

ARMY GATHERING IN FULL HEADWAY

President's Assurance to Mexico de la Barra Concerning Movement of Troops Satisfactory.

DISCUSSIONS WITH OTHER POWERS

No "Representations" Made in Conditions in Mexico.

MEDICAL SUPPLIES EXTENSIVE

Hospital Preparations Add to Significance of Movement.

TEXT OF MILITIA INVITATION

Pay and Transportation of National Guard Officers Will Be Defrayed by Regular Army Disbursing Officers.

WASHINGTON, March 8.—The scene of activity in connection with the movement of troops to the Mexican border has shifted to the line which they will occupy and official Washington has become merely a place for the receipt of reports showing the progress of the units toward their places of rendezvous.

Before leaving for Atlanta this afternoon President Taft had a protracted conference with Senator de la Barra, the Mexican ambassador, and assured him that the Mexican government had people need have no concern as to the intention of the United States in this military demonstration.

It was learned from official sources that there has been more or less discussion between the State department and representatives of several European nations as to internal conditions in Mexico, but it was said that this discussion had at no time taken on the proportions of what the diplomatists call "representations."

Telegrams of invitation. The War department tonight made public the text of the telegram which was sent today to the adjutants general of the several states, inviting a "limited number" of militia officers to avail themselves of the opportunity afforded by the maneuvers for observation and technical study.

The dispatch sent by General Robert K. Evans, acting chief of the bureau of militia affairs of the War department, was as follows: "The adjutant general of all states and territories and the District of Columbia:

"In connection with the mobilization of federal troops for maneuvers, I am instructed by the secretary of war to inform you that the department desires to extend to a limited number of officers of the organized militia an opportunity to attend these maneuvers for purposes of observation and instruction.

"With this end in view, it is requested that you furnish the office, at the earliest practicable date, a list of names and addresses, line or staff, of the organized militia of your state whom you recommend for such duty, giving the name of each officer, his rank and arm of service, and the probable time that he will be able to report and to remain at the encampment.

"The department will consider this service as falling within the provision of section 16 of the militia law, and, therefore, the pay and transportation of such officers will be defrayed by regular army disbursing officers from the special annual appropriation for joint maneuvers.

"It is required that in presenting the names of these officers you will accompany the request with an estimate of their pay and transportation to the nearest practicable point, inasmuch as the accommodations are limited, it is probably necessary to make selections from the officers presented. Information as to the officers selected by the department for this service and the places to which they will report will be furnished later, after the lists have been received and acted upon."

Extensive Medical Provisions. The extensiveness of the medical accommodations to the army and navy in the movement southward adds to the significance of the operation. The hospital ship, equipped as a floating infirmary, will participate in the maneuvers. It will leave Guantanamo in a day or two for New York or Norfolk with eighty sick from the battle ship fleet now in Cuban waters and then will be fitted out as a medical supply vessel and sent to join the vessels of Admiral Stanton's division of the Atlantic fleet, ordered to Guantanamo.

The medical staff of the Prairie and Dixie, the vessels, which have been selected to carry the large force of marines to Guantanamo has been increased to meet the needs of the increased personnel of the ships. On the Buffalo, the efficiency of his machinery to carry out any special notice or emergency orders that may be issued by the secretary of the navy.

Reserve Supply Ready. "A reserve medical supply," which contains medical supplies for 25,000 troops for three months, will be shipped from St. Louis for San Antonio tomorrow. Two base hospitals, which are the largest used by an army in the field, are being assembled at St. Louis, from which point they can be dispatched southward on telegraphic notice.

In addition to four field hospitals and four ambulance companies the surgeon general is rushing to San Antonio hospital facilities are also being made for the troops which will be stationed at San Diego, Cal. and Galveston, Tex.

Upon the issuance of the orders to the troops to move Commissary General Sharpe of the army issued the necessary advice to the chief commissaries and purchasing commissaries in the field to provide for the feeding of the troops, and, according to advices received at the War department comfortable arrangements have been made for the soldiers in this respect.

A divisional field bakery, including a large number of bakers and fifteen ovens has been ordered to San Antonio, which is more than ample to take bread for 20,000 troops.

FORMER GENERAL SOLICITOR OF THE UNION PACIFIC



WILLIAM R. KELLY, Died at His Home in Los Angeles Thursday Morning.

Report of Death of President Diaz is Without Foundation

Associated Press Reporter Talks with Executive and Says He is Apparently in Good Health.

NEW YORK, March 8.—In view of reports that a dispatch from the Associated Press correspondent at Mexico City received last night said that he personally had seen the president the previous night when he was in apparent good health. Another dispatch received from Mexico City last night referred to President Diaz receiving Admiral Lajarte at 5 p. m. and later conferring at his town mansion with the governor of Guana-Juato. No further advices have been received.

Attorney for Night Riders Leader in One of the Raids

Testimony of Man Who Confessed Causes Sensation in Court at Hopkinsville, Ky.

HOPKINSVILLE, Ky., March 8.—Samuel Hill, the second of the confessed night riders who took the stand here in the trials of men alleged to have been leaders in the raid on this city in 1907, testified today that he knew Dr. David A. Amos, defendant in the current case, to have been "general" of the night rider clan. Arthur Cooper testified that he was employed by Dr. Amos and Guy Dunning to organize night rider lodges.

Murder and Suicide in New York Hotel

Bodies of William Hall and Wife of Chicago Found in Private Dining Room—Affair is Mystery.

NEW YORK, March 8.—Three revolver shots were heard in a private dining room in a small uptown hotel early last evening and when employees hurried in they found the bodies of a man and woman. The man, who had come from Chicago Wednesday, dead, and his wife, Bella, fatally wounded.

Mrs. Hall died a few moments later. Her fur coat had been set aside, so close had the weapon been placed to her breast. A revolver was found beside Hall's body. This led the police to believe he had shot his wife and committed suicide. The later discovery of a Sossan cartridge in the woman's stocking developed a mystery, and the police are certain only that no third party was concerned.

VOTE TRAFFIC IN KENTUCKY

More Than Five Hundred Indictments Will Be Returned in Floyd County. LEXINGTON, Ky., March 8.—William M. May, commonwealth's attorney for the thirty-first judicial district, announced at Frankfort, Ky., today that he expected between 500 and 600 indictments to be returned by the grand jury of Floyd county, which is investigating an alleged traffic in votes there.

Government Will Spend \$300 to Collect \$3 from Railroads

WASHINGTON, March 8.—Demanding reparation from several railroads, aggregating \$215, the United States of America, by the Department of Justice today in suits before the Interstate Commerce commission a complaint against the Pennsylvania railroad, the Southern railway, the Norfolk & Western railway and the Philadelphia, Baltimore & Washington railroad.

HARRIMAN RAIL KINGS IN OMAHA

President R. S. Lovett and Three Other Directors of Union Pacific Visit Shops Here.

MAKE COMPLETE TOUR OF SYSTEM

Officials Express High Pleasure Over Results.

LIKE NEW BUILDING IN OMAHA

Lovett Explains Big Purpose of Party's Tour.

INSPECTING IMPROVEMENT WORK

Official Says Most of Road's Great Fund Goes into Double Tracking—No More Money for Improvements in Nebraska.

President R. S. Lovett, accompanied by Julius Kruttschnitt, director of operation and maintenance; J. C. Stubbs, director of traffic; and Robert Gollett, one of the directors and stockholders of the Harriman lines, arrived in Omaha Tuesday afternoon, remaining for a short time while they made an inspection of the new Union Pacific headquarters and the Union Pacific shops.

President Lovett and his officials have been making a complete tour of the Harriman system and left Tuesday night for Chicago. The trip is partly to look over the land where the big \$75,000,000 appropriation is to be spent in the next five years, and for other business reasons, such as the extent of the increase of the population along the various parts of the system and the advisability of any improvements.

"I was greatly pleased with the appearance of the new headquarters building and with the shop improvements. We are spending lots of money here in Omaha, but think that it is worth it in the end," said Mr. Lovett, upon his return from his visit to the two places. In regard to whether Nebraska would receive any of the money to be spent Mr. Lovett declared that "Nebraska has already had her share of that money. The lines of the Union Pacific are practically complete in this state, and there will not be much money spent here next year nor in the immediate future.

"The bulk of the work to be done will be in the double tracking of our main line. We do not intend building many stations; they are merely places where people get on and off the trains, and when a station is able to accommodate the crowds there is no necessity for larger buildings.

Doubtful on Northwest Plans. Mr. Lovett was somewhat doubtful as to just what the Harriman lines would do in the way of improving and developing the big territory of the northwest.

"The northwest is a great country and it will depend largely on what amount of immigration goes into that land, and what is to be done to develop it in the future," he said to large groups of men in the shape of new railroads will be put in there in the near future.

The railroad president arrived on a special train. He was escorted from Ogdon by General Manager A. L. Mohler of the Union Pacific. R. W. Baxter, general superintendent of the Illinois Central, accompanied him to Chicago. This was the closing point of his trip over the Harriman system and he pronounced himself pleased, and stated for the other officials, that he was highly satisfied with the condition of the lines.

During the course of the interview the question of whether the new rate laws would allow the Union Pacific to make money necessary to support the road, pay for the improvements and enlargements to be made, and pay a dividend, was asked. In reply Mr. Lovett stated that the same had been had given the Interstate Commerce commission, that the lines would not be able to make money, but not a fair dividend on the stockholders' investments.

CHINA'S ANSWER TO RUSSIA

Peking Government Gives Assurance that it will Abide by Treaty.

PEKING, March 8.—The foreign board today handed to M. Korotkevitch, the Russian minister, China's reply to the Russian request for a more explicit statement on several disputed points than was contained in the original answer to the protest made by the Chinese government to the provisions of the treaty affecting Mongolia and Chinese Turkestan.

BIG EXPLOSION IN CHICAGO

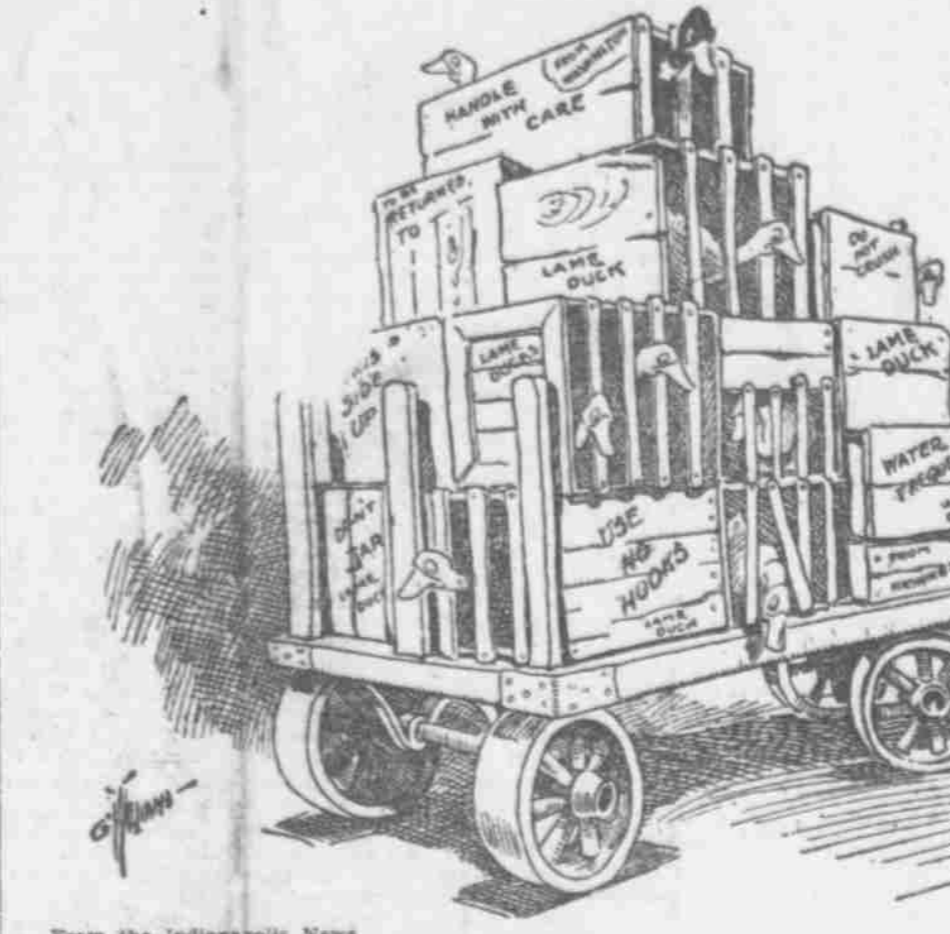
CHICAGO, March 8.—Two heavy vibrations at 5:15 o'clock tonight that shook buildings and shattered windows throughout Chicago caused a general belief that an earthquake had been felt. It was learned that a building at West Madison and Union streets had been shattered by a heavy explosion.

Bryan Speaks Twice in Boston. BOSTON, March 8.—William J. Bryan returned here today after a visit to Providence and addressed the two branches of the Democratic party in his appearance at the state house he lunched with Governor Foss and about a hundred of the Democratic leaders in this state. Mr. Bryan was invited to Harvard university later in the day.

Government Will Spend \$300 to Collect \$3 from Railroads

Morrisstown, Tenn., that an overcharge of 8 cents was made on the transportation of one passenger from New York City to Knoxville, Tenn., and that an overcharge was made on each of two passengers from Philadelphia, Pa., to Chattanooga, Tenn., of 30 cents. The total overcharge was \$215. Experts of the commission estimate that the value of the time of the attorney who drew the petition and the clerk who transcribed it was worth, commercially, \$25. The labor of the commission and that of the counsel for the railroads on the case, together with the correspondence incidental to an adjustment of the case will aggregate several hundreds of dollars.

Damaged Goods Returned



From the Indianapolis News.

JUDGE W. R. KELLY IS DEAD

Former General Solicitor of Union Pacific Succumbs in California.

IN FAILING HEALTH FOR YEARS

Head of Legal Department Here for Decade, Once Attorney of Lincoln—Veteran of Sherman's March to the Sea.

Judge William R. Kelly, former general solicitor of the Union Pacific system, died early Thursday morning at his home in Los Angeles. He had been in ill health for several years. His daughter, Mrs. Raymond Welsh of Omaha, was at the bedside when the end came. He was 52 years old.

Information of the death of Judge Kelly was received at Union Pacific headquarters here by William Whitaker of the legal department Thursday morning. Arrangements for the funeral have not been announced.

Judge Kelly entered the employ of the Union Pacific in 1895 at Lincoln as counsel for the road in all cases which came up south of the Platte river. In 1898 he was made assistant general solicitor with offices at Omaha and in 1905 he succeeded to the position of general solicitor. He was in the service of the company through the most strenuous days of its financial history and the reorganization. He resigned because of failing health January 1, 1906. He was succeeded by the late John N. Baldwin, whose place was taken in turn by N. H. Loomis, the present incumbent.

At his death Judge Kelly held the position of general solicitor for the Salt Lake and San Pedro road. Judge Kelly was born in Licking county, Ohio, in 1858. When but 12 years of age he emigrated to Lincoln, Neb., as a private in Company E, Twentieth Illinois Infantry, and was with Sherman in his march to the sea and the campaigns through Carolina. After being discharged in July, 1862, he studied law, and was admitted to practice in Illinois in 1869. In 1870 he removed to Holt county, Missouri, where he lived about a year, and then returned to Illinois. In 1871 he removed to Lincoln, Neb., which was his home until 1888, when he removed to Omaha. Mr. Kelly was elected state's attorney in De Witt county, Illinois, in 1876, and served until April, 1879, when he resigned; and in 1880-1881 he served as city attorney of Lincoln. With these exceptions, he held no public office, but devoted himself assiduously to his profession.

Sketch of His Life. William Riley Kelly was born in Perry county, Ohio, January 26, 1849, moved to Clinton, Ill., when a boy, enlisted in the Twentieth Illinois Volunteer Infantry at the age of 16 years and served to the end of the war. He was mustered out at Louisville, Ky., July 16, 1865. He received his early training as an attorney in the office of Hon. H. S. Greene of Clinton, Ill. He was admitted to the bar in 1870, married at Macomb, Ill., May 8, 1872, to Eleanor Kermom, a native of Ohio. He moved to Lincoln, Neb., in 1879 and was a member of the law firm of Harwood, Ames & Kelly for many years; moved to Omaha in 1886 and for a few years had charge of the law business of the Union Pacific Railroad company in the state of Nebraska. He succeeded John M. Thurston as general solicitor of the Union Pacific system in 1905.

On account of failing health, he resigned his position with the Union Pacific in 1906 and moved to Los Angeles, where he had large property interests. After a year's rest his health was so much improved that he accepted the position of general solicitor of the San Pedro, Los Angeles & Salt Lake railroad and held this position at the time of his death. He is survived by his wife and daughter, the latter the wife of Mr. Raymond M. Welch, president of the Omaha Cooperative company.

Mr. Kelly's many friends in Omaha, where he lived so long and was so well known, will learn of his death with deep regret and sorrow. Judge Kelly worked hard, lived honestly, injured no one. He was a good man, a strong and brave man and a gentleman at all times. Those who knew him best loved him most. In his life here in Omaha he set a fine example in business and society.

American Loses Fortune in Paris

Lievin Hart Says He Was Swindled Out of \$52,000 by Use of Marked Cards.

PARIS, March 8.—Three men describing themselves as Italian noblemen were arrested today charged with having swindled Lievin Hart, a young American, out of \$52,000. The prisoners gave the names of Borzell, Carmichael and Burdett and are alleged to be wanted by the police in Italy.

According to the story told by Hart, he met the strangers at his hotel in the Place de l'Etoile and was introduced by them at various gambling clubs. During the visits to these places he says that the men by the use of marked cards and other devices robbed him of his entire fortune.

FREE THEATER TICKETS

Ten pairs of seats—20 in all—are given away with this issue of the Omaha Bee. See if your name is in any of the classified ads appearing on those pages. TODAY. Also five sacks of FLOUR.

You need not advertise to get these gifts—the Bee Gift Editor attends to the prizes. Just find your name and the gift is yours.

HOUSE ON RECORD FOR YARDS BILL

Lower Body Passes Much-Discussed Measure with Severe Provisions Nipped Off.

WILL PASS AS RECOMMENDED

Effort to Make More Stringent Gains No Support.

UNION LABEL BILL IS KILLED

Senators on Final Vote Do Not Want it to Pass.

GOVERNOR WITHHOLDS APPROVAL

Technicality in Connection with Emergency Clause May Cause Some Woe to Friends of Institutions that Have Money in Sight.

(From a Staff Correspondent.) LINCOLN, March 8.—(Special.)—The house stock yards bill, introduced by Taylor of Hitchcock and Dolezal of Saunders, was ordered for third reading today and will probably be passed by the house when it comes up for passage. The bill had been made a special order for the afternoon and before beginning upon it several conferences had been held among the leaders leading to an agreement. The principal of stock yards legislation has always been more popular in the lower house than in the senate and this was no exception. The bill had been passed by the house last year only to die in the senate. The senate bill of this year by Ohio is still in the hands of the house committee.

The debate of the afternoon was mostly over an amendment offered by Evans of Adams, who wished to fix in the bill a clause fixing the rates which stock yards should be allowed to charge. The bill as it stood gave control to the State Railway commission over all rates and service. The amendment was objected to by Prince of Hall on the ground that the other provisions of the bill gave the commission power to fix rates and such a provision would invalidate the law by inconsistency. Haker of York maintained that a similar act had been allowed to stand in the case of the 5-cent fare law. The other view was upheld by the house, however, and the Evans amendment was overwhelmingly defeated by viva voce vote.

Authority Over Markets. Taylor of Merrick objected to the bill as it stood because of its definition of the stock yards as public markets. The State Railway commission supposed to have jurisdiction only over common carriers and Taylor doubted the possibility of giving the commission control over anything defined as a "public market." The senate bill defines the yards as common carriers. Quackenbush of Nemaha had investigated this phase of the question and was unable to show by legal authorities that the bill was good by strict construction. The commission is supposed to confine its control to common carriers.

Matrau of Madison said he believed that there was really very little demand for any legislation upon the subject at all, but that the bill was as good as any that could be drawn and as Prince of Hall had said it would furnish both shipper and yards with a court to which grievances could be taken. Matrau said further that a certain part of the legislature wanted to regulate everything from the size of families to the price of peanuts and he was opposed to such a policy.

Taylor of Hitchcock moved that the bill be engrossed and advanced for third reading and his motion carried without a dissenting voice.

Text of Measure. The bill as it will be passed is as follows: "Section 1. All stock yards operated in this state or organized under the general incorporation laws of this state or by special charter, which receive live stock for the purpose of exposing or having the same exposed for sale, and doing a business of a compensation, are hereby declared to be public markets. Provided, that a railway department, any stock yards company used as a common carrier of freight shall not be affected by the provisions hereof.

"Section 2. The Nebraska State Railway commission shall have power to issue orders regulating the service and charges of such stock yards and the same shall be enforced in the same manner and under the same penalties as orders regulating common carriers. Provided, that where no other penalty is provided by law for a violation of any such order, it shall be punishable by a penalty of not less than \$100 nor more than \$500, and where the violation is a continuing one each day thereof shall constitute a separate offense.

"Section 3. Any person, company or corporation owning or operating any public stock yards in this state under the provisions of section 1 of this act shall annually on the first Monday of January of each year file with the State Railway commission an itemized statement certified and sworn to by its owners or managers setting forth the number of head of cattle, calves, hogs, sheep, horses and mules received in his or their public stock yards, also make a statement of the gross receipts and expenses of the last preceding year.

"Section 4. Every such stock yard shall keep a record showing the time of delivery and turning over at the yards of said stock to the consignee, agent or owner."

The bill does not provide any time limit on handling stock in the yards and in its terms is a little more ambiguous.

Union Label is Killed.

The senate killed the union label bill this morning, reversing its favorable decision of yesterday by a vote of 13 to 22. The bill, as drawn, provided that all state printing bear the label of the International Typographical union, and the opposition of one of the large Lincoln companies which does much of the state printing, was sufficient at the last moment to kill the bill.

Senator Smith of Fillmore, who spoke against the bill yesterday, seemed disposed this morning to give it a chance for life if amendments were made and moved to refer it back to the committee, but the motion was lost by a vote of 11 to 15. It was not considered that the bill could pass the house if it did get through the senate, as a similar bill by Hoespey was killed there yesterday in spite of the support given it by nearly all labor organizations.

Vote on Measure. The vote on the bill in the senate this morning disposing of it finally follows: Ayes—Kohl, Bartling, Lee, Flick, Reagan.

Verdict of Conviction in Second Trial Reached in Few Minutes.

ENGLISH IN STRONG ARGUMENT

County Attorney Makes Attack on Theory of Defense—Case Goes to Jury at 8 O'clock—Penalty Three to Fifteen Years.

The jury in the second trial of Frank Erdman returned a verdict of guilty late yesterday afternoon, having been out only about twenty-five minutes. The technical charge upon which he was tried was assault with intent to murder, and the penalty is from three to fifteen years. The case was put in the hands of the jury at 4 o'clock in the afternoon after a masterful speech of over three hours in length by County Attorney English.

The crime of which Frank Erdman was found guilty was placing an infernal machine upon the porch of the home of Tom Dennison at 197 Yates street on May 22 last. The infernal machine was a suitcase filled with twenty-six sticks of dynamite and a revolver attached to the porch by a string through the bottom of the suitcase and so arranged that upon the suitcase being lifted the gun would be discharged. The suitcase was found by Mr. Dennison's daughter, who kicked it over and moved it, but did not lift it far enough to take up the slack in the string. When Mr. Dennison himself came home he noticed the string attached to the suitcase and called in the police.