PROF. KENNEDY WILL STAY

Finding of Board that Charges Were Unproven Ends Case.

LEGISLATURE DOING ITS WORK

Passing and Consideration of Bills Not Impeded by Senatorial Contest—Will Pass Oregon Law.

(From a Staff Correspondent.)

DES MOINES, Feb. 26.—(Special.)—The action of the State Board of Education in deciding that the charges against Prof. Kennedy at the State college were not proved ends the case so far as the outsiders are concerned. No change will be made at the college in the department of animal husbandry, at least not now, and the work will go on. It is certain that if the charges had been sustained to the extent of requiring that a new head for the department be named now it would have practically destroyed the department. The students of the college were a unit in standing by Prof. Kennedy and their temper was such that it is certain very many would have quit the college had he been deposed.

The accusations related to a good many matters, but the board reached the conclusion that these were mainly rumors and without foundation. For instance, there was little ground, so they decided, for the accusation of having had a tuberculosis animal shown at the international stock show or to the charge that animals were fraudulently entered at the fairs and in regard to the questionable methods of winning at the stock judging contests.

The department of animal husbandry now has about 350 students enrolled and it is the largest department at the college. When Prof. Kennedy came to the department it had not over thirty-five students. The department has graduated young men who are the heads of many of the other colleges of the country and hundreds of them who are doing good work on farms and elsewhere. The state has perhaps gained more credit for the work of this department than any other.

It is the intention of the State Board of Education to strengthen and improve every department of the college and to especially add to the departments which relate directly to farming. The veterinary department is being improved and made one of the best in the country, and the department of dairying is growing.

Legislature Has Been Busy.

While only twenty bills have been passed by the legislature and have been sent to the governor, the two houses have partially perfected a vast amount of legislation. More than 100 bills have been passed by one house or the other and remain yet to be acted upon finally. The committees have passed on perhaps 150 other bills and have reported them for indefinite postponement. The record shows that the work of committees has not been seriously impeded by the senatorial contest.

Expect to Pass Oregon Law.

While for a time it semed certain that the Oregon plan bill for direct election of senators after their primary nomination would be defeated by the veto of the governor, it is now asserted by its friends that the bill may be passed over the veto. It all depends upon the senate, where it is very close. The matter has also become complicated with the senatorial fight in such a way that a trade may be effected which will place the bill before the legislature so that it can be passed.

Asks Legislature for More Funds.

Among the bills introduced in the house on the last day was one for a special appropriation for the benefit of the contingent fund of the railroad commission, including payment of $1,227.87 for the purchase of transcript of the evidence in the big rate case at Chicago and Washington which has just been decided, which transcript was made for the benefit of the Iowa commission and the attorneys in the case, and also included in the bill was an item of $463.50 for other expenses incurred in connection with the presentation of this case. The latter included the expenses of Clifford Thorne, a member of the railroad commission, while he was a member of the commission, in appearing before the Interstate Commerce commission, and the printing of some briefs in the case. As soon as this bill was presented in the legislature the bill of the commission for the amounts named was withdrawn from the state executive council, where no action had ever been taken. The matter will go direct to the legislature because of the exhaustion of the contingent fund of the commission.

Complaint of Statement Made.

Des Moines business men are up in arms over the statement of James H. Trewin, president of the State Board of Education, that Iowa does not need a $100,000 appropriation for short courses. He made that statement and declared that $42,000 is sufficient. The local men contend that no bill ever introduced in the legislature had such substantial support from the taxpayers as the bill asking for this $100,000 appropriation.

Old Lawmakers Meet.

The thirteenth reunion of the Pioneer Lawmakers' association of Iowa will be held at the historical building Tuesday and Wednesday, March 14 and 15.

The membership of this association is composed of those persons who, in or before the year 1860, were members of the general assembly of Iowa or were officers thereof, or held state executive, judicial or administrative office during the period thus covered or represented this state in the congress of the United States. The officers are: President, Benjamin F. Clayton of Indianola; secretary, William H. Fleming of Des Moines; assistant secretary, John M. Davis of Des Moines.

Will Talk About Women Votes.

While there is no probability of the legislature approving the constitutional amendment for votes for women the advocates of the amendment insist upon being heard and the first thing that happens when the members return next week will be an open hearing in the senate on the woman suffrage movement. The resolution is pending in the senate and is favored by the committee in charge.

Courts Not to Be Enlarged.

There is no great probability of the enlargement of the Iowa supreme court as proposed in a pending bill. The lawyers have been for several years demanding that something be done to make it possible to get the work of the court more nearly up with the docket, but there is said to be very little general demand for an enlargement of the court as suggested.

Big Fee Bills Are Paid.

Some good fee bills have been collected for the state the last week by the secretary of state. The Rock Island railroad paid a fee of $6,000 for the new company that is to build south to a connection with the Rock Island-Kansas City line; and a fee of $12,000 was paid for the company that is to handle electricity out of the big Mississippi river dam at Keokuk.

Foley Kidney Pills are a reliable remedy for backache, rheumatism and urinary irregularities. They are tonic in action, quick in results and afford a prompt relief from all kidney disorders. Sold by all druggists.

Scarlet Fever Plague in Town of Red Oak

Ten Deaths and Thirty Cases Result in Petition by Citizens to Close Schools.

RED OAK, Ia., Feb. 26.—(Special Telegram.)—Ten deaths have occurred in the space of five weeks and fifteen families are under quarantine for scarlet fever in this city, with a scourge of alarming proportions under way. The health board has held several meetings and the citizens have presented a petition asking that all the schools, churches and places of amusement be closed until after the epidemic is overcome. About thirty persons now are suffering from the disease.

The general alarm reached its height Saturday when Anne, the small daughter of County Commissioner Peter Ostrom, died from the disease after having contracted it the day before. About half the children have been kept from school by their parents. Sixty of the foremost citizens of the city signed the petition. Mayor D. B. Gunn and Health Commissioner Reiley, with members of the health board, have signified they will cause all public places to be closed, probably by Wednesday.

Tangle in Haugen-Murphy Contest Case

Charles City Auditor Refuses to Turn Over Ballots Without an Order from Federal Court.

MASON CITY, Ia., Feb. 26.—(Special.)—A new tangle has developed in the Haugen-Murphy congressional contest. In Charles City Auditor Rosenkrans has refused to turn over the ballots to the commissioners appointed to take evidence without an order to do so from the United States court. He was supported in this opinion by County Attorney Lockwood, who in turn had a written opinion from the attorney general of the state that that should be the method of procedure. Attorneys here claim that an order from congress is just as effective and obligatory as an order from a federal judge. Floyd is the only county in the district that has questioned this phase of procedure. Hans C. Madsen, clerk at the postoffice here, testified that he spent an hour at the court house prior to the election copying a poll list.

BOWMAN PROBABLY WILL ACCEPT IOWA PRESIDENCY

Secretary of Carnegie Foundation, Who Was Offered Place, Formerly a Reporter in Davenport.

DAVENPORT, Ia., Feb. 26.—John G. Bowman, secretary of the Carnegie foundation fund, who was tendered the position of president of the Iowa State university, arrived in Davenport today to spend the day with his mother before leaving for New York. He declined to state whether he would accept the position, but intimate friends assert he has practically assured the Iowa State Board of Education that he will do so.

Mr. Bowman is 33 years old and eight years ago was a newspaper reporter in Davenport.

WOMAN VICTIM OF ROBBERS

Miss Matilda Hernesmeier of Baxter, Ia., Probably Killed for Her Money.

MARSHALLTOWN, Ia., Feb. 26.—That Miss Matilda Hernesmeier, the young woman who was found dead at her home near Baxter yesterday, was the victim of robbers is the opinion of the coroner of Jasper county today.

A bullet wound was found in the right side of the woman's head, but no weapon was discovered. The starved condition of the stock on the farm indicated she had been dead four or five days. It is known that she had $165 in her home at the time of her death, which has also disappeared.

DES MOINES, Ia., Feb. 25.—Governor Carroll this afternoon offered a reward of $300 for the arrest or information leading to the arrest of the murderer of Miss Matilda Hernesmeier of Baxter.

HENRY L. AUSTIN IS DEAD

Wealthy Iowan, Injured in Auto Smashup, Expires of His Hurts.

WATERLOO, Ia., Feb. 26.—(Special Telegram.)—Henry L. Austin, victim of an automobile wreck, died Saturday noon. The accident occurred Wednesday afternoon when a string of Great Western freight cars crushed him and his seven-passenger auto into a space two feet wide. Part of a coal shed had to be moved to extricate him. Death was caused by failure of circulation of blood through the wounded parts. Mr. Austin was one of the wealthiest men in the county and is survived by a widow and three children, Walter G. Austin, Clarence W. Austin and Mrs. Alice Patterson, all of Austinville, Ia., the town he founded.

The funeral will be held in Waterloo, burial at Austinville.

Double Wedding at Madison.

MADISON, Ia., Feb. 26.—(Special.)—A double wedding of the two daughters of Henry Frank, living in Clark county just across the line from Madison, February 22, carried a unique feature, never known to have happened in that county before. Invitations had been issued for the wedding of the elder daughter, Mayme, to Vance Davis of Sweetwater, Neb., and when the guests and minister were assembled, the sister of the bride-to-be and her lover, Ernest Youmans of Truro, presented themselves as matrimonial candidates also. They had a license from Madison county and the first couple had one from Clarke county. Rev. Mr. Tague of Osceola tied the nuptial knot of the first couple in the parental home in Clarke county, then minister and guests accompanied the second couple across the road to the Madison side and completed the double ceremony. Both grooms are prosperous farmers and both brides are highly respected, talented and popular in their vicinity. Mr. Davis and bride will go to Sweetwater, where he has a farm, and Mr. and Mrs. Youmans will reside on a farm near the Frank home.

Marshalltown Daily Suspends.

MARSHALLTOWN, Ia., Feb. 25.—(Special Telegram.)—The Marshalltown Herald, an evening daily which has been published here by the Herald Printing company since May 11, 1869, today suspended publication. In the announcement made it is said the daily venture has never been a financial success. James McNally, formerly editor of the Edger (Neb.) Post and postmaster of that town, has been editor, manager and part owner.

Iowa News Notes.

SAC CITY—Dellavan Belding, a farmer living northwest of here, committed suicide today by cutting his throat with a pocket knife. He was 41 years old. Temporary insanity is supposed to have caused him to kill himself.

MASON CITY—The Commercial club of Mason City has secured the services of John A. Sly as secretary of the club at a salary of $1,800 a year. For a number of years he was secretary of the club at Waterloo and did splendid work for that city.

FORT DODGE—To settle the militia championship of Iowa in basket ball the teams of the guard companies at Shenandoah and Emmetsburg, Ia., are to meet soon for a series of three games, one each to be played in these two towns and the third in Fort Dodge.

IDA GROVE—When she heard that her brother, A. J. Smothers, had been brought back here from Sioux City to answer to a charge in justice court of assault with intent to commit great bodily injury, Mrs. Edith Bell Hansel of Castina, Ia., here on a visit, fell over dead. She was subject to heart trouble.

OSKALOOSA—U. B. Rodgers was today appointed receiver for the Jefferson County Agricultural association upon the petition of thirty-seven of the stockholders. The association is badly in debt, among its other liabilities being a mortgage on the fair association property. The receiver's bond was fixed at $15,000.

IDA GROVE—The Des Moines Commercial club has asked the Ida Grove Commercial club and all other commercial organizations in northwest Iowa to join in a demand for a new train service on this division of the Northwestern. The idea is to secure a train east and west in the morning and a train east and west in the evening.

CRESTON—At a meeting of the directors of the Creston Mutual Telephone company yesterday afternoon Scott Skinner was elected vice president to fill the vacancy made by the death of T. K. Wilson, and W. Brady was selected as treasurer, to fill the unexpired term of the late S. W. Richardson. Claire Atkinson was elected a director on the board.

CRESTON—Dr. Isaiah Waterman of this city sprung as much of a surprise on his relatives and friends here as Miss Kegley of Colfax, whom he married in Des Moines February 21. None of Dr. Waterman's relatives here had the least intimation of his intentions when he left here and he gave the impression he was going to the country on a professional visit.

MASON CITY—After being out forty-eight hours the jury in the case of Cleo Moore against the Mason City and Clear Lake railway brought in a verdict this afternoon in favor of the defendant. He sued the railway for $15,000. In the first trial he secured a verdict for $7,500. It was carried to the supreme court and sent back for a retrial. The second trial resulted in a disagreement.

IDA GROVE—Mrs. Marie Von Dohren today filed suit in district court against William Rotzloff of Sioux City for specific performance of contract. Mrs. Von Dohren says she bought a lot of Retzloff next door to the fine business block she owns here, the idea being to build an addition. Retzloff sold the lot for $1,050, but finally refused to carry out the bargain and she now goes to court to force the delivery of the deed.

IDA GROVE—At the conclusion of the presentation of the case for the drys by Attorney John Joseph of Sioux City, the court, Judge Hutchison, without listening to the defense at all immediately issued an order refusing an injunction. The drys, through Mrs. R. E. Fisher, brought proceedings against Ed Skoglund, a druggist, asking for an injunction retraining him from selling liquor.

NEVADA—Although she had been divorced from her husband prior to his death, Mrs. Jennie Rosenborough of Zearing has brought suit in the Story county court against the Iowa Central for $5,000 for her husband's death. Rosenborough died in this city March 27, 1910, after having had his leg crushed under an Iowa Central passenger while returning to Zearing. The suit is brought for the alleged support of Mrs. Rosenborough's children.

WYOMING—Will Bohnhoff, a young German farm hand, committed suicide Wednesday night and the body was not found until Friday. He witnessed the wedding of his employer's daughter on Wednesday, to whom he had vainly made love, and after the wedding stole away with a bottle of whisky and a revolver and after drinking the liquor is reported to have shot himself. Bohnhoff was 25 years old. The girl he wished to marry was Pauline Von Spicken, the daughter of a farmer for whom Bahnhoff worked last summer and made love to the daughter. She refused him, however, for Ernest Sieveka, to whom she was wedded Wednesday.

CRESTON—A local branch of the American Railroad Employes' and Investors' association has been formed here by the employes and the officials of the Burlington Railroad company with 177 members. The chief object of the association is to encourage co-operation among employers and employes in preventing legislation that is adverse to both. Ira G. Morrison is president of the local branch; Andy Emerson, vice president, and Will Rath, secretary and treasurer. The executive committee is composed of A. L. Page, D. A. Kelley, Superintendent W. C. Card, J. R. Young, F. I. Easton, S. J. Lewis, F. J. Howe, L. M. Cretors and J. M. Evans.

SOLDIER HEROES HONORED

War Department Recognizes Bravery of Men Who Save Life of Trapper in Far North.

WASHINGTON, Feb. 26.—The War department rarely bestows rewards for acts of heroism by soldiers in time of peace, but departed from the custom in the case of Chester T. Spencer, Frederick Todd and Bert Anderson. These three soldiers were stationed at a little telegraph post named Minto, fifty miles from Fairbanks, Alaska.

Last winter W. H. Meyers, a Canadian trapper, broke through the ice into a stream when the thermometer stood at 48 degrees below zero. To get wet in the open in that temperature usually means death.

The trapper extricated himself, staggered to the shore and built a small fire in a vain attempt to dry his clothes. Then he started for a telegraph hut at Minto, eight miles distant. He arrived with both legs frozen stiff.

The soldiers were the only occupants of the place and they promptly telegraphed to a doctor at Fairbanks, who advised them to keep the trapper's legs in ice water, meanwhile rubbing them vigorously. They worked over the man by eight hours turns, for three days and until they finally secured a small circulation of blood. Then they put him on a dog sled and carried him to Fairbanks where his life was saved, although he lost one foot.

For the conduct Spencer and Todd have been given certificates of merit and Anderson will get one if he returns to military service.

PAULOVITCH NOT READY TO SETTLE DOWN WITH A WIFE

Czar Unable to Make a Match Between His Daughter and Son of the Grand Duke.

ST. PETERSBURG, Feb. 26.—(Special Cablegram.)—Court gossip is that a marriage has been arranged between Princess Olga, eldest daughter of the czar, and her cousin, Dmitri Paulovitch, son of Grand Duke Paulovitch. Princess Olga is not quite 16. The grand duke's son is 20, handsome and popular. He has just completed his military schooling and is about to enter the army.

It is said that although the czar throws the two together as much as possible, yet the young man fails to take the hint.

The grand duke's son says he does not want to settle down yet. He thinks far more about the ballet than about getting married. He is supported by the dowager empress, who said recently:

"Let the boy have his fling. Olga is young; she can wait. The lad will make a much better husband if you let him have his fling first."

The czar, who favors early marriages, replied:

"I want my daughters to marry men of my own choosing while they are yet children. This is not possible afterward, as they then pick for themselves."

The czar's haste is partly due to the tendency of the grand duke to make morganatic marriages, of which the czar strongly disapproves. Dmitri's own father morganatically married a second wife, consequently he is never seen at court.

LAWSON AND ASQUITH MEET

London Editor to Ask the Prime Minister Some Questions.

STIRRING TIMES IN PARLIAMENT

Tory Leaders Agree to Passage of Veto Bill and All Delayed Radical Legislation Except Home Rule.

LONDON, Feb. 26.—(Special Cablegram.)—Harry Lawson, editor and proprietor of the Daily Telegraph, and a tory, the member of the house of commons for Mile End, intends to ask Prime Minister Asquith on Tuesday to state to the house the points of agreement reached between the liberal and unionists leaders at the constitutional conference which broke up last November after a six months' session. It can be stated on high authority that the conference broke up on hope rule; that the tory leaders had agreed to the passage of the veto bill with the consequential passage of all the other delayed radical legislation with the exception of home rule.

Mr. Balfour's final offer to Mr. Asquith, David Lloyl-George, Augustine Birrell and the Earl of Crewe, the liberal members of the conference, was:

"You can have your veto bill if you will introduce words providing that home rule for Ireland cannot be passed except by agreement between the two houses."

Would Support Asquith.

Moreover, Mr. Balfour offered to support Mr. Asquith and the radical government in passing the veto bill under such conditions, and to compensate for any defection of nationalists and radicals owing to the excluding of home rule from the operation of the bill. This apparently was a tremendous temptation to the liberal cabinet, for it insured the passage of franchise reform, and in fact, all the radical reforms the lords have held up for years. But the liberal cabinet spurned the temptation and unanimously refused to accept the veto bill on such conditions. Then the conference broke up.

Before Mr. Balfour made his decisive offer the conference had been discussing home rule both separately for Ireland and on a federal basis for the United Kingdom, but could not reach an agreement. Then Mr. Balfour offered the bribe of the veto bill to the liberal government and it rejected it. The secret of the conference has been most rigorously guarded and it is extremely unlikely that Mr. Asquith will afford any enlightenment to Mr. Lawson when he puts his question, as both sides agreed when the conference separated that no announcement should be made, either as to the course of its deliberations or the cause of its ultimate rupture.

Mr. Balfour, Lord Lansdowne, Austen Chamberlain and other unionist leaders, are playing their game cleverly in the great trial of skill at Westminster, but the likelihood of their winning even a moral victory is diminishing fast.

Real Crisis This Week.

The real crisis will come next week when the Lansdowne bill for a reconstruction of the House of Lords becomes public and Chamberlain moves the unionist hostile amendment, declaring Mr. Asquith's program to be one destined, even if not designed, to invest the commons with all the legislative power.

Austen Chamberlain is regarded by the Irish with profound distrust. They look upon him as spokesman of his father's anti-Irish policy, dating back to 1886. But they are even more antagonistic, because they see in him the personification of a Chamberlain doctrine of much later origin—the policy of cutting down Ireland's parliamentary delegation 40 per cent.

PHILADELPHIA IS SHOCKED BY ANOTHER SOCIETY PRIZE FIGHT

Anthony Drexel Biddle Nurses a Brunette Eye, but the Other Man Is in the Hospital.

PHILADELPHIA, Feb. 26.—(Special Telegram.)—Somewhere in Philadelphia there lies in a hospital a large gentleman who, until Thursday morning thought he was some class as a fistic artist. The doctors are mending his nose and repairing his face and Anthony J. Drexel Biddle is nursing a brunette eye and rubbing his chest with soothing liniments.

And it was all on account of that Beresford-Drexel scrap at Georgian court.

Biddle met the amateur champion on Chestnut street the day after the mill and they discussed it. The champion, by the way, is six feet two inches tall, and weighs 205 pounds. His name is not whispered abroad. The large one expressed a desire to go at Beresford.

"He is sure some scrapper," he said, "but I think I can show him a few points."

"Why not try it with me?" suggested Biddle.

"Oh, you're not big enough. You're a clever fellow with the mitts, Tony, and all that, but I weigh forty pounds more than you and I'm a foot taller. Why, I would just naturally eat you up."

"I'll take a chance," said the doughty scion of the Biddles and the Drexels.

Eventually the thing was arranged. Last Thursday morning in the presence of only the seconds and attendants, in a secluded spot, said to be in a fashionable suburb, the mill came off.

Was it some mill? Well, yes.

The big one didn't eat Tony up either. They say that there was class to every punch, and that when the big one came to, he feebly asked that the motorman be arrested for not ringing the gong. And after leaving the battlefield he carried his 205 pounds of sore spots to a hospital.

And Tony—well, he went home, put on a Prince Albert coat and during the afternoon sang for the Daughters of the Confederacy at the New Century drawing room, hustled away to coach an amateur opera company which is preparing to give a performance, skipped lightly home and got into evening dress, dined in state, and then picked his way to deliver a lecture before a Bible class. He is still on the job.

The other man will get well, and doesn't want to fight Seton Desert Beresford.

OMAHA PEOPLE ON THE OCEAN

Bruces, Haydens and Pickens Leave New York on Their Way to the Panama Canal.

NEW YORK, Feb. 26.—(Special Telegram.)—The steamship Maltke of the Hamburg-American line sailed today on its second long cruise to the West Indies, the Spanish main and the Panama canal, carrying 357 passengers. Among those sailing were:

E. E. Bruce and Miss Elizabeth Bruce, Miss Ophelia Hayden, Joseph Hayden, Mr. and Mrs. C. H. Pickens and Miss Elizabeth Pickens, Omaha, Neb.; Mr. and Mrs. F. L. Lusk, Missoula, Mont.; Mr. and Mrs. H. I. Nance, Los Angeles; Frank Drake, San Francisco.

La Grippe Coughs

Strain and weaken the system and if not checked may develop into pneumonia. No danger of this when Foley's Honey and Tar is taken promptly. It is a reliable family medicine for all coughs and colds, and acts quickly and effectively in cases of croup. Refuse substitutes. Sold by all druggists.

Mass Meeting Held in Interest of Employes

Movement Started in Washington to Secure Support of Voters for Higher Civil Service Pay.

WASHINGTON, Feb. 26.—With a view of enlisting the interest and co-operation of federal civil service employes throughout the country and of gaining through them the support of the voters for legislation providing for the increase of their salaries, a largely attended meeting was held in Convention hall in this city tonight and addressed by several speakers, including some members of congress.

The principal address was made by Fulton R. Gorden, a business man of Washington, who criticised the executive order which forbids any government employe stationed in Washington, under pain of suspension, to petition congress without first obtaining permission from the head of his department; bitterly attacked President Roosevelt as having originated the order and declared that President Taft "had enlarged it and made it even more severe."

The speaker asserted that in the last eight years 91,000 government employes had resigned because they could not live on their present salaries and were offered better pay outside. The government ought to be "the model employer of the world."

Others on the program were Senator Brown of Nebraska and Representatives Cooper and Cary of Wisconsin, Bennett of New York, Goulden of New York, Carlin of Virginia, Davis of Minnesota, Wilson of Pennsylvania and Heflin of Alabama.

Osterhaus Will Head Atlantic Fleet Soon

Important Changes Made by Secretary Meyer in Connection with Naval Reorganization Plan.

WASHINGTON, Feb. 26.—Rear Admiral Hugo Osterhaus, commandant of Mare Island navy yard, today was selected by Secretary of the Navy Meyer to succeed Rear Admiral Seaton Schroeder as commander-in-chief of the Atlantic fleet about June 1, and Rear Admiral Joseph B. Murdock to succeed Rear Admiral John Hubbard as commander-in-chief of the Asiatic fleet on May 19.

Rear Admiral Aaron Ward, the aid for inspections and one of the four advisory officers of Secretary Meyer in his naval reorganization plan established about a year ago, will succeed Rear Admiral Murdock as commander of the third division of the Atlantic fleet. The latter will be detached soon after April 10, preparatory to taking command of the Asiatic fleet.

As aid for inspectors, Admiral Ward will be succeeded by Rear Admiral Charles E. Vreeland, commander of the second division of the Atlantic fleet. The successors of Admiral Vreeland on the Atlantic fleet and Admiral Osterhaus at the Mare Island navy yard have not yet been decided upon.

These appointments are incident to the approaching retirement of Admirals Schroeder and Hubbard on account of the statutory age limit of 62 years. The latter terminates his active service on May 19, and Admiral Schroeder will retire August 17, 1911.

JURY INDICTS WAPPENSTEIN

Former Chief of Police of Seattle Charged with Receiving $2,500 from Vice Syndicate.

SEATTLE, Wash., Feb. 26.—Former Chief of Police Charles W. Wappenstein, indicted by the grand jury on charges growing out of the vice situation investigation, was arrested late today. The indictment charges that Wappenstein received $2,500 from Gideon Tupper and Clarence Gerald, saloon keepers and members of the so-called vice syndicate, which is alleged to have had exclusive gambling, white slave and other vice privileges during the administration of Hiram Gill, the recently recalled mayor. Wappenstein furnished $35,000 bail, the bond being signed by two wealthy owners of saloon and hotel property.

Wappenstein was removed from the office of chief of detectives of Cincinnati, after an investigation and later was removed from office as chief of detectives of Seattle, for misconduct. He was the chief issue in the recall campaign against Mayor Gill, and in the primary held last Tuesday for the nomination of candidates for councilman.

When buying a cough medicine for children bear in mind that Chamberlain's Cough Remedy is most effectual for colds, croup and whooping cough and that it contains no harmful drugs. For sale by all dealers.

Grinnell Herald Burns.

GRINNELL, Ia., Feb. 26.—(Special.)—Fire tonight burned the two-story brick printing and binding plant of the Grinnell Herald.

MILLIONAIRES ARE IN COURT

Some of the Rich Ones Flayed by Judge Kelly in Brooklyn.

SEEK TO EVADE THE SCHOOL TAX

Organize Their Servants Into a Band that They May Control the Election and Win Over Their Opponents.

NEW YORK, Feb. 26.—(Special Telegram.)—The millionaire residents of Sand's Point, Mott's Point and Bar Keeper's Point were roundly scored yesterday by Supreme Court Justice Kelly in Brooklyn for what he termed an attempt to perpetuate feudal conditions in this country in con-N. Hoffroth are included among the resitravention to the fundamental principles of the constitution.

Howard Gould, Carrie Guggenheim, Thomas Mott, Sarah Lippincott, Charles W. Sloane, Elizabeth C. Laidlaw and F. dents of these villages.

They have been trying to create a new school district to embrace this territory and to secede from the school district of Port Washington, thus evading the payment of $15,000 as school taxes.

It is charged that the rich residents organized themselves, servants and employes into separate corporations so that all would become freeholders before the election and immediately after the election these corporations were dissolved. In granting a temporary injunction, the case, which was carried into court by W. Bourke Cochran as attorney for the commissioners, Judge Kelly said:

"It may have been surprised at the sudden influx of real estate owners on September 18, as shown by the county records. But on October 5, when the meeting was held, they did not and could not appreciate the ingenuity of the incorporators, because, until the time limited to object to the supervisors' findings expired, the deeds which disqualified the freeholders were kept out of sight. It was only when it was too late to object that they were placed on record.

"I do not think the legislature intended that any one man could organize himself into a municipal corporation with the assistance of his farm hands and domestic servants. The enterprise has the flavor of old feudal conditions and is opposed to the institutions of this country and is contrary to the policy of the state of New York.

"The creation of a separate municipal corporaiton is one of the most solemn and serious things in our system of government. Whether it be a county, a city, a town or a village, these are the creation of the people of the state for the good of all of the people."

Favorable Report on Coffee Resolution

House Committee Slightly Amends Request of Mr. Norris and Recommends it for Passage.

WASHINGTON, Feb. 26.—The house committee on judiciary yesterday ordered favorably reported the Norris resolution instructing the attorney general to send to the house any information he has regarding the alleged monopoly of the coffee trade. The committee amended the bill by omitting references to Brazil.

The committee's action was unanimous. Mr. Norris will endeavor to have the measure called up as soon as possible.

The resolution called for information in the attorney general's possession as to what investigation had been made concerning acts of Brazil and American citizens of corporations in the matter of creating a monopoly in coffee and thus violating the laws against conspiracy, trusts and restraints of trade. The committee felt that it would be better not to mention Brazil specifically.

DANIEL CARMICHAEL IS DEAD

Builder of Railroad Bridge Across Missouri at Omaha Dies in Los Angeles.

DENVER, Colo., Feb. 26.—Word reached Denver today of the death at Los Angeles of Daniel Carmichael. Mr. Carmichael was 67 years old. Death was due to liver disorder.

Mr. Carmichael, who was born in Canada, came west to accept the position of chief engineer of the construction work of the Union Pacific, in 1870. He built the railroad bridge across the Missouri river at Omaha. Later he built the road from Cheyenne, Tyo., to Ogden, Utah.

A widow and four children survive him. Burial services will be held in the city under the auspices of the Masonic fraternity. Mr. Carmichael was a thirty-second degree Mason.

United States Takes Lead in Extending Courtesy to Japan

Real Importance of Treaty Develops When it is Learned Convention is First to Be Ratified.

WASHINGTON, Feb. 26.—The real importance of the new treaty developed yesterday when it was learned at the Japanese embassy that the convention is in fact the first of the whole fabric of treaties to readjust Japan's trade and commercial relations with the great powers and even the lesser nations with which she has built up trade.

It is true there has been much negotiations on this subject and the drafts of thirteen treaties have been drawn, but so far none of them has actually been ratified.

While it was originally expected the United States might be a year behind the other powers in the conclusion of a new treaty by reason of the fact that the existing treaty with Japan would not expire until July, 1912, this country has actually gone to the front and acted as a pioneer for all other nations.

For the reason that the United States has not insisted on claiming the very last year under the present treaty; that it has not, as was expected in some quarters, waited to see what other nations were doing, but with full confidence in the honor of Japan has led the way in unanimously adopting the new treaty, the Japanese government and people are deeply grateful and in the opinion of the Japanese embassy this action will do much to inspire the closest friendship between the two great nations.

Regarding the condition in the protocol of the treaty that "pending the conclusion of a special arrangement the provisions relating to tariff treaty of November 22, 1894, shall be maintained," it is said authoritatively there will be no effort in the immediate future to make such a special arrangement between America and Japan. Instead the business of the two countries will be conducted so far as customs duties are concerned under the terms of the old treaty.

BOMB THROWN IN JUAREZ

Attempt Made to Wreck Building Occupied by Military Commandant of Juarez.

EL PASO, Tex., Feb. 26.—A bomb thrown by an unidentified person tonight in an apparent attempt to wreck the building occupied by Colonel Tambourrel, military commandant of Juarez, struck and wrecked an adobe wall adjoining. The report was heard throughout the city and stirred residents to intense excitement. There is no clue to the thrower of the bomb and no arrests have been made, but a rigid investigation is in progress.

Colonel Tambourrel and staff were in the building at the time of the explosion, but all escaped injury.

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