

MEXICANS CLASH WITH AMERICANS

Drag Deserter Across Line and Douglas, Ariz., Authorities Imprison Captain of Rurales.

COMPLICATIONS MAY BE SERIOUS

Much Excitement Caused on Both Sides of Border.

LIMANTOUR AT MEXICO CITY

Crowd Hails Minister of Finance as Savior of the Country.

GREAT CROWD AT STATION

On His Way to His To Stop Several Times to Listen to Addresses by Student Men and Others.

DOUGLAS, Ariz., March 20. (Special Telegram.)—The Mexican army at Douglas was caught in Douglas late today. Two Mexican officers and troops followed the line to Agua Prieta. Americans and Mexicans in Douglas became excited during the incident and a large crowd congregated.

Ten minutes later the captain of the Mexican rurales was captured, arrested, on a street on this side of the international line and taken to the Douglas jail. The complications may be serious.

Limantour Arrives.

MEXICO CITY, March 20.—Finance Minister Limantour arrived here at 10 o'clock this morning. A great crowd awaited him at the railway station. Senor Limantour went from the train direct to his suburban home.

His Honor Limantour purposed to avoid any demonstration his plans failed as the railway station was crowded with officials and delegations of citizens.

The latter hailed the minister as "the savior of the country." Foreign Minister Creel stood at the entrance to the train and greeted Senor Limantour warmly. On the way from the station to an automobile he stopped several times to listen to addresses by students, working men and others.

Americans Should Keep Out.

EL PASO, Tex., March 20.—"The Mexican insurrection is no place for American boys of American men. Conditions are all hostile to them. The federal troops will show them little mercy and the insurgents don't care whether the Americans are killed or not."

H. C. Converse of Glendora, Cal., made this statement today after a visit to the jail at Juarez, Mex., where his son, Lawrence, 21 years old, together with Edwin Blair of Pittsburg, Pa., is confined on a charge of participating in the Mexican insurrection.

"Since the State department of the United States has made representations to Mexico City that the boys were captured on the American side of the boundary," Mr. Converse said, "the boys are being better treated. They are now allowed to receive food sent from the outside."

Mr. Converse expects the prisoners will soon be released. Another American prisoner in the Juarez jail is Richard Brown of El Paso, who declares he was arrested while helping the wounded near Juarez. So far as known here, the State department has made no representations to Mexico in Brown's case.

American Ranch Manager Shot.

News to the Herald from Torreon is that H. O. Driscoll, an American in charge of Hacienda Guadalupe, owned by Americans of St. Louis, was shot four times by revolutionists who attacked the ranch and demanded money. When he could give them none the leader said:

"Then take that," and began shooting. The American is now in a hospital in Torreon.

In a fight Thursday at Colonia eliding, near Torreon, thirty federal and rebel met and Captain Duran of the federal army was among the killed. Sixto Ugalde, a shoemaker of Matamoros, commanded the rebels.

In a fight Friday near Coyote Hacienda, near Torreon, three rebels were killed and several wounded. The federalists also lost some men.

Coast Artillery Mobilized.

GALVESTON, March 20.—Brigadier General Mills' brigade of coast artillery mobilized here as infantry, ready for field service or maneuvers. All tents are pitched now and the men thoroughly dried out from Saturday's rain. A camera will be (Continued on Second Page.)

Architects Named in Connection With Building Charges

Members of Legislature Say Willis, Craddock and Davey Are Men Referred To in Statement.

(From a Staff Correspondent.)

LINCOLN, Neb., March 20.—(Special Telegram.)—The three Omaha architects to whom George Berlinghoff, state architect, was referring when he said there was a conspiracy to drive him out of office were Lloyd D. Willis, T. H. Craddock and J. Jeffrey Davey. Davey and Willis are said to have been interested in the case because they were candidates for the position which Berlinghoff has held for the last twelve years. He has not accused these three men himself, but members of the legislature say that they are the men who have been backing the members of both houses who, after examining the condition of various state buildings, have asked the investigation of Berlinghoff.

A report is expected in the house this afternoon from the committee on lands and buildings and it will second the senate committee in asking an investigation. One member of the Douglas county delegation who is also a member of this committee stated this afternoon: "Berlinghoff has been rightly accused of carelessness. I know myself that he has been drawing \$16,000 as supervisor and architect of the new addition to the deaf institute in Omaha and he has visited it once during the course of construction. A contractor from outside of the state got the work done. There may be reason for that, however, as hardly a member of the Omaha Builders' exchange will figure on Berlinghoff's work."

"Any suggestion that I was a party to the conspiracy which George A. Berlinghoff, state architect, charges three Omaha architects entered against him and his work, is obviously preposterous," said J. J. Davey, an Omaha architect, Monday. "At the time that squabble was on I was in Wyoming and for a considerable time afterward. I have never seen the work on the state building referred to and know nothing whatever about it."

Loss From Failure of Kansas City Firm Is Quarter Million

Three Banks Are Among the Creditors of the Perry C. Smith Grain Company.

KANSAS CITY, March 20.—Speculation in wheat by Perry C. Smith, aged 28 years, who succeeded his father on the latter's death, as head of the Perry C. Smith grain company caused the failure of that company. The announcement that the company had suspended was made on the Board of Trade Saturday. Today Harry T. Fowler, qualified with a bond of \$300,000 as assignee.

Heavy purchases of wheat for shipment to other cities tell the story. Instead of taking his earlier losses young Smith tried to recuperate before the failure. He had the position of the firm it had failed.

Creditors said today that the failure would cause a loss of \$250,000.

Three banks in Kansas City are said to have been caught heavily. One holds elevator receipts to secure \$150,000, another for \$100,000 and a third for \$90,000. These banks, while they hold receipts of an elevator company for wheat in store, are confronted with the information that there is a question as to the ownership of the grain. It appears that the Smith company shipped a great quantity of wheat out of the elevator and when the elevator company began weighing up did not know how much wheat owned by the company to cover the receipts held by the banks.

No Decision in Oil or Tobacco Cases

Supreme Court Fails to Announce the Long Expected Finding in Suits Against Big Combines.

WASHINGTON, March 20.—Neither Standard Oil nor Tobacco Trust cases were decided by the supreme court of the United States today, although many had expected one or both. Whether the great corporation cases will "come down" two weeks from today is a matter entirely of speculation. The court made no advance intimations of its intentions.

The supreme court of the United States today dismissed for want of jurisdiction the appeal of the Globe Printing company of St. Louis, publishers of the Globe Democrat, from the decision of the Missouri court making it liable to pay \$25,000 as the outcome of a libel suit brought against it in 1906 by Samuel B. Cook of Missouri.

FOUNDER OF BEE HIGHLY HONORED

Board of Education of Omaha Pays Tribute to the Late Edward Rosewater.

CHANGES NAME OF NEW SCHOOL

Forest Building Will Hereafter and Forever Bear His Name.

DECISION UNANIMOUSLY MADE

Dr. Holovitchner Fathers Movement to Honor Late Citizen.

BOARD PAYS ITS RESPECTS

Recalls the Efforts and Sacrifices Made by the Nebraska Leader in Making Possible the School District of the City.

Paying the highest tribute to the late Edward Rosewater, the board of education of Omaha, by resolution last night changed the name of the new Forest public school building to the Edward Rosewater school.

Mr. Rosewater's Memory Honored

through the Following Resolution, which was adopted:

"Whereas, The present organization of the school district of Omaha owes its origin to the efforts of the late Edward Rosewater, who, as a member of the Nebraska legislature in 1873, secured the passage of a law through that body for the organization of what should be known as the school district of Omaha; and

"Whereas, Mr. Rosewater's interest in the public schools was deep and abiding, he not only believing in the broadest liberal education, but in everything that made for practical education in the public schools as well; and

"Whereas, On his death in 1907 Mr. Edward Rosewater bequeathed to the school district of Omaha securities amounting to \$16,000, yielding an income of \$500 annually, as the foundation for a scholarship to be awarded from time to time to the sons of Omaha mechanics graduating from the Omaha high school; and

"Whereas, The board of education, through this generous bequest, has been enabled to establish in connection with the Omaha high school the Edward Rosewater scholarship of technology, the first of its kind ever established in connection with a public high school in America, if not in the world; and

"Whereas, The community is deeply indebted to Mr. Edward Rosewater for his pioneer work in bringing about the organization of our present school district and for his bequest of the Edward Rosewater scholarship of technology and for his active interest in the cause of public education in the city at all times; therefore, be it

Resolved, That in recognition of his public service in behalf of our schools and in appreciation of his labors and sacrifices made in behalf of education in general, that the Forest school shall hereafter and forever bear the name and be known as the Edward Rosewater school."

UNIDENTIFIED HERO IS KILLED

Man Who Snatched Child from Front of Train Struck by Engine on Other Track.

CLEVELAND, O., March 20.—An unidentified hero, died in an ambulance yesterday after he had snatched Ernest Baker, a child of 8 years, from the front of a fast train on a grade crossing. The man's attempt to save the boy proved fruitless, the lad dying in a hospital.

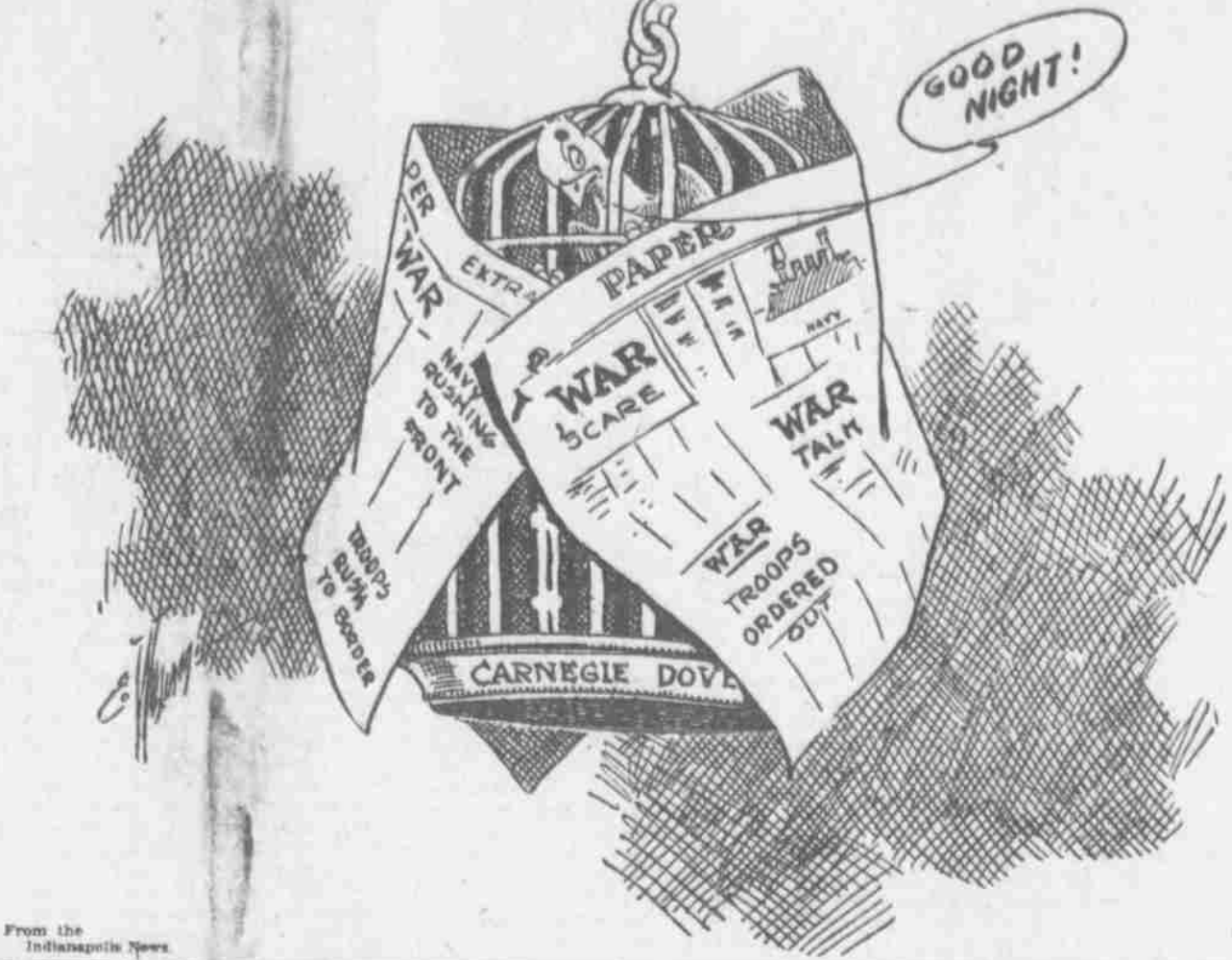
The man, a Hungarian, saw the child standing, apparently bewildered, on the tracks. A train was coming from each direction. He ran forward, picked up the boy and escaped one train, but stumbled in front of the other. Not a letter or mark was found on him to establish identification.

KENYON STILL IN THE LEAD

Monday's Ballot Shows the Judge to Be Within Ten Votes of the Iowa Senatorship.

DES MOINES, March 20.—Today's ballot on senator in the Iowa legislature: Deemer, 22; Kenyon, 54; Porter, 62; Hamilton (dem.), 6; paired T; absent, 11; necessary to elect, 74.

The managers on the part of Judge Kenyon in his campaign for the senate announced tonight that they will make another great effort tomorrow to end the senatorial deadlock. All absent members are being sent for and the intention is to have as full a vote as possible.



THOUSAND AT BRYAN DINNER

Nebraska Democrats Assemble to Pay Honor to Leader.

PROMINENT PARTY MEN ATTEND

Speeches Made by Senator Owen, John W. Kern, Congressman Champ Clark, J. A. Maguire, Governor Shafrath and Others.

(From a Staff Correspondent.)

LINCOLN, March 20.—(Special.)—One thousand democrats were entertained at the Bryan birthday celebration tonight. The dinner was given at the Auditorium and arrangements were made to serve a menu to an overflow crowd in the Lindell hotel.

The distinguished guests arrived early and were shown around the city by a reception committee this afternoon.

Ex-Governor Schallenberger was invited to be present, but did not attend. The program was arranged as follows:

Invocation—Rev. Rudolph Caughey.
Invocation—Dr. Philip L. Hall.
"Progressive Democracy in the Nebraska State Senate"—Senator C. M. Skiles.
"Progressive Legislation in the Nebraska House"—Representative E. B. Quackenbush.

"Mr. Bryan at Home"—Congressman John A. Maguire.
"Mr. Bryan's Connection With Nebraska Politics"—W. H. Thompson.

"Election of Senators by the People"—Senator G. M. Hitchcock.
"Mr. Bryan vs. Special Interests"—Richard L. Metcalfe.

"Initiative and Referendum"—Governor John F. Shafrath of Colorado.
"Arizona"—Senator Robert L. Owen.

"Cannoonism Overthrown"—Congressman Champ Clark.
Address—W. J. Bryan.

Governor Shafrath of Colorado devoted himself to praise of the initiative and referendum, going at length into the merits of the principle and giving the experience of Colorado and of other states.

"Under the initiative and referendum law," said the governor, "the legislature no longer becomes the important personage upon whose vote mighty questions are determined, and consequently the great corporate interests no longer, by direction or indirectness, will seek to influence his vote.

The mighty power then is transferred to the people and the great interests must present measures which the people believe are right in order to get them ratified by the referendum vote. There are provisions in most of the constitutions of the states of the Union which throw restrictions upon the actions of legislative bodies in order to prevent the passage of laws contrary to the wishes of the people.

The courts of our land have generally construed strictly these constitutional provisions, even when the law enacted is a good measure. The tendency of the courts upon the constitutional provisions, in my judgment, would be greatly modified if the same measures were submitted to the people for their direct approval or rejection.

The sanctity of the vote of the people upon a measure would even effect the judiciary in the construction of laws and constitutional provisions.

The initiative and referendum laws are no longer experiments, nine states in the union have adopted the same. The wholesome legislation passed by the city which first adopted these measures is extending now to nearly all of the cities of the union and I have the greatest confidence that these great reform measures will be adopted by the people of the state of Nebraska at the next general election. In my judgment the highest consideration of good government demands the passage of these measures."

Owen Lauds Arizona.

Senator Owen in his speech eulogized Arizona and its constitution. He said in part:

"Arizona, may she live long and prosper! And her government will live long and her people will prosper, because their government would be greatly modified if the same measures were submitted to the people for their direct approval or rejection.

"They have established a constitution providing for the rule of the people through the initiative, the referendum, the recall. Under this rule, the people of Arizona can never be long dissatisfied with their own government, because their government is in the hands of such simple people as they can by the easiest process amend any error which shall be discovered. Such a government is safe against conspirators, against oligarchy, against corruption and fraud, which have hitherto corrupted and undermined the foundation of our government."

(Continued on Second Page.)

Cincinnati Judge Decides Against Affidavits of Cox

Court Holds that Charge of Prejudice Against Judge Gorman Will Not Lie in Hamilton County.

(From a Staff Correspondent.)

CINCINNATI, March 20.—After holding that the court of common pleas of Hamilton county had no authority to rule whether the affidavit of "bias and prejudice" filed by George B. Cox against Judge Frank Gorman was sufficient to swear that Gorman had taken a bribe, Judge Charles J. Hunt today took a step that probably will mean further delay in bringing Cox to trial on the indictment for perjury.

After reading his decision, which virtually held the affidavit out of court, Judge Hunt announced that entry of the decision would not be made until the attorneys for Cox determined whether to bring mandamus proceedings to compel Hunt to rule on the affidavit.

Henry T. Hunt, prosecuting attorney, contended that the filing of mandamus proceedings would prevent Judge Gorman from taking charge of the Cox perjury proceedings, and that case could be carried on while mandamus proceedings, if any be filed, are pending.

Judge Hunt's decision was that the statute providing for the filing of prejudice affidavits to swear judges off the bench is so framed that it applies to other counties of Ohio, but not to Hamilton county. He therefore refused to act on the Cox affidavit.

Any question whether he had power to act on the affidavit a mandamus proceeding should be brought in an effort to have the upper courts determine whether the law does apply to Hamilton county.

He found that "the affidavit is sufficient in law and in fact to give the supervising judge of the common pleas court jurisdiction to act, but in Hamilton county there is no supervising judge."

George B. Cox, Hamilton county sheriff, is charged with receiving \$100,000 from the Cox perjury case.

GEORGIETTE M. JOHNSON DIES AT ADVANCED AGE

Daughter of Late Colonel Louis Miller and Sister of Dr. Miller.

Mrs. Georgiette Miller Johnson, died yesterday morning at her home, 302 Corty street. She was a sister of Dr. George L. Miller, and was 85 years old. Funeral services will be conducted under the auspices of the Christian Science church at 4 o'clock this afternoon.

Mrs. Johnson was a native of New York, and was one of three children of the late Colonel Louis Miller, who was a pioneer and an early mayor of Omaha. Her sister died years ago and the only surviving member of the family is Dr. Miller. Mrs. Johnson's husband died in Grinnell, Ia., and she came to this city to be with her father and brother. She went to New York to educate her daughter and sixteen years ago came back to Omaha.

THINKS CASE HAS BEEN MADE

Attorney for Tillotson Is Satisfied With the Investigation.

HE MAY INVESTIGATE OTHERS

Shotwell Says He Would Not Be Surprised if Inquiry is Made Into the Meeting of the Nasybs in Omaha.

"We have every reason to believe that a substantial case is made against Postmaster Thomas," says Attorney Franklin A. Shotwell, representing Dan W. Tillotson, who lodged the charge of perjurios political practice against the Omaha mayor.

Postmaster Thomas may insist that he did not receive political contributions through W. A. Kelley, and he may put up the defense that disgruntled subordinates conspired to remove him from office, but neither of these should have any effect in face of the evidence produced by Kelley, Connors, Woodard, Burger, Tillotson and others. The conspiracy defense is not tenable for the reason that at the time Tillotson filed his charges he had talked to but the other persons.

"Whatever disposition is made of the case by the president it is bound to have a good influence over the country in general, for it will serve to break up the political activities of postmasters. I would not be surprised to see this influence work toward the aid of disbanding the Nebraska Postmasters' association, which organization was formed to mutually protect its members in a political way. In a way this organization is nothing short of a trust.

"It would not surprise me, either, if the civil service commission investigated the conduct of other postmasters who attended the Thomas celebration in the federal building before the last election, and who made up a jackpot for campaign purposes. Those who gave money are just as liable as the persons who engineered the collection scheme."

The resolution in the law regarding the appointment of administrators of the S. F. 221, by Placek, making void a court decree signed by any judge or person not a practicing attorney admitted to the supreme court bar.

Resolution Against Reciprocity.

Although the senate has already passed one resolution in favor of Canadian reciprocity, Senator Albert introduced a resolution in opposition this afternoon and was laid over one day. Albert explained his action afterward by saying that the former action was hastily taken and that he was out of the city at the time and would have fought it if he had been given an opportunity.

"Whereas, This country is committed to the doctrine of a protective tariff to an extent which renders any discussion of the relative merits of that doctrine and free trade purely academic; and

"Whereas, That doctrine rests upon the proposition that our industries should be protected against foreign competition; and

"Whereas, The prime requisite of a protective tariff is that it should be so adjusted as to operate justly and equitably, giving to each his just share of its benefits and imposing upon each his just share of its burdens; and

"Whereas, An early revision of our tariff laws is confidently expected and insisted upon by our people, irrespective of party, in the hope that a more just and equitable distribution of its benefits and burdens may be secured; and

"Whereas, To secure such results, it is essential that the country should be considered as a whole, that the industries, pursuits and economic conditions of each section covered, and that the plan adopted should be general and comprehensive, and not special nor limited to any particular section or industry; and

"Whereas, The proposed reciprocity treaty between the Dominion of Canada and this country contemplates a removal of the tariff on grain and live stock imported from that country, without any compensatory advantages to our farmers and stockmen, thereby operating as a change in our tariff policy, special in its nature and with respect only to the products of our farms;

"Therefore, Resolved, First—That it is the sense of this body that the ratification of such treaty should be deferred until such time as the said revision of our tariff is undertaken, and should be considered as a part of and in connection therewith; and the said treaty should not be ratified unless a plan of revision can be agreed upon and adopted which scales down and adjusts the duty upon other products in such a way as to compensate our farmers and stockmen for the removal of the duty on their products.

"Second—That a copy hereof be transmitted to each of our Senators and members of the house of representatives at Washington."

ONE BILL PASSED RECORD FOR DAN

Senate Would Compel Building and Loan Associations to File Articles of Incorporation.

ORATORY PREVENTS ANY WORK

Good Roads Bills, Special Order in House, Postponed.

ALBERT OPPOSES RECIPROCITY

Democratic Senator Kicks Over Traces on Canadian Agreement.

PRESENTS A NEW RESOLUTION

Would Have Ratification Deferred Until Revision of Tariff is Undertaken—Wants Duty on Manufactures Lowered.

(From a Staff Correspondent.)

LINCOLN, Neb., March 20.—(Special.)—The overwhelming presence of staid and distinguished democracy in the persons of Champ Clark, Senator Owen, Senator Kern, Governor Shafrath, W. J. Bryan and others was attested too much for the Nebraska legislators today and after a feeble effort in each house to attend to business they gave it up and adjourned for the day. Every sort of democracy—militant, rampant and reactionary—was represented all day in the crowds around the state house and the air was so contagiously infected with the spirit of oratory that no real work was possible.

The house had set as a special order the five good roads bills, which were drawn up by the joint committee on highway legislation. The first one of these, H. R. 69, came up for discussion. Mickelsiek moved to indefinitely postpone it, and while that question was being debated the house took a recess to hear the addresses delivered by Champ Clark, John W. Kern, Robert Owen and Governor John Shafrath of Colorado.

The senate passed one bill, S. P. 213, introduced by Brown of Lancaster, and providing for the amending of articles of incorporation by building and loan associations as is done by other corporations. A number of bills were reported out for the general file by the committees and the following were indefinitely postponed:

S. F. 317, by Reagan, providing for a change in the law regarding the appointment of administrators of the S. F. 221, by Placek, making void a court decree signed by any judge or person not a practicing attorney admitted to the supreme court bar.

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Russia Will Accept Answer to Ultimatum

Reply Satisfactory in Essentials, but Explanations Will Be Asked on Minor Points.

ST. PETERSBURG, March 20.—It is understood that the reply of the Chinese government to the Russian ultimatum is considered satisfactory in essentials, but China will be asked to be more explicit in its explanations concerning certain minor points.

The latest advice from Peking made plain China's intention of agreeing to both points at issue with Russia. The foreign board stated that it was prepared to accept the establishment of Russian consulates in the places specified by Russia and also to promise to take measures regarding Chinese monopolies in Mongolia which would permit Russian subjects freedom of trade in Chinese goods as well as in the goods of other countries.

The Weather

Forecast for Tuesday: FOR NEBRASKA—Cloudy. FOR IOWA—Fair.

Shipwreck—The steamer prepared forty-eight-hour shipments north and west for temperatures close to freezing, shipments east and south can be made with safety.

Temperature at Omaha yesterday:

| Hour | Temp. | Dir. |
|----------|-------|------|
| 7 a. m. | 38 | 63 |
| 8 a. m. | 39 | 64 |
| 9 a. m. | 40 | 65 |
| 10 a. m. | 41 | 66 |
| 11 a. m. | 42 | 67 |
| 12 m. | 43 | 68 |
| 1 p. m. | 44 | 69 |
| 2 p. m. | 45 | 70 |
| 3 p. m. | 46 | 71 |
| 4 p. m. | 47 | 72 |
| 5 p. m. | 48 | 73 |
| 6 p. m. | 49 | 74 |
| 7 p. m. | 50 | 75 |
| 8 p. m. | 51 | 76 |
| 9 p. m. | 52 | 77 |
| 10 p. m. | 53 | 78 |
| 11 p. m. | 54 | 79 |

Comparative Local Record.

| Day | Highest | Lowest | Mean | Precipitation |
|-----------|---------|--------|------|---------------|
| Today | 54 | 38 | 46 | .1 |
| Monday | 52 | 36 | 44 | .0 |
| Sunday | 50 | 34 | 42 | .0 |
| Saturday | 48 | 32 | 40 | .0 |
| Friday | 46 | 30 | 38 | .0 |
| Thursday | 44 | 28 | 36 | .0 |
| Wednesday | 42 | 26</ | | |