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EIGHT PAGES

HOPE ABANDONED FOR THE MINERS

Third Rescue Party at Work at the Lick Branch Mine to Rescue the Men Entombed by Explosion.

HAVE BUT LITTLE HOPE ON STEAMER D'ITALIA

Eleven Bodies so Far Recovered—Fire Extinguished But Mine Foreman Says Black Damp Will Kill Miners.

SWITCH BACK, W. Va., Jan. 12.—The third party of rescuers are fighting with renewed hope today to rescue the 200 workmen believed to be imprisoned in the burning Lick Branch mine, following the explosion yesterday. Eleven bodies are so far recovered. The hope of recovering the victims alive has practically been abandoned.

Terrific Force of Explosion.
Timbers and large telephone poles were twisted and splintered as straws by the force of the explosion. Clem Bowers, mine foreman was blown from the mine and fatally injured. Jack Holliday, with Bowers at the time, was drawn into the burning mine by the suction. A boy named Clark, age 18, standing at some distance from the mouth of the mine, saw the smoke coming and ran to the mountain side to hide behind a stump. The flames, smoke and debris and mine cars passed over the boy, landing one hundred yards away.
It is believed the fire in the mine is extinguished but the inspector says black damp will kill all those left in the mine.

HAINS FAMILY ARE PLEASSED

McIntyre's Conduct of the Case and His Upholding of Unwritten Law Is Satisfactory.

FLUSHING, Jan. 13.—Thornton Hains is hopeful today the outcome of the trial will be satisfactory. McIntyre says he will finish his argument to the jury by noon. The Hains family are much pleased with McIntyre's action in upholding the unwritten law in the shooting of Annis. They are pleased at the move the attorney is making the plea that Annis should be shot instead of relying on the plea of mental powers shattered by what Annis is alleged to have done.

JUROR WALSH HURT

Thomas Walsh, juror No. 2 in the Hains trial, was hurt as a result of a trolley car accident. He was able to appear in court but was sent to a Flushing hospital to have his wounds redressed. He has a scalp wound and both eyes are nearly closed. He said he could probably sit through the trial.

The opening proceedings were delayed while the juror was in the hands of a doctor.

McIntyre began to close his speech for the defense this afternoon. He mercilessly attacked the testimony of Mrs. Annis and characterized her testimony as perjury but excused her on the grounds of an acute desire to see the defendant punished. It is believed Justice Crane will be able to charge the jury early tomorrow morning. Today's proceedings were delayed somewhat by the injury to Juror Walsh.

Crane informed the attorneys on both sides that Walsh's comfort must be considered throughout.

McIntyre also assailed the testimony of Edwin and Arthur Andrews, saying it was not in accordance with the facts. A feature of McIntyre's closing address was the reading of an argument prepared by the defendant himself in his cell last night. It was written with a lead pencil and attempted to prove the defense's contention that the shooting was over before any occupants of the boats could have reached the float of the Bayside Yacht club.

MEMBER ILLINOIS LEGISLATURE DIES

Paul Zalbeo, Carried to the House to Vote for Shurtieff, Died

CHICAGO, Jan. 13.—Paul Zalbeo, a member of the lower house of the Illinois legislature, who while ill was carried to the house last week to vote for Speaker Shurtieff, died early today at his home here. His death may affect legislative affairs of the state. The fact that he was a Shurtieff man means one less man for the anti-Deneen Republicans.

QUAKE SUFFERERS REACH AMERICA

Giuseppe Cutrones, a Cattle Dealer, at Messina, the First Eye Witness to Reach This Country.

DR. NATAHE SAYS ALL HE COULD GET FROM SURVIVORS WAS "TERRIBLE"

Terrible—Immigration Officials Alert.

NEW YORK, Jan. 13.—Giuseppe Cutrones, a cattle dealer at Messina, is the first eye witness of the quake to reach this country. He landed today on the steamed D'Italia from Naples, two days after the quake. He said he went to Messina in the morning to buy cattle and while in the train the quake occurred. The station was demolished and the train buried in the debris. Cutrones dug out and hurried to Palermo and found his family safe and came to America. Many residents of the Messina district were in the steamer list but all had left before the quake. It is stated immigration officials are not lax on account of the quake survivors.

Joseph Parfaroni, a banker of Pittsburgh, was aboard the D'Italia and fears his father and mother and three sisters and brother were killed while visiting the family at Sidron, sixty miles from Reggio. He was near Naples at the time of the quake.

Dr. Natahe, a Spaniard, said: "All were horror-stricken. I could get much out of them except cries of terrible, terrible, everyone killed."

Constantino Serando of the Messina province left a farm twenty miles from Messina the day before the quake en route to America when he heard the news and said he feared his wife and three children were killed. Natahe Serando was aboard the D'Italia.

CUBAN CONGRESS CONVENED TODAY

President Elect Gomez Will Be Inaugurated January 28—Senate Is All Liberals.

HAVANA, Jan. 13.—The new Cuban congress convened today for organization after which it will adjourn until January 28, when President-Elect Gomez will be inaugurated. The senate is made up entirely of liberals. The house is 59 liberals, 32 conservatives. Among other questions the congress will take action on the following:

- Codification of Cuban laws.
- Tariff reformation.
- Creation normal school.
- Building schools.
- Labor questions.
- Creation national library.
- Removal of bans against cock fighting.

GIRLS ORPHANED BY THE QUAKE

Finding Homes in Naples by Working-men Taking Them as Wives.

NAPLES, Jan. 13.—A hundred unmarried working men in this and other cities that are congested with earthquake refugees, are marrying girls orphaned by the quake, according to disclosures made public today by officials of this city. Powerless to aid otherwise these workmen advertise they would provide homes for orphans girls over sixteen years old, into which they would take them as their wives.

TILLMAN STILL IN LIMELIGHT

WASHINGTON, Jan. 13.—Tillman renewed the controversy between himself and the attorney general whether he (Tillman) did or did not tell the attorney general he intended to buy Oregon land if he could, over the telephone at noon today.

WASHINGTON, Jan. 13.—Getting the attorney on the phone, Tillman said: "Mr. Bonaparte, I want to ask you whether you brought the suit against the Southern Oregon. That one that controls the land grant for a military road from Roseburg to Coos Bay. Can you find out right away and let me know? Call some clerk and get him to look it up. It's not going to take long, is it? I would like to know as early as possible. Of course the attorney general can do as he pleases."

After ringing off Tillman turned to the newspaper men and told them Bonaparte said he will write him a note. He said, "It's mighty funny the attorney general don't know whether he has taken such important action, isn't it?"



WHAT WE HEAR ON A COLD DAY.

INTEGRITY OF SERBIA DOOMED

Russian Diplomats Who Took Part in the Balkan Developments Can See no Hope For Serbia.

AUSTRIA WILL ABSORB

National Integrity of Serbia is Gone the Moment Turkey Accepts Austria's Offer—Servian People Angry.

ST. PETERSBURG, Jan. 13.—The national integrity of Serbia and Montenegro is doomed the moment Turkey accepted Austria's offer, is the opinion of Russian diplomats who have taken part in the Balkan developments. It is considered inevitable that Austria will gradually absorb Serbia and Montenegro. Reports from Belgrade today say the anger of the Servian people can no longer be restrained and a virtual warfare on the Bosnia border is expected at any time.

NEBRASKA SOLONS IN A QUANDARY

Secretary of State Junkin Refuses to Produce the Election Returns for Canvass.

LINCOLN, Neb., Jan. 13.—Democrats of both the house and senate yesterday, in joint session, 74 to 53, decided to canvass the vote cast on the constitutional amendment increasing the judiciary, the minority, comprising 44 republicans, voting against the motion.

Immediately after the motion passed the demand was made on Secretary of State Junkin for the original returns. Junkin refused to turn them over to the legislature except on order from the supreme court, stating he thought the question as to whether the state canvassing board or legislature should canvass the returns was a question to be settled by the courts.

SAM HIGGINS' MOTHER DEAD

Lost Her Life in a Fire Which Gutted the Handsome House in St. Roman Today.

NEW HAVEN, Jan. 13.—Mrs. Higgins, mother of Sam Higgins, general manager of the New York and Hartford railroad, was burned to death in a fire which gutted her handsome residence in St. Roman terrace today. Higgins' mother-in-law, Mrs. M. E. Corbin, was fatally hurt. His wife and daughter, Isabelle, and young son and Higgins himself barely escaped, jumping from the second floor. The cause of the fire was an overheated furnace.

DEMOCRATS AND TARIFF REVISION

Minority Party in the National House Caucus to Determine Upon a Plan of Action on Tariff Measure.

NO DECISION REACHED

Champ Clark Says They Are Considering by What Means They Can Get the Information Desired.

WASHINGTON, Jan. 13.—The minority members of the house ways and means committee yesterday discussed tariff legislation with a view to determining whether the Democrats should prepare a tariff bill or should confine their efforts to the minority report on schedules, regarding which there are more pronounced differences of opinion.

HUNG HIMSELF IN PRISON CELL

Joseph Cross for Twenty-Four Years a Prisoner at Joliet, Commits Suicide.

JOLIET, Ill., Jan. 13.—Joseph Cross, alias Rogers, aged thirty-eight, who has been in prison most of the time since he was fourteen years of age, hanged himself in his cell yesterday. He tied two handkerchiefs together, fastened one end to the upper bunk and the other around his neck. He then rolled off the lower bed and choked to death. Cross was sentenced for robbery in 1897. He escaped from jail and was found in 1905 in Colorado prison serving time for burglary. He was arrested on his discharge from the Colorado prison and brought to Joliet in 1907.

SANTA FE ROAD FINED FOR \$5,000

California Railroad Commission Assesses a Fine Against Railroad for Violating Rates.

SAN FRANCISCO, Jan. 13.—The state railroad commission today promulgated a fine of five thousand against the Santa Fe railroad for failure to conform to the rates fixed by the commission. The Santa Fe was fined for refunding \$3,750 to the Associated Oil Company. The Southern Pacific escaped punishment through incompleteness of the record.

TRAIN ROBBER MORRIS ON TRIAL

Man Accused of Holding up a Northern Pacific Passenger and Robbing the Passengers Faces the Court.

HE ESCAPED CUSTODIANS

While on His Way to Penitentiary to Serve a Twenty-Five Years Sentence But Was Recaptured.

MINNEAPOLIS, Jan. 13.—Sherman W. Morris, alias Frank Shercliff, is on trial in the district court accused of holding up and robbing the passengers of the Northern Pacific passenger train in northeast Minneapolis on the night of April 16, assisted by Owen Hall, who is now in the penitentiary. Morris was convicted and sentenced to twenty-five years in prison, but while on the way to the penitentiary escaped from the custodians by jumping from a moving train. He was later captured at Knoxville, Tenn.

BASKET BALL SEASON OPENING

Iowa City Team Will Tonight Meet an Aggregation From the State Normal.

[Special to The Gate City.] IOWA CITY, Iowa, Jan. 13.—Iowa's basket ball season will open tonight when Old Gold meets an aggregation from the state normal. The pedagogues, it is reported, have been hard at work in anticipation of the contest and a good game is expected. All the students are anxious to see what the home team can do, and a big attendance is expected.

ANTI LAFOLLETTE MEN IN CONTROL

Forty-ninth Session of the Wisconsin Legislature Convened at Noon Today.

MADISON, Wis., Jan. 13.—The forty-ninth session of the Wisconsin legislature convened at noon today. The matters to come up consist of the election of a United States senator to succeed Isaac Stephenson, some action on the county option law, amendments to the primary election, extension of power of the railroad commission. It is probable there will be introduced a bill requiring the publicity of campaign contributions. The anti-Lafollette's are in control.

Want Wilson Retained. DES MOINES, Iowa Jan. 13.—The house Tuesday adopted a resolution endorsing Secretary Wilson's conduct of the agricultural department and urging Taft to continue him in that position.

STEVENSON FILES CONTEST PETITION

Democrats Ask For a Recount of All the Votes Cast at the Last General Election, For Governor.

DEADLOCK IS BROKEN

Stevenson Charges Many Unnaturalized Citizens Voted For Deneen and He Wants to be Declared Governor.

SPRINGFIELD, Jan. 13.—The deadlock in the Illinois legislature was broken today and the vote of the last election canvassed. A petition of the Democrats for a recount was filed in the last election for governor alleges that 15,000 unnaturalized citizens voted for Deneen and that 20,000 votes cast for Stevenson were counted for Deneen. It is alleged 4,000 foreigners unnaturalized voted for Deneen, 300 not citizens of Illinois and 3,000 votes cast for Stevenson were counted for Deneen in Cook county.

Discrepancies and irregularities of the same character in the rest of the 102 counties in the state are alleged. The petition asks that all ballots in all counties be counted and testimony taken to determine the number of fraudulent votes cast for Deneen, and that "your petitioner be declared by your honorable body to be duly elected governor of the state of Illinois." The petition is signed by Adlai E. Stevenson.

DENEEN DELAYED ELECTED

The vote of the last election in this state was canvassed this morning by the general assembly, the senate being present on its own invitation Deneen was declared elected governor. Later arrangements were made for his inauguration next Monday. The Democrats served notice of a contest of election with a petition for a recount but before the clerk of the house had more than started reading the document Lieut. Governor Sherman arose from his chair and said, "The senate will return in like manner as it came."

Every senator inculding the Democrats rose amid laughter and hand clapping and marched back to the chamber. Still, there is therefore a grave parliamentary question as to whether the Democratic petition for a recount has been regularly filed. The senators claim the session not a joint one. Shurtieff, who presided made no effort to make it appear such. With the canvass of the vote and breaking of the deadlock the general assembly has agreed to quit until Monday. The inauguration ceremonies will then take place. Shurtieff announced next Tuesday the vote for United States senator would be taken in each house.

ENGLAND ASKS FOR EXPLANATION

English Foreign Office Wants to Know Why British Railway Was Seized.

LONDON, Jan. 13.—The English foreign office today made a demand upon the Brazilian legation for an explanation of the seizure of the Great Western railway, a British company operating in Brazil, by the striking employes. Four thousand Brazilian employes of the railway are on a strike and have seized most of the rolling stock and hold the terminals. The most serious rioting is taking place at Pernambuco, according to reports today. The police are powerless against the strikers and sympathizers.

MILLION DOLLARS AND NO CLAIMANT

Money Lay in Bank for Thirty Years—Is to go to Commonwealth.

BOSTON, Mass., Jan. 13.—About one million dollars which has lain unclaimed in the Massachusetts Savings bank more than thirty years will be paid to the treasurer of the commonwealth through a decision of the supreme judicial court, upholding an act of the legislature of 1907, making provision for such disposal. The decision was made in a test suit brought by the Provident Institution for Savings of this city, which had \$100,000 in unclaimed deposits. The bank contended the act was unconstitutional.

—Read The Daily Gate City, 10 cents per week

EARTHQUAKE IN NORTHERN ITALY

Many Cities in Northern Part of Italy Shocked, the Severest: Vibration Being Felt at Genoa.

PEOPLE LEAVE HOMES

Believed That the Property Loss in the Larger Cities is Heavy—Quake Caused Panic in the Cities.

ROME, Jan. 13.—All of Tuscany and many cities in the northern part of Italy were shaken by the quake this morning. The severest shock was felt at Genoa, where the people fled from their houses in terror and would not return for hours. Other cities that felt the shock are Milan, Lombardi, Venice, Padua in Venetia, Florence in Tuscany. The quake will have a wider radius than that which devastated Sicily and Calabria.

Later reports this morning from the quake district contain rumors of heavy property loss in the larger cities. It is believed the quake is much severer than first reported. It occasioned panics in all the affected cities. Still there are no accounts of deaths.

Damage Was Limited.
The latest reports show that the damage was limited to a few houses, with a general cracking of walls and several cathedrals damaged.

GAVE DAUGHTER LONDON MANSION

D. O. Mills Gives His Daughter Wedding Gifts that are of Themselves Fortunes.

NEW YORK, Jan. 13.—A London mansion and \$100,000 was the gift of D. O. Mills, banker, to his daughter, Miss Beatrice Mills, who tomorrow becomes the bride of the Earl of Ganard. Mrs. Mills gave her daughter an all around Tiara of pearls and diamonds. Lord Ganard's gifts of jewels were not brought here. A photograph was shown.

IOWA STATE SUPREME COURT DECISIONS

- [Gate City Special Service.]
- DES MONIES, Iowa, Jan. 13.—State of Iowa against Pell, appellant, Marshall; affirmed.
- Johnson against City of Waterloo, appellant, Blackhawk; affirmed.
- Doty, appellant against city of Cedar Rapids, Linn; affirmed.
- Padrons against Century Fire Ins. Co., appellant, Tama, affirmed.
- Dugan, plaintiff, against Smith, Linn; quashed.
- Barber, plaintiff, against Brennan, Polk; annuled.

TODAY'S WEATHER FORECAST

Indications for Iowa, Illinois and Missouri Wired from Chicago.

For Keokuk and vicinity: Snow flurries tonight and Thursday. Slightly higher temperature tonight. For Illinois, Iowa and Missouri: Snow flurries tonight and Thursday. Slightly higher temperature tonight.

WEATHER CONDITIONS

The low barometer in the west has concentrated in a marked disturbance central in Idaho, with rain on the southern and snow on the northern Pacific slope, snow extending eastward beyond the Rockies to the Missouri valley, with the temperature rising slightly.

The high barometer has moved to the northeastern states, there has been snow, and the temperature is low.

Indications are that the advance of the Idaho storm will be attended by snow, which may be heavy, in this section tonight and Thursday, and the temperature will be between twenty and thirty above zero tonight.

LOCAL OBSERVATIONS

Jan. 13. Bar. Ther. Wind. Weather
12 7 p.m. . . . 20.47 14 SE Clear
1 3 7 a.m. . . . 29.32 15 SE Clear
River above low water of 1864 frozen.

BURLINGTON BRIDGE, Jan. 13.—The present stage of the river is 2 feet 4 1/2 inches above low water mark, a rise of 1/2 inch since last report.

Mean temperature, 19.
Minimum temperature, 20.
Minimum temperature, 1.

FRED. Z. GOSEWISCH, Observer.