

SENATE REFUSES QUORUM DECISION

Upper Chamber Overrules Dictum by Sherman that Senator Having Pair Could Be Counted.

ACTION FOLLOWS A PROTEST

Similar Ruling by Chairman Previously Starts Dispute.

HOUSE ENGAGES IN WRANGLE

Measure to Codify Postal Laws Causes the Discussion.

HOME WOULD TAKE UP PENSIONS

Several Members Attempt to Take Advantage of Parliamentary Rules to Attain Their Object Without Avail.

WASHINGTON, Dec. 19.—As the result of a ruling by Vice President Sherman that a senator having a pair with another senator could be counted to make up a quorum, the senate today, on motion of Senator Hale, refused to accept that dictum, overruling it 37 to 17. The refusal of the senate to accept the decision of its presiding officer followed a protest voiced earlier in the day against a similar ruling made by Mr. Sherman Saturday. The clash today, as was the case Saturday, came up during the consideration of the omnibus claims bill. The senate passed a few minor bills and adopted the house resolution agreeing to adjourn on Wednesday for the Christmas recess, reconvening January 5.

The house early in the session fell into a parliamentary wrangle, which developed when the bill to codify the postal laws was taken up. The measure was still under consideration when the house adjourned. Several bills of minor importance were passed.

Both houses will be in session tomorrow. Senate is Determined.

By its vote of today the senate again emphatically announced its determination to resist all efforts to alter its rules in any way looking to the establishment of cloture in that body.

In connection with votes on amendments to the omnibus claims bill a vote was taken on an appeal by Senator Hale on a decision by the chair similar to that of Saturday. All of the seventeen votes in favor of sustaining the chair were cast by republicans. Of the thirty-seven votes against the chair twenty were cast by republicans and seventeen by democrats.

In the roll call the point was made by Mr. Heyburn that only by unanimous consent could a senator be excused from voting, even in observance of a pair, and after the call was concluded Senators Dillingham and Martin were compelled to rise and ask to be excused because of pairs.

No objection was made. Postal Laws Bill in House.

The reading was begun in the house today of a bill for the revision and codification of the postal laws. This provides for a practical reclassification of the postal service and for the appointment of a director general of posts. The latter would be a permanent government official subject to dismissal for cause only, and would be the practical manager of the entire Postoffice department.

This would no dispensation with the cabinet position of postmaster general, and the latter would be the real head of the department, giving his attention, however, almost entirely to the business questions of policy affecting the department.

Rather slow progress was made with the reading of the bill, which is a long one, because some of the members were anxious to have taken up a pension bill providing pensions for civil and Mexican war veterans more than 32 years old. Every parliamentary rule these members could think of was resorted to, but without result.

The house did not adjourn, however, without a struggle, two calls for quorum and three roll calls being necessary before it was decided to give up for the day at least, all efforts to get the pension bill up.

Man to Introduce New Bill.

As the result of the conference with New York and Chicago business men today Representative Mann of Illinois, chairman of the house committee on interstate commerce, will tomorrow introduce a substitute for his bill amending the pure food law relating to the branding of packages of food, drugs and medicines. The substitute provides that if the net quantity of the contents of the package are not plainly and conspicuously marked on the outside in terms of weight, measure or numerical count the article will be deemed misbranded.

The substitute allows reasonable variations and provides that tolerances shall be established by rules and regulations made under the pure food law. The bill is intended to take effect immediately on passage, but no penalty or fine, imprisonment or restriction of the business of any person or corporation for any violation of its provisions as to products prepared prior to eighteen months after its passage.

Panama Tolls Measure Prepared.

Michael Cudahy Leaves Estate of Eleven Millions

Hospitals and Other Institution Given Specific Sums—Annuities to Widow and Children.

CHICAGO, Dec. 19.—Michael Cudahy, founder of the Cudahy firm of meat packers, left an estate worth \$11,000,000 according to the will which was made public today. Of this sum \$5,000,000 is in personal property and the remainder in real estate.

Under the terms of the will the widow, Catherine Cudahy, will receive an annuity of \$20,000 to be paid from the estate by the trustees, who are: His daughter, Miss Mary T. Cudahy, his son, Joseph M. Cudahy, and Albert F. Borchardt. Several hospitals and similar institutions are given specific sums and his seven children are to receive annuities.

The will was made in 1904. There are indications that the decedent gave much property to Mrs. Cudahy and the children, other than that named in the will. The whole estate, real and personal, outside of certain personal effects, and some Pasadena (Cal.) real estate is willed to the trustees, to be held in trust for five years and managed according to their judgment. After Mrs. Cudahy's annuity is paid, it is directed that each of the children shall be paid annually \$10,000 for five years and to John Shaw of Chicago \$500 annually for five years. The children are Mrs. William P. Nelson, Mrs. T. Cudahy, Clara A. Cudahy, Mrs. John H. Cassery of San Mateo, Cal., John F. Cudahy, Joseph H. Cudahy and Edward I. Cudahy.

To Mrs. William Cudahy of Milwaukee, widow of the decedent's brother, is given \$6,000 a year for the trust period and at the end of that time she is to be given \$5,000. The following bequests are made: St. Joseph's orphan asylum, Chicago, \$5,000; St. Elizabeth's hospital, Chicago, \$2,500; St. Joseph's hospital, Chicago, \$2,500; Little Sisters of the Poor, Chicago, \$5,000; Sisters of the Good Shepherd, Milwaukee, \$5,000.

The remainder of the yearly income is to be given to the trustees also to be held in trust, and when the estate finally is distributed \$500,000 is to be given to Mrs. Catherine, the widow, or her heirs.

Albert F. Borchardt, the trustee, is secretary of the Cudahy Packing company. The will was filed late today.

British House of Commons Shows No Change

Final Pollings for Three Seats Today Fix Government Majority at About 125.

LONDON, Dec. 19.—The new Parliament is complete with the exception of three seats, which are being contested today. In only one of the constituencies, Wick Burghs, in Scotland, for which the sitting member, R. Munro, is a liberal, is there any possibility of a change, and so the House of Commons will be made up of 272 or 273 unionists, 270 or 271 liberals, 34 Irish nationalists and 43 labor members. This will make a coalition government of 277 or 278, giving the government a coalition majority of 134 or 135, the same as it had in the preceding Parliament.

The three previously unannounced returns from Saturday's pollings were made known today. The sitting member, Mr. Wilton, division of Wiltshire returned Charles Bathurst, unionist, with a majority of 157.

John A. M. McDonald and Sir John Henry Bethell, both liberals, were re-elected in Falkirk Burghs and Romford, division of Essex, respectively, with majorities of 2,031 and 2,328.

Contest for Control of Elgin Butter Board

Representatives from Wisconsin Are Insisting on Electing Two of the Directors.

ELGIN, Dec. 19.—Nearly every member of the Elgin Butter board was present today for the annual election of directors, which is to determine what section of the country will dominate the butter market for the coming year. Representatives of the Chicago commission met here to elect two of the five directors, if possible, and Wisconsin delegates were equally insistent that they have two representatives on the board.

Reported efforts to move the meeting place of the board to Wisconsin were not expected to develop at this meeting.

MEDIATION EXPECTED TO FAIL

Railroad Officials and Engineers Do Not Look for Results from Neil's Efforts.

CHICAGO, Dec. 19.—No results were expected today from the efforts of Mediator Charles F. Neil to adjust the differences between the Brotherhood of Locomotive Engineers and the sixty-one railroads from whom the brotherhood is asking increased wages. It was announced today both railroad managers and engineers said the chances of the mediation resulting in settlement appeared very unfavorable.

Fire Alarm Calls Villagers Away from Wedge Wedding

The village of Florence is proud of its sound came; she gasped a little and the evangelist-pugilist felt a chill run down his spine and filter between his toes.

The crowd leaned forward to a man, mouth open, eyes astare. Would she, or would she not?

Suddenly, with an alarming abruptness that pitched three men forward to the back of the next row the clear tones of the village fire bell smote the evening air.

To a man the audience rose and flew. To a man it headed for the fire house. Bride, wedding preacher and answer were all forgotten in the wild stampede.

The audience was the volunteer fire department and duty called. When they returned it was all over.

Now the male population of Florence is not sure whether Mr. Wedge is a benedict or a disappointed man. History will never say whether the answer was given or not. But at any rate the fire was put out and the reputation of the "department" was preserved.

WET SENATORS MEET IN OMAHA

Fourteen Democrats Discuss Liqueur Question During Afternoon Session.

ONE "DRY MAN" COMES TO CITY

J. A. Ollis of Ord Assured of Share of Patronage.

FORMAL CAUCUS ANNOUNCED

Will Be Held in Lincoln Afternoon of January Second.

WOULD AVOID LIQUOR ISSUE

J. E. Reagan Speaking for Gathering Says Agreed to Keep Liqueur Questions in Background During Sessions.

Fourteen "wet" democratic senators met in Omaha yesterday "to talk over" the coming session. They held a pow-wow during the afternoon at the Hotel Millard, after which J. E. Reagan of Douglas made a statement for the companying here. "We have not been organizing here. We just met to talk things over, and have decided on nothing except that we shall organize the senate when it assembles. By consent of all, including the 'dry' senators of our party, liquor issues will be relegated to the extreme end of the session."

Also in Omaha yesterday was one of the three "dry" democratic senators, this being J. A. Ollis, Jr., of Ord. Mr. Ollis was not at the meeting, but he saw various members of the "wet" caucus, and these assured him that he and his two "dry" associates will not be left out in the cold when the senate is organized.

The two absent "dry" are Senators Lee and Lynch and Bodison of Kearney. "I am informed that we shall be recognized in the organization of the senate," said Mr. Ollis. "We have made no promises in return and the information that we are to be recognized came without solicitation on our part of such recognition."

It is apparent, nevertheless, that Mr. Ollis and his associates were sufficiently interested to have a representative in Omaha yesterday.

It was announced after the meeting of the "wets" had adjourned that the democratic senators will caucus at Lincoln January 2 at 3 p. m. and will then make out their list of senate appointees. No slate was made out at the afternoon meeting yesterday, but in the evening, following a dinner at the Henshaw, several different groups of the senators got their heads together.

Tom Flynn and George Rogers were also at the dinner in the evening. Mr. Rogers told the company that "since Mayor Dahlman seems to be going to enforce the laws, you'd best leave the charter alone."

The two "wet" democratic senators not at the meeting were J. L. Albert of Columbus and Wes Pickens of Thayer. The fourteen votes present were: J. H. Moorhead, Falls City, First district; W. B. Banning, Union, Fourth district; M. J. Plack, Wahoo, Fifth district; S. Horton, Omaha, Sixth district; John E. Reagan, Omaha, Sixth district; J. M. Tanner, South Omaha, Sixth district; M. S. Wilcox, Craig, Seventh district; J. M. Talcott, Crofton, Eighth district; Fred Vollen, Omaha, Ninth district; P. S. Kohl, Wayne, Eleventh district; J. H. Burhman, St. Libory, Seventeenth district; C. M. Skiles, David City, Nineteenth district; Frank Bartos, Wilber, Twenty-second district; G. W. Tibbets, Hastings, Twenty-seventh district.

WALSH'S ILLNESS NOT ACUTE

Prison Physician Issues Statement Regarding Health of Former Banker.

LEAVENWORTH, Kan., Dec. 19.—Dr. A. F. Yohe, physician at the federal prison here, today issued the following statement on the health of John R. Walsh, the former Chicago banker:

"The atheromatous disease of the heart and arteries is slowly progressing and he is undoubtedly under considerable mental strain. He has no acute illness, and there is nothing in the sensational reports which have appeared in some of the papers."

Dr. Yohe stated that Walsh's age was more to be feared than anything else and that, other than the trouble from which he is suffering on his arrival, his physical health is good.

SUIT AGAINST MISSING BROKER

Creditors Seek to Have Robert E. Davis of Boston Declared Bankrupt.

BOSTON, Dec. 19.—A petition in bankruptcy was filed in the United States district court today against Robert E. Davis, a young broker, who disappeared several weeks ago. The petition was brought by two retail firms and the holder of a note. It is expected that other creditors will file claims, under the petition. It was stated at the time of Davis's disappearance that his liabilities would total more than \$200,000.

His creditors include prominent persons in the religious, theatrical and business world.

The White House Guest



From the Washington Star.

HORNET SAILS FOR HONDURAS

Former United States Gunboat Off for Cape Gracias.

MANY RUMORS ABOUT VESSEL

Report that Ship is to Engage in Filibustering Expedition is Not Confirmed and it is Allowed to Leave Port.

NEW ORLEANS, Dec. 19.—The former United States gunboat, Hornet, reported to have been purchased by Honduras revolutionists, cleared from this port at 12:30 this afternoon for Cape Gracias, with a crew of twenty men, 250 tons of coal and provisions for thirty days, included among the crew are several men who are said to have been connected with previous filibustering expeditions directed against Central America republics.

Much excitement was created in local Central American circles this morning, when it became known that the former United States gunboat, Hornet, purchased several months ago from the government by a local firm, had sailed, provisioned, signed a crew and would make an effort to leave today for Central America.

Statements in local newspapers are to the effect that the Hornet will lead in an attack which revolutionists are alleged to be planning against the little republic of Honduras, with a view of overthrowing the Davilla government, but Manuel Bonilla, formerly president of Honduras, and his right hand man, General Leo Christmas, an American soldier of fortune, deny that they have any connection with the Hornet.

Bonilla and Christmas met with future when they headed an expedition against Davilla last July. They are now in this city and the Davilla sympathizers attribute to them the fitting out of the Hornet.

To Meet Threatened Attack.

One of the rumors current this morning was that the Hornet would be turned over to Mexican revolutionists, President Davilla of Honduras having made extensive preparations to meet the threatened attack. Captain Johnson, commanding the vessel, says that the Hornet will be used by the Central American trade. Officers from the United States marshal's office have been keeping a watch on the Hornet, but apparently, have discovered nothing to indicate a filibustering expedition.

The Hornet was the private yacht of Henry M. Flagler prior to the Spanish-American war, when it was purchased by the United States government and converted into a gunboat. Last summer it was purchased from the government by a New Orleans ship yard, taken from Washington to Norfolk, overhauled and sent to Bluefields, Nicaragua, where it was used by the Estrada forces. After Estrada succeeded in making himself president of Nicaragua the Hornet was returned to its New Orleans owners.

Notwithstanding the denials made by Bonilla and Christmas, there is a feeling of certainty in the local Central American colony, among those well informed in Central America that these fighters are to head the most complete revolutionary expedition that ever left this port. The Hornet has recently undergone extensive repairs and has been fitted with a modern electric plant, including powerful search lights.

Bonilla and Christmas, it is said, will depart later and join the Hornet, either at Cape Gracias or at Puerto Barrios.

BIGAMIST GUILTY OF LARCENY

Harry P. Keeler, Who Obtained Big Sum from One Victim, Sent to Prison.

New Rates for Upper Berths in Sleepers in Effect Next Month

Schedule Announced by Interstate Commission is Eighty Per Cent of Charge for Lower Berth.

WASHINGTON, Dec. 19.—Tentative approval of the Interstate Commerce commission has been given to the fixed charge for upper berths in Pullman cars at 80 per cent of the charge now paid for lower berths.

The new charge is to become effective throughout the United States on or after January 20, 1911.

Commissioner Lane announced today that the Pullman company had accepted the conclusions of the commission in what are known as the Loftis cases, that the rates for long distances on lower berths and on all upper berths should be reduced. The commission's statement says:

"It is estimated that the reduction that will be made on all of the lines over which the Pullman cars are operated in the United States, excepting the New Haven road, the Great Northern and the Milwaukee & St. Paul will effect a net reduction of nearly \$1,500,000 annually.

The new rates for the lower berths appear to be based on a charge of \$2 for a twelve-hour run excepting on some of the fastest trains, the upper berth rate being 20 per cent lower than the newly established rate on lower berths."

JOHN DIETZ WILL GIVE BAIL

Merchants Who Enjoyed His Hospitality While Hunting Will Go on Bond.

LACROSSE, Wis., Dec. 19.—As the result of personal solicitation of Miss Myra Dietz, daughter of John P. Dietz, the "outlaw" of Cameron dam," business men of Bangor, Wis., here today pledged themselves in writing to furnish \$2,000 bail for her father, enough to gain his freedom on the three remaining counts against him. The bonds will be signed as soon as formally drafted.

The signers are all village merchants who have enjoyed the hospitality of the Dietz family during the hunting season.

FORTUNE FOR MISS D'JARNON

Philadelphia Girl Who Disappeared Year Ago with Waiter Reported to Half Million.

PHILADELPHIA, Dec. 19.—By the terms of the will of the late Robert Bult, the executor of this city, Roberta B. DeJarnon, his grandchild, who disappeared from the city with a hotel waiter a year ago and was found in Chicago, is given in trust the bulk of his estate, which is valued at about \$500,000.

JUSTICE WHITE IS INSTALLED

New Head of Supreme Court Takes Oath of Office.

CEREMONY IS A SIMPLE ONE

Only Procession is a Line of Black-Robed Justices from Robing Room to the Chamber of the Court.

WASHINGTON, Dec. 19.—Edward Douglas White, for sixteen years an associate justice of the supreme court of the United States, today became the ninth chief justice of the nation. The simple public ceremonies of installation were held in the presence of the bench and a distinguished gathering that filled the little court room.

The oath of allegiance was administered by Associate Justice Harlan, just before the court took its place on the bench.

The new head of the court, obviously embarrassed, marched to his usual place on the bench in his capacity as an associate justice.

As he took his seat, he smiled at his wife, who sat in a reserved seat alongside his brother, James White of this city, and other relatives.

Justice Harlan Administers Oath.

Presiding Justice Harlan, who has headed the tribunal since the death of Chief Justice Fuller last July, announced that after orders of the day had been made public, that Justice White, who had been appointed Chief Justice of the United States, was present and ready to take the oath.

He extended the congratulations of the court to the new chief justice and directed Clerk McKenney to read his commission. This done the presiding justice turned to his right, where sat the new chief justice, and in the presence of the standing gathering administered the judicial oath.

The senior justice bowed the chief justice into the chair at the head of the court, extended his personal congratulations and himself resumed his old seat at the right of the chief justice.

For the first time in history an associate justice had been appointed to the chief justiceship, and for the first time a president and a senate of one political party had honored a member of a rival party by placing him at the head of the highest court in the land.

Ceremony is Simple.

Because of the oversteering modesty of Chief Justice White, officials of the court were uncertain as to the exact details of the ceremony of the day until they had actually occurred. In a general way, the broad customs attending the induction into office of the head of the court were followed.

NINE PERISH IN GAS EXPLOSION

Manhattan Island Shaken by Terrific Crash in Power House of Grand Central Station.

ONE HUNDRED ARE IN HOSPITALS

Property Damaged to Extent of Five Hundred Thousand Dollars.

BROKEN PIPE CAUSES ACCIDENT

Foundations Are Jarred and Walls Shaken Out of Plumb.

LOSS COVERS VERY WIDE RANGE

Street Car Picked Up and Dropped on Auto, Killing Four Occupants—Windows in Many Buildings Broken.

NEW YORK, Dec. 19.—The heart of Manhattan island was shaken this morning by a terrific explosion of illuminating gas in the auxiliary power house of the Grand Central station. Nine persons, two of them women, were killed, 125 were injured and property was damaged to the extent of \$500,000.

Four workmen who are missing are believed to have perished, and of 125 injured the most serious were removed to hospitals. Of those eight may die. An investigation by the police is under way.

Traffic on the New York Central railroad ceased entirely for some hours and was discontinued for the remainder of the day, but the new station itself, now in process of construction, was not damaged.

The dead: NICHOLAS GALUCCI, laborer; PATRICK O'BRIEN, laborer; E. B. LIVERMORE, Pullman car inspector; C. M'ARRROW, laborer; EDITH OFFNER, stenographer; MARY B. POPE, nurse, Boston, Mass.; CHARLES ROBERTS, expressman; FRANK STAGO, watchman; JOHN RYAN, laborer.

The injured include laborers and other employees of the railroad, pedestrians, bystanders and others in the vicinity of the accident.

Trolley Car Thrown from Track.

A passing surface car, carrying seven passengers, was lifted from 14 tracks and hurled on an automobile running alongside. Four of the seven passengers were killed outright, but the chauffeur of the motor car was only cut and bruised.

Of the nearly 100 in hospitals, the following are most seriously injured: Unidentified woman, fractured skull; Michael Ryan, fractured skull and internal injuries; Vetta Abrahamson, fractured skull and internal injuries; Theresa Lotta, fractured skull and shoulder.

John Smith, injuries to the head; Francis Kelly, policeman, burned and bruised; John Cunningham, burned; Unidentified man, internal injuries.

For some hours it was believed dynamite alone could have wrought such instantaneous and demolishing havoc, but later in the afternoon Fire Chief Croker said he was convinced the whole explosion was due to a mixture of air and illuminating gas, used in lighting railroad cars, touched off by an electric spark. The gas had accumulated in the auxiliary power house from a broken pipe, snapped off by a runaway passenger car.

Foundations were jarred, walls shaken out of plumb, windows blown in by the thousands, ceilings came crashing down on the heads of those beneath, and the pavements were littered with pulverized glass.

Loss Half Million.

The full amount of the property damage is yet unavailable and may exceed the rough estimate of \$500,000.

The loss to the New York Central Railroad company includes the physical damage done to the power house, which was utterly wrecked; the delay to construction work, and the damage done to cars standing near the power house.

The loss to shopkeepers and property owners in the vicinity will spread over a wide range of items.

The explosion, which could be heard for many blocks, partly wrecked the fire engine house near by and prevented the firemen from getting their apparatus into the street. Monitors, ladders and laxes and Father O'Connor, McGuire, Sinnott and Byrnes of St. Patrick's cathedral, hurried to the scene and administered the last rites of the church to the more seriously injured.

At the postoffice sub-station at Fortieth street and Madison avenue, the explosion slightly injured several clerks and threw the mail all over the floor. In the New York nursery and Childs' Hospital, ceilings were partly shaken down and the windows broken, but fortunately none of the 300 children there were badly hurt.

Unique Features of Accident.

A workman was standing on a scaffold on top of the power house when the explosion occurred. The scaffold was wrenched from under him and as he fell he grasped a dangling rope, hanging there until rescued by firemen.

Chieftain of a Lost Tribe; Old Ruler With No Subjects

Chieftain of a tribe long since departed to the Happy Hunting Grounds, Friendly Horse, the aged Indian now a charge on the mercy of the Omaha police, is a ruler without subjects, a pauper prince and a lonely old man without home or friends.

Friendly Horse, starved, weak and withered with years, stumbled into the police station one night last week. He was given food and shelter. There he has since remained. The police have no place to care for the aged chieftain and the federal authorities declare themselves powerless to take up the case.

The old man is unable to speak any of the Indian dialects known to the interpreters available. Through the sign language, which has remained unchanged as it has been handed down from generation to generation of the redskins, one interpreter has gleaned bits of the old man's history.

Many, many years ago Friendly Horse was the leader of a great people in the southwest. He is believed to be a survivor of one of the nomadic tribes of Arapahoes. With upheld fingers and strange gestures he told a tale of long life of privation and hardship out beyond the edges of civilization in the desert regions of the southwest. Wandering from city to city he has been moving eastward. Just why he cannot explain.

A weird series of Indian dreams and traditions is mingled with the patched bits of his incoherent story.

Old Chief Friendly Horse is traveling toward the rising sun—that is all.

One woman in the wrecked trolley car