Colder.

"Sweaters"—a homely word for a

POPULAR

garment; we have them in the new styles;

PRICES

from $1.00 to $5.00

Fancy Vests, etc.

AT THE

WHEN

Men's Vici Kid, leather lined, heavy sole Shoes, $3 50.

"Inventory Sale"

Prior to December 31st, brings the date of our usual Inventory. Every Department throughout the House will make EXCEEDINGLY LOW PRICES ON ALL

"Broken Lines," "Odd Lots," "Ends of Cases," "Irregular Size or Color Assortments," "Dropped Styles," Etc., Etc.

No matter how carefully purchased, or what skill, experience and knowledge the buyer may possess, certain "remembrances" in the shape of "Odds and Ends" remain at the season's end, and while the present proportion is less than usual, our desire is to effectually clear up all the stocks. To this end prices will be made with more regard for effecting a prompt Sale than with any view of diminishing the loss.

HIBBEN, HOLLWEG & CO.,
Importers, Jobbers,
Dry Goods, Notions, Woolens, Etc. Wholesale Exclusively.

$271,000.00
Vigo County, Indiana,
4%
Bridge Bonds
TAX EXEMPT
E. M. CAMPBELL & CO.
INDIANAPOLIS

SURGICAL APPLIANCES.
Emergency and Medicine Cases, Electric Batteries, Belts and Insoles, Hot-air and Bath Cabinets. Thermometers and Artificial Eyes.
WM. H. ARMSTRONG & CO.
224 and 226 S. Meridian St., Indianapolis, Ind.

ARTILLERY COMPANIES WILL LEAVE CUBA SOON

Will Return to the United States on Transport Sumner Within Two Weeks.

WATER IS CONTAMINATED

WASHINGTON, Dec. 11.—The War Department has determined to withdraw the artillery companies now at Havana and Santiago, and keep them in the United States until such time as they are needed at the naval stations. The companies at Santiago are the Seventeenth and Nineteenth and at Havana the Twentieth and Twenty-second. The reasons assigned by Lieutenant General Young, chief of staff, and by Major General Chaffee, his assistant, for bringing the companies back to the United States are the conditions of the water supply at Havana and Santiago and the lack of appropriations for fortifications of the two naval stations at Guantanamo and Bahia Honda. The water at Santiago, which was supplied to the men in Morro Castle, it is stated, had become contaminated, and in order for the men to remain until the two naval stations were ready for them it would be necessary to build a new pumping station. This was not deemed advisable. General Chaffee, who was a member of the joint army and navy board which recently made a visit to Cuba in the Buffalo, emphatically denied the suggestion that Cuba might have indicated a wish for the recall of the troops.

Quartermaster General Humphrey is making preparations to bring the troops back and will utilize the transport Sumner, now at New York, for this purpose. It is the present intention to have them depart from Cuba within the next fifteen days. One of the companies will be sent to Fort Caswell, N. C., one to Fort Washington, Md., and two to Fort Barancas, Fla.

CUBANS DIDN'T RELISH SIGHT OF "OLD GLORY"

GUANTANAMO, Cuba, Dec. 11.—The United States battleships Kearsarge, Illinois and Indiana were to sail on Saturday for Porto Rico and for Culebra. The auxiliary cruiser Prairie will sail for Colon on Monday. The Vixen and Scorpion will remain at this station.

Only a few Cubans were present yesterday when the American flag was hoisted ashore and those who were present were some distance from the point where the United States naval forces landed. It was currently reported that the local Cubans were not inclined to sanction by their presence an act which they choose to consider was unjustly imposed on them by a stronger power. The place where the American flag was raised has been called Camp McCalla. The entire American, English and French colonies witnessed the ceremonies. Many decorated small craft added color to the spectacle, which was enlivened by music, including the Cuban national hymn and the "Star-spangled Banner." After the ceremonies a number of American and English guests were entertained at luncheon on board the various warships.

An account of the growth and development of the Baptist Church in Indianapolis, with other matters of interest relating to the denomination, will be a feature of to-morrow's Journal. Every church member should read it.

EVILS IN GERMAN ARMY AIRED IN THE REICHSTAG

Brutality and Immorality of Officers Discussed by the Minister of War.

BAD PRIVATES BLAMED

BERLIN, Dec. 11.—In the Reichstag today War Minister Von Einem entered earnestly into the charge of brutality and immorality brought against German army officers, without attempting to exculpate them. He admitted there had been abuses and declared the army administration was determined to correct them so far as possible. Nobody regretted the evils more than Emperor William, who never lost an opportunity to impress the seriousness of the offenses that had been brought to light.

Referring to Lieutenant Bilsen's book, "A Little Garrison," telling of alleged actions discreditable to officers, for writing which the lieutenant was sentenced to six months' imprisonment and to dismissal from the army, the war minister said it contained a certain amount of truth, but it was not true that every lieutenant in the small garrisons lived as Bilsen had described. The minister did not deny the possibility of corrupt relations between officers and women in a few cases, but the assertion that such were the rule was a slander against German womanhood. The speaker said he recalled with pride and joy the friendships he formed as a young officer with the wives and daughters of his superiors. They threw home influences around the young officers, often earning the gratitude of distant mothers by affording the former good counsel and refining surroundings.

Regarding the brutalities, the minister declared that such incidents were not wholly inexplicable. There was the bad private soldier as well as the bad sergeant, and the bad private was largely responsible for the whole difficulty, "succeeding by the most devilish ingenuity to so embitter the noncommissioned officers that the latter finally vented their anger upon the weaklings." This type of private had always existed and was more common under Social Democratic influence. The Social Democrats asserted that militarism enslaved, brutalized and stupefied the people and suppressed freedom of thought. If this were true Germany should be in a sad condition, since Germany was a universal military service country. But this was not true, as Germany had succuering a large part of the markets of the ceeded by a combination of industry, intelligence and energy unparalleled in conworld.

During the year ending in June, the war minister continued, fifty officers and 577 noncommissioned officers and good-service men were punished for mistreatment of private soldiers. Reckoning percentages, one officer in 400 and one noncommissioned officer in 120 had been found guilty of the misuse of authority. The convictions were really fewer during the recent agitation than in some other years. However, the army administration had determined to stop mistreatment altogether. Even 100 cases a year would be intolerable.

VERDICT IN FRAUD CASE

Defendants in Miller Syndicate Mulcted for $7,943.

NEW YORK, Dec. 11.—A verdict of $7,943 was returned to-day against Alfred R. Goslin, Robert A. Ammon, of Miller syndicate notoriety, and other defendants in the first of a series of actions brought against the alleged "get rich quick" operators. The initial suit was that brought by the firm of commission brokers of Secor & Bell., of Toledo, O., who claimed they were induced by Thomas J. Gibbons, a brother-in-law of Goslin, to buy 150 shares of New York Electric Brake and Coupler stock at 62 for Gibbons's account, he putting up $3,000 and Secor the balance. The check was afterwards found, it was alleged, to be worthless.

Prior to the rendering of the verdict the trial of another suit against Goslin, Ammon and their codefendants, instituted by Finley, Barrett & Co., of Chicago, to recover $11,399 over similar transactions, was begun.

MURDERER AND GUARDS EXCHANGE PLACES

Condemned Man Locks Up Three Policemen with Aid of Two Revolvers and Escapes.

CALGARY, N. W. T., Dec. 11.—Ernst Cushel, aged twenty-one, sentenced to be hanged on Tuesday next for murder, has escaped from the police barracks here, locking three guards, at the muzzles of two revolvers, in the cell that he had just vacated and forcing them to surrender the key to his shackles. His brother has been arrrested on suspicion of having smuggled in the revolvers.

ANTI "WILD CAT" BILL WILL BE MUCH CHANGED

Will Be Amended to Meet the Objections of Manufacturers and Business Men.

SHERRICK SUCCESSFUL

State Auditor Among Those Who Urged Modification --- Tyner Ready to Hit Back.

Special to the Indianapolis Journal.

WASHINGTON, Dec. 11.—State Auditor Sherrick, of Indiana, left to-night for southern Maryland, where he will meet Mrs. Sherrick. He will start for Indianapolis Sunday. At the suggestion of Mr. Sherrick and other state representatives, the Dryden bill, which prohibits the use of the mails to "wildcat" insurance companies, will be amended to meet objections advanced by the National Manufacturers' Association and commercial bodies in Indiana and other Western States. One of these amendments relates to interinsurance, and this plan of insurance will not be affected by the measure as modified. Another amendment is in relation to unauthorized insurance companies. The bill as originally presented would have had a disastrous effect on such concerns. The amendments suggested by Mr. Sherrick provide that the business of an authorized company shall not be interfered with if it is authorized in the State of its domicile.

A telegram was to-day received by Senator Fairbanks from E. E. Perry, of Indianapolis, secretary of the Western Millers' Association, opposing the Dryden bill on account of the original amendment concerning unauthorized insurance companies. A like telegram was received from the retail merchants of Evansville. The changes made in the measure are expected to prove satisfactory to both organizations and other commercial bodies in the State.

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Counsel for former Postmaster General Jas. N. Tyner appeared in Criminal Court, No. 1, this morning, prepared to make a vigorous attack on the validity of the indictments returned against their client, but owing to the illness of Justice Pritchard the arguments had to be postponed until next week, when a great legal battle is anticipated. It is understood the indictments will not be attacked on technical grounds, but on the broad proposition that they set out no facts to justify the conclusions and deductions of wrongdoing upon which they are based, and that, on the contrary, the facts they do set forth bear out the theory of honorable and straightforward conduct more strongly than the government's contention of guilt. It will be maintained that not a single act of corruption is alleged against General Tyner, and it is understood that it will be argued that the government rests its case entirely on theoretical grounds rather than on the facts that it can establish.

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Thomas E. Burt, editor of the Lafayette Journal, and J. D. Bartlett, also of Lafayette, are in Washington. Mr. Burt is here to purchase printing supplies which are being disposed of by the public printer.

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Col. A. H. McCauley, who has been ordered to Jeffersonville to take charge of the quartermaster's department at that place, has been directed to come to Washington for instructions before proceeding to his new post of duty. Colonel McCauley will be fully advised of the condition of affairs at Jeffersonville and of the reasons which prompted the department to transfer Col. Jones to another department.

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Representative Fred Landis has received an invitation to address the Sussex Club of Boston on the 19th inst. and the Licoln Club of Orange, N. J., on Lincoln's birthday.

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R. H. Miller, of Fairmount, is among the Indiana visitors in the city.

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Rural carriers have been appointed in Indiana as follows: Boston, Carl L. Philips, regular; George Bosworth, substitute. Centerville, Charles W. King and Walter I. Mathews, regulars; William T. Mathews and Charles Meek, substitutes. East Germantown, William H. Behr, regular; Frank Kocher, substitute. Economy, Leander F. Lamb, regular; Tom Frazier, substitute. Fountain City, Lafayette Harrison, regular; Dorsey Thurston, substitute. Hagerstogn, Oliver C. Ulrich, regular; Edward C. Ulrich, substitute. Richmond, Jesse B. Thomas, William R. Young and Harry E. Martin, regulars; Francis M. How, Charles Crocker and James Sharpe, substitutes. Webster, Josiah Wilcoxon, regular; Alonzo Wilcoxon, substitute. Williamsburg, Raymond R. Cain, regular; Onnie Martin, substitute. Warsaw, George V. Wright, regular; Edson Stanton, substitute.

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The postoffice at Canal, Warrick county, has been ordered discontinued. Mail will be sent to Chandler.

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Two bills introduced in the Senate open the way for consideration of the currency and banking question along new lines, offering a middle ground between the wishes of the advocates of asset currency and the views of those who would adhere to the present policy. One of the bills provides that national banks in towns of not more than 20,000 population may loan money on real estate security up to the amount of the capital and surplus of the banks, such real estate security to be taken at one-third its real value, and providing for rules and regulations by the controller of the currency to govern such transactions.

In the other bill a plan is proposed containing the features of the Aldrich deposit bill. It provides that banks having on deposit less than the full possible amounts of national bonds as security for circulation may obtain additional circulation up to the amount of their capital by deposits of State, municipal and certain approved railway bonds. If such bonds shrink in value below par, the banks must deposit an amount of lawful money to make up the deficiency.

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The city "special-delivery" system is growing rapidly. During the fiscal year 1903 the postoffices of the United States handled 8,959,568 pieces of "special-delivery" mail, the fees of postmasters on this amount of mail reached a total of $716,765. There were 2,917 messengers employed in the service in 1903 as compared with 2,659 in the preceding year. These messengers received compensation amounting to $533,207. While special-delivery letters and parcels are supposed to contain matters of importance a large percentage of them fail of delivery. More than 36,000 pieces were not delivered in the fiscal year 1903, an increase of about 48,000 over the preceding year.

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Senator Hanna has decided to request the Senate committee on military affairs to subpoena General Wood to answer some of the charges made against him by opponents of his confirmation as major general. The committee expected to close its hearing Dec. 16, but it now believes that at least two weeks more will be required. Should General Wood be subpoenaed an adjournment will be taken to give him time to return from the Philippines.

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The statements attributed to General MacArthur, as contained in the dispatches from Honolulu in which he is alleged to have predicted war in the immediate future between the United States and Germany, have come to the notice of Secretary Root. The secretary made the assertion that remarks of this character delivered in private conversation would not necessarily shield an officer from the requirement of an explanation. At the meeting of the Cabinet to-day it is said the matter was discussed, as a result of which Secretary Root, in the interest of fairness to General MacArthur, will call on him for an explanation upon his arrival in the United States the latter part of this month.

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The War Department has prepared a bill, to be submitted to Congress, providing a method of award for distinguished services. The measure authorizes the President (when in his judgment the services of any officer shall warrant it) to grant such officer a distinguished service commission not to exceed two grades above that held by him, such commission to carry with it the pay of such grade and the officer to be entitled to wear upon the collar of the coat the designation of grade so conferred; said distinguished service commission not to supersede or affect the regular commission held by the officer so far as privileges of rank and command are concerned. Officers so commissioned shall constitute a class known as distinguished service and such honor to be published in general orders when conferred and the officers to be entitled to append to their signature the distinguished service grade, or, if thought better, that while officers shall retain ordinarily the command that their regular commissions entitle them to, they shall be entitide also to the benefit of their distinguished service rank in any especial assignment to duty.

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Baron Von Sternberg, the German ambassador, called on President Roosevelt to-day to pay his respects and formally to announce his return from his recent sojourn in Germany. He presented to the President a personal communication of good will and friendship from Emperor William. The expression of the German Emperor is brief and cordial. Its text was not made public.

JOHN E. MONK.

OWNERS OF CLASSICS ARE FINED IN COURT

Boston Booksellers Punished for Possessing Alleged Obscene Literature---Will Appeal.

BOSTON, Dec. 11.—Three of the leading booksellers of the city were found guilty to-day in the Municipal Court of having sold or having had in their possession obscene literature, on complaints made by the Watch and Ward Society. A fine of $100 was imposed in each case, the defendants being Walter H. Knight, Richard Lychtenstein and William T. Palmer.

George E. Moore, treasurer of the historic old corner bookstore, who was arrested with the others, was discharged on the ground that the books seized belonged to the Old Corner Bookstore Corporation and not to one of its officers. The books involved in the case, the defense contended, are classic and are to be found in public and in many private libraries. The case will be carried to the higher courts.

KILLED A DETECTIVE.

John McCrea, a Negro, Who Was Hanged at Peoria.

PEORIA, Ill., Dec. 11.—John McCrea, the colored murderer of Detective William Murphy, was hanged this morning. The drop fell at 9:04. McCrea walked to the scaffold without assistance and died protesting his innocence. His neck was broken by the fall and he was pronounced dead in four and a half minutes, though permitted to hang for fifteen.

He was convicted of killing Detective Murphy, who caught him stealing coal June 23, last, and escaped lynching only by being secretly taken to Galesburg. Detective Murphy was a brother-in-law of James Ryan, the well-known ring referee of Indianapolis.

JANUARY 12 IS NAMED.

(CONCLUDED FROM FIRST PAGE.)

lican vote of Marion county. The remainder thus secured will be the excess vote for which Marion will be given representation in the convention to select the candidate for joint senator from Hendricks, Boone and Marion.

BASIS OF REPRESENTATION.

The basis of representation as decided by the committee shall be one delegate for each 200 votes, or fraction of 100 or over, cast for Daniel E. Storms, Republican candidate for secretary of state, at the last State election.

The second rule, providing that all nominations of the party shall be either by direct primary or by delegate convention, was stricken out. After some discussion it was decided that mass conventions were desirable in some counties, especially those in which the Republicans are in a minority, and that the manner of nominations should be left to the several county committees.

The third rule, providing that if the nominations are made by direct primary and are not held under the provisions of the present primary election law, such primary shall be held as nearly as possible in conformity with the provisions and regulations of the existing election laws, was adopted without amendment.

The fourth, providing that delegates to all conventions, State, district, congressional and legislative, shall be chosen by the Republican voters and that in no case shall any delegates be selected or appointed by any candidate or committee, directly or indirectly, provoked considerable discussion.

In the end it was amended by the addition of a clause providing that nothing in the rule should prevent a county from instructing its delegates by a direct vote to vote for a certain candidate as long as he was a candidate. The argument for the adoption of this amendment was that in a county where there were two candidates for a nomination one of them might receive an overwhelming majority of the total Republican vote of the county and yet, under the original rule, it might be possible for the other candidate to secure one or more of the delegates from that county.

CHAIRMAN MAKES DECISION.

The fifth rule, providing that in the legislative districts embracing two or more counties, when the county chairman of such district or the district committee shall fail to agree either as to the time, place or the manner of holding and calling the conventions for the purpose of nominating legislative candidates, the chairman of the state committee shall make the decision; and the sixth, providing that in case of the disability of any county chairman, or a vacancy in such position by death, resignation or otherwise, the duties and power of such chairman shall vest in and devolve upon the chairman of the congressional district until a successor shall have been regularly elected, were adopted without material change.

The committee did not give out, officially, the rules as adopted, but will issue them within the next week or ten days, probably at the same time the call for the district conventions is sent out.

The committee instructed State Chairman Goodrich to proceed with the arrangements for the love feast, to be held during the holidays, and the chairman will name a committee to take charge of the affair within a few days.

NO HOTEL NAMED.

The question of selecting a hotel for official Republican headquarters was not taken up, the pressure of other business prolonging the meeting until a late hour. Nor was the election of a secretary of the committee considered. Reports have been published in the local papers to the effect that the committee would at this meeting elect a successor to former Secretary Will H. Whittaker, and that a secretary had been agreed upon, but there was not the slightest foundation for such reports. The committee has at no time contemplated electing a secretary, for the few weeks that will intervene before the reorganization of the committee would necessitate a second election.

It was not definitely decided when the meeting for the reorganization of the State committee will be held, but it will probably be called for Jan. 19 or 20, in the week following the district conventions on Jan 12.

A number of prominent Republicans were at headquarters during the afternoon in consultation with the members of the committee. Among others were two members of Congress, Representative James E. Watson, of Rushville, and Representative George W. Cromer, of Muncie; State Senators Pressly Smith, of Paragon, and S. L. Stricler, of Marion; State Representative John Minnick, of Converse; E. E. Neal, of Noblesville; T. J. O'Neil, of Marion; Pension Agent A. O. Marsh and Union B. Hunt, of Winchester; L. P. Newby, of Knightstown; Attorney General C. W. Miller, of Goshen, and Harry Martin, postmaster of Franklin. Maj. George W. Steele, of Marion, former member of Congress from the Eleventh district, was in the city during the day, but was not at headquarters during the meeting of the State committee.

Bishop Bradley Critically Ill.

MANCHESTER, N. H., Dec. 11.—The Rt. Rev. Denis M. Bradley, Roman Catholic bishop of Manchester, is critically ill of intestinal trouble.

HEALTH is the Most Important

In buying food-products several things are to be thought of—i. e., Economy, Results, Easy Handling, Reliability, but the most important is Health.

Health means everything. In buying clothes, shoes, hats, furniture, etc., if the buyer is deceived and gets an imitation the only harm is loss of money. In buying food-products, if imitations are supplied, there is not only a loss of money but perhaps an injury to health—which is beyond price.

Remember these facts when buying baking powder.

ROYAL BAKING POWDER

ABSOLUTELY PURE

W. J. BRYAN AND WIFE SHARPLY ARRAIGNED AGAIN

Objections to Judge Cleaveland's Decision Elaborated by Mrs. Bennett's Counsel.

THAT SEALED LETTER

NEW HAVEN, Conn., Dec. 11.—Counsel for Mrs. Bennett, widow of Philo S. Bennett, to-day filed a long statement of the reason for the appeal recently taken from the decision of Probate Judge Cleaveland in relation to Mr. Bennett's will. In the formal notice of appeal it was briefly announced that objection would be taken to all the bequests in the will providing for trust funds for educational purposes to be administered by Mr. and Mrs. William J. Bryan, and also to the appointment of Mr. Bryan as executor and trustee. That statement was elaborated in the document filed to-day, which, after repeating the clauses of the will to which objection is taken, says in effect that Mr. and Mrs. Bryan "induced and persuaded Mr. Bennett to sign a paper addressed to William J. Bryan, and to copy a considerable portion of another paper, the said copy to be addressed to Mrs. Bennett. The papers referred to are the sealed letter by which Mr. Bryan and family were to be given $50,000 by consent of Mrs. Bennett, and a letter similar in purport which Mr. Bryan produced in court."

The appeal says it was then the intention of Mr. Bryan and his wife that only the sealed letter addressed to Mrs. Bennett was to be brought to her knowledge, "and that was for the purpose of inducing her to permit William J. Bryan to get the $50,000." It is also declared to have been the intention of Mr. and Mrs. Bryan not to make public the other paper addressed to Mr. Bryan as "My dear Mr. Bryan," or to have it brought to the knowledge of Mrs. Bennett.

"The writing addressed to this appellant, the wife of Mr. Bennett, did not state the real and true arrangement which Mr. and Mrs. Bryan had induced Mr. Bennett to enter into with them. The fact that the children of Mr. and Mrs. Bryan are to receive $15,000 of Mr. Bennett's money was not stated, but, on the contrary, the writing addressed to the widow expressly stated that if William J. Bryan for any reason is unwilling to receive that sum for himself, that he shall distribute the $50,000 among educational and charitable institutions, while in truth and in fact and in law the letter addressed to Mr. Bryan constituted him a trustee for his wife and children; and the sum of $25,000, if received by Mr. Bryan, would belong to his wife and children, all of which Mr. Bryan and his wife well knew."

It is declared that the sealed letter addressed to Mrs. Bennett "further misstates and is misleading in that Mr. Bennett did not then own, nor at any time thereafter did he own, the Bridgeport houses referred to," and Mrs. Bennett will not receive, under the document probated as the will of Mr. Bennett, the amount that Mr. Bennett intended she should have. The statement contained in the letter to Mrs. Bennett, which says, "It is my desire that no one, excepting you and Mr. Bryan himself shall know of this letter and bequest," is declared to be misleading, because it alleged that Mrs. Bryan knew all about them.

The several clauses to which objection is taken, and the sealed letter and the letter to Mr. Bryan, are declared to have been prepared at Lincoln, Neb., by Mr. Bryan and his wife, without the knowledge of Mrs. Bennett, and without the knowledge or presence of Mr. Bennett's family or business associates. Allegations of undue influence are made concerning all the clauses appealed from.

ADMIRAL GLASS SENDS UNCONFIRMED RUMOR

WASHINGTON, Dec. 11. — Secretary Moody has received a cablegram from Rear Admiral Glass saying that a rumor has reached Panama that a small body of Colombian troops has landed on Colombian territory with a view to marching overland to the isthmus. Rear Admiral Glass has been unable to confirm the rumor.

M. Bunau-Varilla, the minister from Panama, called at the State Department to-day and had a lengthy conference with acting Secretary Loomis, the nature of which he would not discuss. When asked regarding the reported attempt to create a division among the members of the Panama Canal Company and its probable effect on the ratification of the canal treaty by the United States Senate, M. Bunau-Varilla said that, while the matter is completed so far as Panama is concerned, it is advisable to move quickly, because delays tend to affect the imagination, and that so long as a thing is unsettled complications are likely to arise. He declined to enter into a discussion regarding any action which the Panama Canal Company may take.

Elections in Colombia.

NEW YORK, Dec. 11.—The presidential elections have passed off quietly throughout the republic, says a Herald dispatch from Bogota, Colombia, under date of Dec. 7. Generals Reyes and Conzales Valencia are considered as leaders in the contest. It will be some days before the results can be announced.

Judge Hazen's Wife Burned.

TOPEKA, Kan., Dec. 11.—Mrs. Z. T. Hazen, wife of Judge Hazen, of the District Court, was fatally burned to-day, the result of a gasoline explosion. She was cleaning a dress when the accident happened.

LAING AND HURT ARE ORDERED DISCHARGED

Federal Judge Jackson Holds They Were Justified in Killing a Lawless Miner.

LABOR LAWYERS APPEAL

CHARLESTON, W. Va., Dec. 11.—United States Judge John Jay Jackson to-day decided the habeas corpus case of John Laing and Stewart Hurt, holding they were federal officers, acting under process of the United States Court when they killed John Harless, and, therefore, were justified, and are not amenable to State courts. Laing is an operator and Hurt is in his employ. They accompanied Deputy Marshal Cunningham last winter to arrest John Harless, a leader among the striking miners, for whom Cunningham had a rule in contempt for violating United States Judge Keller's "blanket injunction." Harless fled when Cunningham and others approached his house. As he went by, Laing and Hurt, who had been told to look out for him, fired and killed him, claiming self-defense, as Harless, with revolver in hand, was defying arrest. Laing and Hurt were held in Raleigh county jail and denied bail. After their indictment a writ of habeas corpus was sued out of the United States Court. At first Judge Sanders, of the State court, refused to obey the writ, but afterwards allowed the marshal to take the men from the county jail. Judge Jackson heard the case last June, reserving decision until today, when he recited the facts about Harless repeatedly resisting marshals, being under several indictments when he was killed, disregarding injunctions, leading large armed forces at Stanaford City, where five men were killed and thirty wounded, and at Atkinsville, where Cunningham and others narrowly escaped death, and repeatedly saying "he would never be taken alive."

The court held that Harless was a fugitive and that Laing and Hurt, as special deputies, were clothed with sufficient powers to justify any necessary means to make the arrest, and that as Harless was threatening them they were justified in shooting. It held also that they were under restraint of the State court in violation of their rights as citizens of the United States and ordered their discharge.

Attorneys for the State and the United Mine Workers of America, who were prosecuting Laing and Hurt, gave notice of appeal, and judgment was suspended to give them time to prepare the proper papers. This will be done by to-morrow morning and the case will go to the United States Circuit Court of Appeals.

DEATHS OF A DAY.

NEW YORK, Dec. 11.—Albert J. Wise, president of the firm of J. H. Bunnell & Co., and a prominent member of the New York bar, is dead from bronchitis, following internal injuries received a week ago when he slipped and fell near his home while alighting from a trolley car. He was born forty-three years ago at Lima, O., and once practiced law there.

PONCA CITY, I. T., Dec. 11.—Mrs. Mima Jane Ruby, the oldest member of the Women's Relief Corps, the auxiliary of the G. A. R., is dead at her home here aged ninety-seven years. Her husband, a second cousin of President James K. Polk, was an Indiana soldier in the Black Hawk war and she made the flag carried by the Vincennes Blues in that war.

BOSTON, Dec. 11.—Capt. Charles A. P. Talbot, British consul general at Boston, died suddenly at his residence in Brookline to-day. Captain Talbot suffered an attack of heart disease last night after attending a dinner at the Victoria Club. His condition rapidly grew worse to-day. The funeral will be held on Monday.

DETROIT, Mich., Dec. 11.—Rev. Dr. Bird, a well-known Methodist minister, died at his home here to-day, aged eighty-three years. He was presiding elder of the Lake Superior district before the day of railroads. He was superannuated nineteen years ago.

BALTIMORE, Dec. 11.—George G. Nachman, a noted musician and well-known throughout the country for his long identification with union labor, died here to-day after a few hours illness from acute bronchitis.

CHATTANOOGA, Tenn., Dec. 11.—L. C. Riggs, president of the Chattanooga Ice Company and a wealthy manufacturer, died to-day as a result of a collision between his automobile and a street car.

SALINAS, Cal., Dec. 11.—Jesse D. Carr, the well-known California pioneer, politician and millionaire land owner, died to-day at his home here, aged eighty-nine years.

ROANOKE, Va., Dec. 11.—Morton C. Jameson, controller of the Norfolk & Western Railway Company, died to-day of heart disease, aged sixty-four.

More Time for Heidelberg.

TIFFIN, O., Dec. 11.—The time for raising $150,000 for Heidelberg University has been extended until after the holidays. The original time expired yesterday. Already $100,000 has been raised. President Miller, of the university, hopes to secure the remainder of $50,000 from Tiffin and Seneca county. The money will be used for improvements and additional buildings. The university is to receive a similar sum when it succeeds in getting $150,000 by its own efforts.

Two Killed by Train No. 3.

HUNTINGTON, W. Va., Dec. 11.—Newton Cupp, aged fifty, and his son Ola, aged twenty years, were killed by train No. 3 on the Chesapeake & Ohio railway at Milton to-day. Cupp was a prominent farmer. They were driving across the track when the train struck their vehicle.

TWO ACCOUNTS OF THE ALEXANDRETTA AFFAIR

Turkey Says Consul Davis Acted Illegally and Leishman's Advices Confirm First Story.

ATTARIAN NOW IN JAIL

WASHINGTON, Dec. 11.—Chekib Bey, the Turkish minister here, to-day filed with the State Department an explanation from the minister for foreign affairs of Turkey of the Alexandretta affair, stating in effect that United States Consul Davis sought to procure the illegal emigration of a Turkish subject, and, failing in this, attacked and beat the Turkish police and then took the steamer. The State Department has had partial advices from Minister Leishman, and is awaiting the completion of his investigation.

CONSTANTINOPLE, Dec. 11.—The United States legation states the advices regarding the Alexandretta affair confirm the reports of the violence of the police and the attack on Consul Davis, who had only used his cane in self-defense. It appears that Attarian, the naturalized American, who had asked for Consul Davis's assistance to enable him to embark for Egypt, was arrested by a subterfuge. After he had embarked in a consular boat of Mr. Davis Mr. Attarian was invited to land to undergo fumigation, whereupon the man was suddenly seized by three policemen and promptly locked up. Mr. Davis, in attempting to interpose, was assaulted by the police, and was obliged to defend himself with his cane. Attarian is still a prisoner.

UNABLE TO AGREE.

Building Contractors at Odds Regarding Union Labor Attitude.

CHICAGO, Dec. 11.—After a day of oratory and of waiting for the report of the constitution committee the building contractors' conference adjourned until to-morrow without adopting a constitution or any part of one.

The first article of the proposed constitution which was finally presented to the convention to-night caused a heated discussion. While the constitution committee was struggling with the problem of framing a constitution under which the new organization could fight what the contractors believe to be abuses of the union labor system without violently antagonizing organized labor some voices in the convention were urging opposition to anything and everything that wore a union labor tag. There was a heated discussion. While the general trend of opinion seems to favor the adoption of the "open-shop" idea as applied in Chicago, there is a strong sentiment in favor of an uncompromising open-shop policy.

It is believed, however, that the policy of conciliation, as outlined in the proposed constitution, will be adopted for the new organization.

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