Staff Correspondent.) DES MOINES, In., June 13.-(Special Telegram.)-Final reports were received today by the committees having charge of and head of the Young Women's Protective the late political campaign with regard to association in Indianapolis, an organization control of the next state convention, and Chairman Fieming, in charge of the the young colored women in the city, is in republican committee, authorized the statement that the reports from all counties here to interest the colored men and compiled show that the progressives have about 175 to 209 majority in the convention. The state committee which meets tomor- Twenty-fifth street. row will undoubtedly select as temporary chairman someone who will reflect the at Tuskogee, has a double purpose in her progressive views in Iowa, and Judge tour of the country; she wants both to Prouty, newly nominated for congress, will probably be named for the place.

P. M. Joyce of Lake Mills, Winnebago county; one of the most prominent bank- sary to pay the mortgage on the Indianers and financiers of the state, is reported from northern Iowa to be mysteriously missing and his friends are alarmed over rumors of financial difficulties. An investigation which has been made is said to do not realize that the question of obtainshow that the bank with which he was ing accommodations in a strange city is connected has not been complicated with oftentimes a serious one for colored people. his private affairs, but that personally he is in financial straits.



-C. W. Dalton Arrested for Flashing Revolver on Peaceful Craft-

THE BEE: OMAHA, TUESDAY, JUNE 14, 1910.

brief says that it "consisted chiefly in

explaining away the natural meaning of

documents, in pleas of ignorance, in plac-

word alone gives whatever force such

Brief tor Mr. Ballinger.

Mr. Vertrees insists that neither the of-

had no knowledge whatsoever."

estimony possesses."

Brandeis Contends Evidence Shows Secretary Unfit for Office.

ANSWER OF ATTORNEY VERTREES Says Charges is Result of Conspiracy

to Drive Secretary from Office Because of His Opposition to Garfield Policies.

WASHINGTON, June 13.-Briefs were vituperative. filed by the attorneys for the "prosecution" and "defense" with the Ballinger

Pinchot investigating committee today. The committee did not meet today, but will assemble next Saturday to prepare for its deliberations.

Attorney Brandeis, counsel for former Secretary Ballinger's final word of de-fense was presented in the form of a brief Special Agent Glavis, and Attorney Pepper, attarney for former Forester Pinchot, contend in their briefs that the evidence prepared by his attorney, John J. Vertrees. adduced during the investigation has shown ficial nor professional acts of his clients that Secretary Ballinger is unfit to adninister the affairs of the public domain are open to criticism and declares that because of an obvious leaning toward a have been sustained by presentation of fact. olicy of distribution instead of conservaion of the people's land. They condemn his attitude towards the champions of conservation and charge him with causing embarrassment to the president and loss to former Secretary Garfield and former the people. Equally insistent that Mr. Ballinger's acfom office.

ions, in and out of the Interior departtorney Vertrees, counsel for the secretary, the land office, Mr. Vertrees says the acsentation of fact.

the so-called "Garfield policies."

Brief of Mr. Brandels. To substantiate his claim that Secretary of the Interior Richard A. Ballinger has

shown "his hostility to the people's interests and his co-operation with the private special interests which are striving to take the people's properties in violation of law," Louis R. Glavis, former chief of the field division of the land office of the mitted to the Ballinger-Finchot investigating committee a brief of the evidence in the case, which is reviewed at great length.

be the guest of H. J. Pinkett, 2118 North The brief is prepared by Glavis' attorneys, Louis D. Brandels, George Rublee and Joseph P. Cotton, jr., and is a voluminous printed document of between 50,000 and legality of the claims is now being tried. 60,000 words, and is divided into seventeen Finally it should be stated that the evichapters

In the introductory chapter the brief disof our national resources?" In answer, Glavis' attorneys declare,

young women's institutions maintained by "That Mr. Ballinger does not meet these interior. Not an act, not a transaction, simple tests, has we submit, been con- not a thing, could be stated by him. He The two special objects of the Indianapclusively established, and if only this is asserted that there was one thing, and is work are to furnish accommodations true-the Department of the Interior that was that Mr. Balinger intended, with and protection to the young women coming should be under other guidances. The best full knowledge of his unfitness, to appoint to the city as strangers, and to be a social defense that Mr. Ballinger has offered is R. H. Thomson, to be director of the rec-

and industrial center for colored young that he was ignorant of the situation in lamation service." women, especially for those in service. This Alaska, and that all of the acts for which Mr. Vertrees calls attention to the rigid latter object the organizer emphasizes as he was criticised were performed by subor- scrutiny and examination the Interior de- patents or controlled by an international

care of important property interests."

of the brief says:

Alaska Cont Claims.

Regarding the investigation of Alaska

"The testimony shows Mr. Ballinger's

sympathetic attitude toward the coal

Attorney for Claimants.

"After having represented the govern-

coal claims by special agents H. K. Love

and Horace T. Jones, the second chapter

Judge Takes Gun. The City of Peoria is a pleasure boat, on which, so it is oft proclaimed, no Peoria product is on sale. However, C. W. "Defending the Tariff."

set, on arguments that he had never evidence before the committee relative to older pupils at once took the case in hand. heard, and, what is even more, on charges the Cunningham claims in defense of Mr. and bound the arm tightly to prevent ch of the preferring of which against him he Ballinger's connection with them as a culation, and applied other local remedies bad no knowledge whatesever." Ballinger's connection with them as a culation, and applied other local remedies government official. Then his conduct while they could think of, until the child could Concerning Mr. Bailinger's defense the out of office is discussed, particularly his be hurried to a physician. The prompt preparation and presentation of the Cunningham affidavit to Interior department pupils had so far neutralized the poison that the physician when called prot officials in September, 1908. In answer to criticisms of Mr. Ballinger's conduct in the child out of danger, and she suffered ing responsibility upon subordinates. His this matter, Mr. Vertrees says:

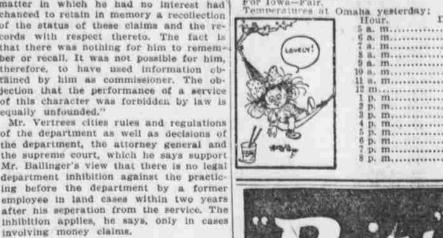
very little inconvenience. A case o fright and inaction on the part of thos "First of all, as has already been shown, there was no information of a secret charwith the child would have meant almos certain death with the time required Ao In conclusion the brief says: "In this acter in the land office which Mr. Baifet her to a physician to treat the case.

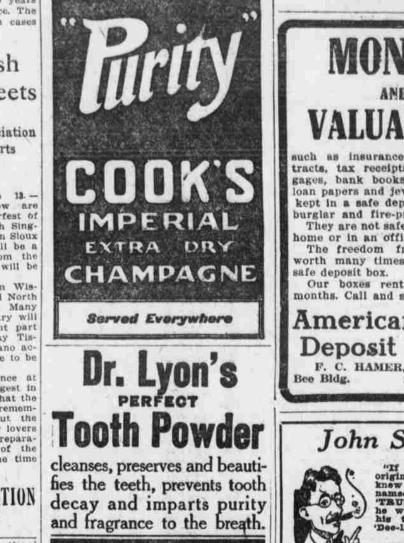
proceeding Mr. Wickersham appears no linger could have used. The reports on longer as an assistant judge filing his file are favorable to the claims. The afconcurrence after decision, but as an over-sealous advocate. In this proceeding Mr. affiants themselves. The only evidence that WASHINGTON, June 13.-The conference report upon the bill permitting agricultural entries on coal lands was agreed to today by the senate. The bill was amended in conference so as to allow entries on lands immediately after they are withdrawn and without awaiting their classification as re-quired by the bill as it passed the senate. Lawier is not the judge, but stands in his had been procured not contained in the true light, a prejudiced witness, bitter and reports or the affidavits of the affiants was a copy of the Cunningham journal. the original of which Cunningham himself 'Such are the facts. Such is Mr. Bal-"Such are the facts, Such is Mr. Bai-linger's record. Such his character. Can filed until after Mr. Ballinger had retired you say that the Department of the In- from the office of commissioner. Moreover,

terior, that the people's domain, is in safe the services were performed six months after he had left the office were secondary, For Nebraska-Cloudy, For Iowa-Fair, if it be assumed that Mr. Ballinger in a matter in which he had no interest had

chanced to retain in memory a recollection of the status of these claims and the records with respect thereto. The fact is that there was nothing for him to remem ber or recall. It was not possible for him, none of the accusations made against him therefore, to have used information obrained by him as commissioner. The ob-He says the accusations are the result of a jection that the performance of a service conspiracy and quotes freely from the evi- of this character was forbidden by law is

dence before the committee in an attempt of the department as well as decisions of Forester Pinchot, to secure his removal the department, the attorney general and the supreme court, which he says support Defending M. Ballinger's "clearlisting" of Mr. Ballinger's view that there is no legal ment, have not been open to criticism, At- the Cunningham claims as commissioner of department inhibition against the practic ing before the department by a former declares that none of the accusations made tion was upon recommendation of Chief of employee in land cases within two years against him have been sustained by pre- Field Division Schwartz, the official upon after his seperation from the service. The whom he relied to the advised. "If that inhibition applies, he says, only in cases





Coal Lands Bill Agreed To.

The Weather.

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John Says:-"If "Teddy B.,' the original "trust buster" knew that I have named a 60 cigar "TRUST BUSTER,' he would grin, show his teeth, and say: "Des-lighted.'" "By the way Teddy will be home in a few days."

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Mr. Vertrees attempts to show by the order was erroneous," continues Mr. Ver- involving money claims, evidence that there has been a conspiracy trees, "clearly the secretary would be excused, but it was not essoneous. It was from office because he did not approve of proper and right as the record stood." He Norwegian-Danish says that Mr. Ballinger immediately revoked the order when Glavis suggested that the claims should not have been clear listed and that the claims had remained in "chancery" to this day. Mr. Vertrees points out that throughout

the entire time Glavis had been kept in charge and was the one man relied upon t investigate all Alaskan claims. He say Balinger defended Glavis, asserting that the criticisms which ex-Governor Department of Agriculture today sub- in patenting the Cunningham claims was

undeserved. Kerby's Testimony Analyzed.

"It must be borne in mind also that no question of injury to the government is in-volved," suggests Mr. Vertrees. "The pat-

dence of Stenographer Frederick M. Kerby alone is conclusive as to the rectitude of cusses what the attorneys call "Mr. Bal- Mr. Ballinger's course. Kerby was his conlinger's unfitness as trustee for the peo- fidential stenographer and clerk and in ple," and asks the question, "Is Mr. Bai- charge of the confidential files. If there linger a man single-minded, enlightened were anything improper or corrupt to be and courageous, so zealously devoted to the known it would be known to him. He was given during the saengerfest. interests of the common people, so vigilant and resolute in resisting the insidious aggressions of the special interests that to him may be entrusted the carrying for-ward of the broad policy of conservation of our national resources?" was he asked to state anything that in his opinion reflected upon the secretary of the interior. Not an act, not a transaction,

"Then the tariff bill could have been Peerless Suction Cleaners defended plausibly," said Mr. Dolliver,

it was Winona, when the



dale, of Sloux Falls, will be the plano accompanist at the concerts which are to be

they are guests of the city. **DOLIVER DEFENDS POSITION**

(Continued from First Page.)

Dalton of 39 South Seventh street, not versed in marine ethics, mistook the boat for a man of war. Leastwise, he boarded the craft and put to sea Sunday, so it is alleged, with a gun of large caliber on his person Finding no port hole through which Rev. R. S. Hyde train his weapon, he simply carried it in his annex pocket.

That is, he carried it in his pocket fo awhile. Had he kept it there this story might never have been written, but while the boat was scudding along over smooth water, not so very many knots off the foot of Douglas street, Dalton, is it said, became engaged in war with a party of young men. He carried on the war and fired several shots after landing. Just what the war was about does not appear of merning, the judge said:

"You are fined \$1 and as a further pun ishment, 'F will confiscate your arsenal."

MANY CONTEND FOR CHILD Priest and Aunts of Little Anna Gallagher Ask Juvenile Court to

Give Thom Child.

Little Anna Gallagher, 8 years old, who appeared in juvenile court this morning. is the youngest principal in a juvenile case for some time. However, she did not come because of her own misdeeds, but as the bone of contention in a controversy regarding the person or persons into whose charge she shail be given.

The case involves a question of religion. The little girl's mother is dead and her stand by him. father, according to testimony, cannot be located and does no properly care for her. Her mother was a Protestant while her who was present, requested that he be falth.

Two aunts of Ahna appeared and stated vide her a home. Father Flanagan, however, stated that it was against the wishes of the father that his daughter be given into a Protestant family. The case was and his wishes put before the court.

ARRESTED FOR STEALING NAP

Colored Lad in Handled Roughly When Caught in Lodging House -Discharged in Court.

Under a charge of stealing 10 cents from fays ago, from which he was brought before juvenile court Monday morning. Harris had just not in from Chicago and was preparing to go to work in a South Omaha likely looking establishment.

He went in. What he did during the few minutes inniediately after his entrance is not told, but he had not been there long until the Greek proprietor discovered him, knocked him down, so the story goes, and then took him to jail. A theft of 10 cents was all the Greek could place against him. and there was little evidence to prove he was guilty.

Upon assurance by the boy that he would go to work he was allowed to go and was furnished car fare back to South Omaha. He was 17 years old.

hope to remedy, providing by our classes domestic science and training." Miss Walker will speak at the Zion Bap-

Daisy- Deane Walker Tells of Move

to Educate and Protect

Girls.

Miss Daisy Deane Walker, who is organizer

which has as its object the protection of

Omaha, and will give several talks while

women in this work. While here she will

Miss Walker, who formerly was a teacher

arouse the people to the needs of protective

work among the colored girls attracted to

Speaking of the work, Miss Walker said,

This is a phase of the colored question of

which white people know very little. They

I, myself, have many times had to sit up all

night in the railroad station because I was

refused accommodation at the hotels or the

the city, and also to raise the \$1,200 neces-

apolis home

the white people.

tist church Wednesday evening. Plans to Leave

Pastor of Hanscom Park M. E. Church Says He May Leave in the Fall.

obtaining. This is important in its bear-In an unofficial notice to members of the Methodist board, Rev. R. Scott Hyde, pastor ing, first, upon Mr. Ballinger's assertion record, but Dalton was arrested. When of the Hanscom Park Methodist Episcopal that when he directed the clear listing of policy, Mr. Vertrees cites numerous cases he appeared before Judge Crawford this church announced his intention of leaving the Cunningham claims he acted without in support of his contention that former Omaha in the fall. Mr. Hyde explained any knowledge except Love's 'favorable' that the health of his wife is a principal report, and, secondly, upon the president's that the secretary of the interior, in dealfinding of the fact that as commissioner, reason for his considering the matter of changing his home.

The clergyman said, however, that his intended action depended largely upon the most formal character." step to be taken by the Methodist conference. He is undecided, he said, as to scribe "Glavis' intervention to save the past. what part of the country he shall move. He remarked that possibly he might go south to take up chautauqua work.



tions today indorsing Haskell's act in moving his capital and declare they will

and that he was willing to abet what he would describe as a technical violation of Discussing the Garfield policy of issue Guthrie Man Asks Injunction. GUTHRIE, Okl., June 13 .- An application the statute by which the Cunningham "co-operative certificates," whereby refor a temporary injunction restraining the coal father is a Catholic. Father Flannagan, state officers from moving the state recprivate ownership instead of being kept extended, the brief says Mr. Hallinger's ords to Oklahoma City or transacting ofby the United States for subsequent disgiven permission to take the girl in ficial business at Oklahoma City was filed posal under laws which should adequately was fully sustained by the attorney gencharge as, he said, it was the father's in the federal court here today by attorprotect the public interests." desire that she be educated in the Catholic neys representing W. H. Coyle, property owner of Guthrie. The court took no

action on the application pending an in-Another chapter charges that after Mr. that they were ready and willing to pro- vestigation as to its juriadiction in the Ballinger retired from the land office and matter. Should the court decide it has resumed the practice of law he acted as furisdiction, a temporary restraining order attorney for the Cunningham claimants. will be issued. On this point the brief says:

The office of the governor, secretary of held over until the father can be located state, treasurer, auditor and secretary of ment against the claimants, he accepted a corporation were not open for official busir.ess here today.

The action of Governor Haskell today in stablishing the state executive department at Oklahoma City as the permanent affidavit for the purpose of overcoming bureau. The brief recites that Acting Sec cipital, while expected, caused deep gloom here. The governor's offices here today were vacant save for a few clerks.

No official business was transacted in the office of a Greek rooming house in the other state offices, except in the de-South Omaha, Jim Harris, a colored boy, partment of agriculture. Frank Field, secwas placed in the South Omaha jall a few retary of the board, said that his department had received no notice from Governor Haskell to stop work.

As Justice Hayes was the only member of the state supreme court in Guthrie. packing house. Looking about for a place there is serious doubt that Governor Hasto sleep he located what he thought was a kell has any kind of authority to change the scat of government.

> ZIEGLER FILES FOR SENATOR Wishes to Go to Lincoln This Winter as Representing Douglas County.

conduct of Mr. Ballinger throw a strong

'just as "The only persons who can be criticised," president presented a grotesque table of continues Mr. Vertrees, "are those who light upon his character. No man with reductions prepared by a paymaster in such a character would be trusted by an selves against the secretary and, the Dehave been discharged and arrayed themte army." He referred to Major Lord, partment of the Interior. This inquiry in- who assisted the senate committee or

volves the good rame of a gentleman and the reputation of the member of the cab-During his speech Mr. Dolliver During his speech Mr. Dolliver referred inet. It is no idle thing to assall the to the "two great hoaxes of the past character of a member of the cabinet. He year, the discovery of the Norts Pole by is one of the advisers of the president and Dr. Cook and the revision of the tariff dishonorable conduct on his part not only brings disgrace to him as an individual, but

Without mentioning him by name, Mr reproach upon the government itself. Con-Dolliver made reference to the activities claimants. It shows that Mr. Ballinger to be lightly brought. There ought surely sequently such an accussation ought not of Representative McKinley of Illinois, minutely supervised the investigation, and to be substantial grounds. Here, it may chairman of the republican congressional while it was in progress discussed with be asserted, there are absolutely none. The campaign committee. Defending the course of the republicans "who had not been Jones and Love the results, they were prosecution is cruel and it is baseless." able so to vote as to make the Payne

Secretary Garfield Wrong. Aidrich bill unanimous," he said: "An organized defamation of our polit-

ical character has been set on foot, proceeding from the highest officers of the Secretary Garfield was wrong in his view government, legislative and executive, and from a so-called campaign committee, preing with the public lands, had authority Mr. Ballinger acquired no knowledge in to do that which he may conceive advis- sided over by a multi-millionaire promoter respect to the claims except that of the able and for the public good, unless it be of street car franchises , with a treasury forbidden by some statute, and this neces- filled with rotten money, out of which Succeeding chapters of the brief de- sarily without regard to the usage of the is flowing a steady stream of campaign literature, much of it bearing the ear Alaska coal lands," and review the clear- Mr. Ballinger's position with regard to marks of the bureau of printing and enlisting of the Cunningham claims by Mr. the exercise of the so-called supervisory graving, and a dull, muddy stream of par-

Ballinger, who was then commissioner of power with respect to the withdrawai of a sitic eloquence."

the land office. In this connection the water power sites, on which question ho brief says: "We don't protend to fathom Mr. Ballinger's mind and to discover the motives which prompted him to clear list in the says is a solution of the say of the say of the say of the law, said that the public lands should be not been to entry index the Teacher Saves Life of Pupil. PIERRE, June 13.-(Special.)-A little sughter of Mr. and Mrs. C. A. daughter

the Cunningham claims. Whatever his open to entry-that is, entry under the Wood, living near Kimbro, Stanley county motives were, his act was indefensible motives were, his act was indefensible. it is beyond the power of any administrawhile playing at school was bitten on the The order clear listing the Cunningham it is beyond the power of any transmission of the ballinger had no tive officer to withdraw by executive order hand, by a rattlesnake. The teacher and claims show that Mr. Ballinger had no the lands which congress has thus stated proper conception of his duty as a trustee shall be open to entry. Numerous cases

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rest on the ve-

randa of a hotel

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duke. Superb cui-

sine-exquisitely fur-

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Continuing, the brief says: "A deluge of from

to go on the primary ballot as a candidate exonerating Mr. Ballinger, prepared by for the republican nomination to the office Lawier, his appointee and in effect his of State senator from Douglas county, Mr. subordinate, a man who had a specia Ziegler is the first man in the field for a grudge against Glavis, and who in that legislative nomination in this county. He draft of leiter declared Glavis guilty o NEW YORK, June 13.-Mayor Gaynor had as visitors today Louis and Tempie Abernathy, sons of Marshal "Jack" Aber-mathy of Okiahoma, who accompanied the Boung men to the city hall. did not subscribe to "Statement No. 1," pickging the candidate to abide by the ote of the electorate on choice of United States senator.

control of certain employes of the Indian disposal, drew a specious and perjured bureau was given over to the forestry the evidence obtained by the government retary of the Interior Pierce decided that and personally took their affidavit to inasmuch as the co-operative agreement Secretary Garfield. This is the kind of provided that all men employed in forest thing for which attorneys in practice are work on Indian reservations should constitute a part of the force of the forest Concerning Glavis' report to the president service, responsible directly and only

Discussing the Garfield policy of issuing

view that those certificates were illegal

eral's opinion, which held the certificates

invalid, based upon the fundamental propo-

sition that an executive officer could not

enter into any contract unless it was au-

that the reclamation act did not confer

authority upon the secretary of the in-

versed by Mr. Ballinger, was the "co-

terior to enter into such agreements.

Another of the "Garfield policies"

thorized by some act of congress, and

appropriation of \$100.000 for the Indian bureau's use.

Letter Exonerating Ballinger. typewritten matter came to the president Pinchot enterthined one view, and that the Interior department in answer to the Glavis report. Those answers were Ballinger entertained a different view, and supplemented by oral statements and argu- the result was, coming in as he did, as ments made by Secretary Ballinger and the successor of Mr. Garfield, he and Mr. Dacar Lawler, ansistant attorney general Pinchot regarded, or affect to regard, hun

Attorney Isidor Ziegler this morning of the Interior department, in their inter- as an enemy to conservation and to refiled his name with County Treasurer views with the president on September & clamation, and all because he did not con FLTay and paid the fee which entitles him and 7; and finally by the draft of a letter car in the policies which they had pur surd. As already shown, on principle, or a fair and proper construction of the case involved, the decisions of judges, the partmental decisions, and the opinion of the law adviser of the secretary, the view which he entertained was correct, and the doubts which he entertained were well

> Cunningham Claims. . The brief deals at great length with the

fee on the other side of the case, placed operative agreement" between the Interior the knowledge he had acquired in the gov- and Agriculture departments, whereby the ernment service at their-the claimantsand always have been disbarred."

lands would pass unlawfully into clamation projects could be expanded and

the brief says that "while it was of therete, if was an unwarranted attempt to necessary fragmentary because it dealt surrender the duties imposed upon the Interior department by the act making an only with the matter of which Glavis had personal knowledge, it is notable for ac-

curacy and moderation.

Thus it appears that these policies were matters about which there was a very earnest and sincere difference of opinion. says Mr. Vertrees. "Mr. Garfield and Mr

nished rooms-every bath treatment to be view is described as 'Gafield policy.'

found in Europe or America-the waters famous for half a century. Beautiful scenery and only one night away.

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