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## HOUSE PASSED TODAY RAILROAD RATE BILL

Hepburn Measure of Vital Importance to Country Passes Lower Body by Big Majority After Spirited Debate And Much Consideration in Committee—Father of Bill Closed The Debate on The Same

### IT EXPRESSES THE PRESIDENT'S OPINION

On Railroad Rates And Means of Controlling The Same—Gives Interstate Commerce Commission Authority to Investigate Rate on Complaint of Shipper And Name New One If It Thinks Advisable—One of the Most Important Measures in Years.

Washington, Feb. 8.—Following is the summary of the Hepburn railroad rate bill on which the house votes today: The bill according to Congressman Hepburn's statement in closing the debate on the measure was intended and did, so far as it could be made, he said, comply specifically with the recommendation of President Roosevelt on the rate question. It gives the interstate commerce commission authority, when the rate has been complained of as "unreasonable" by the shipper to investigate the rate, state whether or not it is unreasonable and if found to be unreasonable, to name a rate which is to be just and reasonable and fairly remunerative which is to be the maximum rate to be charged. This rate to be so fixed is to go into effect thirty days after it is announced by the committees, subject during that time to be set aside or suspended by the commission or by the courts. After it has gone into effect it is to remain the rate for three years. During this time the opinion has been expressed by those who have participated in the debate that the rate may also be reviewed by the courts and if found to be in conflict with the terms of the act or with the constitution by being confiscatory can be set aside by the courts. Another important feature is the definition of the words "railroad" and "transportation" in such a manner as to include all auxiliary instrumentalities of the common carrier and to bring them within the control of the commission.

#### BILL PASSES THE HOUSE

The house today passed the Hepburn railroad rate bill by a vote of 346 to 7. Those voting against the bill were: Littlefield, McCall, Jenkins, Sibley, Southwick, Vreeland and Weeks. Mr. Sullivan, (Mass.) voted "present" and was not paired. There were 28 members paired but these pairs were generally political ones. None of them was made on the bill and consequently did not indicate opposition. The pension appropriation bill was taken up in committee of the whole with Mr. Madden (Ill.) in the chair. General debate on the bill was limited to three hours and Gardner (Mich.) in charge of the bill took the floor.

## COUNSEL FOR SMOOT TAKES A TURN

Witness Wolfe is Under Severe Fire at Senate Hearing Today.

Washington, Feb. 8.—At the investigation of the protest against Senator Smoot and elections, Prof. Walter M. Wolfe, who was a teacher in the Mormon schools and a member of the church until very recently was today subjected to severe cross examination by A. S. Worthington, counsel for the senator. A large number of letters which had been written by Wolfe to members of the church were put into record to show that he had not made complaints of the conduct of Benjamin Cluff on the Mexican expedition as he had testified in direct examination. He denied the charges by the counsel that he had been intoxicated in several public places and he had expressed contrition because of his refusal to pay tithings. Worthington will call a large number of witnesses to discredit Wolfe.

On re-direct examination the names of a number of residents of the provo were read to the witness and ten he said were living in polygamous co-habitation. He said he knew George Taylor, brother-in-law of Smoot, and that Taylor had asked him (Wolfe) to give up his democratic faith and come in with the "great majority." This was just previous to the election of the legislature that elected Smoot senator. He said further that Taylor asked him to do all he could for the election of Smoot.

"I told him," said the witness, "that I would if I thought it to be the will of the Lord. Taylor said he believed it was the will of God and it seems to have been. He then told me that Smoot's candidacy had been discussed and endorsed by the high council of that state, convened as a prayer of..."

#### A WEALTHY MORMON.

Apostle Merrill Wanted in Smoot Case Dead.

Salt Lake City, Utah, Feb. 8.—Marriner W. Merrill, an apostle of the Mormon church, died last night at Richmond, Utah, aged seventy-four years. Apostle Merrill twice has been subpoenaed as a witness before the Smoot investigation in Washington, the last subpoena having been served but a few days ago. He was wanted to testify in relation to reports that he had a plural wife since the Woodruff manifesto.

Apostle Merrill was one of the wealthiest men in the Mormon church, and was the richest citizen of Cache county. He had been married nine times, and at the time of his death had seven living wives, each of whom was maintained on a separate estate. He leaves forty-nine sons and daughters, 140 grandchildren and several great grandchildren.

## HANDSOME BALANCE SHOWN BY THE REPORT

Woman's Suffragist Association Has a Tidy Sum Left Over.

Baltimore, Md., Feb. 8.—At today's session of the annual convention of the Woman's National Suffrage association, the report of the treasurer was read by Mrs. Harriet Taylor Upton of which the following is an abstract: The receipts including last year's balance \$23,333.3; disbursements \$16,544.87; balance \$11,788.43. The five states standing at the head in the point of membership are: New York, Massachusetts, California, Nebraska and Iowa. The five states contributing the largest amount of money to the treasury are Pennsylvania, Oregon, California, Massachusetts and New York. Five associations making the greatest percentage of gain in membership are Washington, Oregon, West Virginia, Maryland, Oklahoma and Idaho Territory.

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#### REPORT IS DENIED.

That Paper Money of Russia Is a Drag On the Market.

St. Petersburg, Feb. 8.—A statement of the Russ which is criticizing the financial condition of Russia, that an order has been issued that paper money is redeemable in gold only at the math office of the Imperial bank at St. Petersburg and not in the branches in the country has been met with a prompt denial at the ministry of finance.

#### FOR COMPULSORY EDUCATION.

St. John, N. B., Feb. 8.—The New Brunswick legislature assembled for its regular session today at Fredericton. The session promise to be one of unusual interest. Among the important measures to be introduced by the government is one providing for compulsory education throughout the province.



FRANCIS KOSSUTH. (Prominent Leader of Independent Hungarian Party.)

## ALL HOPE GONE HOCH MUST SWING

Supreme Court Denies Motion for Rehearing in His Case.

Springfield, Ill., Feb. 8.—The supreme court this morning denied a rehearing in the case of Johann Hoch, sentenced to be hanged in Chicago on Feb. 23, for wife murder.

#### HOME MARKET CLUB.

Boston, Mass., Feb. 8.—The annual dinner of the Home Market club, a yearly event of social, political and commercial interest, takes place at the Hotel Somerset tonight. Among the speakers will be Senator Gallinger of New Hampshire and Representatives Lacey of Iowa, and Littlefield of Maine.

#### TWO SUSPECTS RELEASED.

New York, Feb. 8.—Mrs. Mabel Coleman and Frank Stanley, who were arrested last night charged with the larceny of \$50,000 worth of gold mining stocks, were released today after an examination in police court. The charge was made by the woman's husband, who is said to be the president of a gold mining company in Goldfield, Nev.

## RURLED HIMSELF UNDER THE CAR WHEELS

Pastor Arrested on a Serious Charge Attempts Suicide.

Chicago, Feb. 8.—Rev. Justine O. Wade, pastor of the First Congregational church of Waukegan, Ill., who was yesterday arrested by postoffice inspectors for sending obscene letters through the mails, attempted to commit suicide today by throwing himself in front of a train on the Chicago & Northwestern railway. He made the attempt in the presence of a large crowd of persons who were waiting to take the train. Wade was taken to the hospital, where it was said he had a chance to recover.

#### TO GO INTO COMMISSION.

Washington, Feb. 8.—Another superb fighting machine will be added to the United States navy within the next few days when the battleship Rhode Island, built at Quincy, Mass., will be placed in commission. The Rhode Island is a sister ship of the Virginia, of the New Jersey and the Nebraska, being of 14,348 tons displacement and of 19,000 horsepower.

#### NEW YORK LIFE CONDEMNED.

New York, Feb. 8.—A report of the special investigation committee of the New York Life Insurance company, which was appointed by the trustees to investigate the company's affairs, was made today and was adopted unanimously by the trustees. It condemned the former management of the company and recommended various reforms.

## EMPEROR WILL GIVE CITIZENS AUDIENCE

The Visiting Delegation Have These Assurances From Witte.

St. Petersburg, Feb. 8.—A delegation of citizens of Ekaterinoedear, Caucasus, sent to St. Petersburg to obtain the emperor's personal assurance that the land question would not be settled by the present government but by the national assembly, was received in audience by Premier Witte yesterday. An interesting account of the interview was published today. The premier pointed out that the agrarian problem could not be solved by a division of the state lands alone, amounting to only 16,000,000 acres much of which is forest land. The peasants must be prepared to buy private lands on the easy installment plan as provided by the imperial ukase of November last. The spokesman of the deputation replied that the peasants did not wish to buy land but were determined to receive it as a gift from the government.

At the close of an informal discussion the premier thanked Heaven that the conditions in Russia were different from those prevailing in other countries. He said, according to the published report, that a French president was dependent on the electors and an English king on Jewish bankers, but the Russian emperor was independent. The consummation desired by the revolutionists that the country be ruled by Poles, Armenians and Jews would not be realized. The premier is said to have added:

"The greatness and happiness of Russia are due to the emperor. Without the emperor you who wear long coats and high hats would still be peasants."

The premier is reported to have remarked in conclusion:

"It only had not been for this unhappy war, if only victory had been on our side, all would now be well, but God did not so will it."

At the conclusion of the conference the premier promised the delegation that they would be received in audience by the emperor. He gave the same pledge to deputations of Buriats (a Mongolian people living chiefly in the government of Irkutsk and Trans-Balkalia) who arrived here to demand special representation in the national assembly and permission to live in their old condition of nomadism.

## MINERS MEET, BUT WAIT ACTION OF MITCHELL

Resignation of Vice Presidents Demanded—Secrecy Still Maintained.

Wilkesbarre, Pa., Feb. 8.—The joint scale committee of anthracite miners will hold its first business session at 2 o'clock today. Up to noon only nine of the 36 members of the committee had registered. District presidents and other officials prominent in the United Mine Workers' organization will give no intimation of what the demands of the miners will be.

Practically no business is being transacted by the Pittsburgh district miner's convention pending receipts of President Mitchell's instructions to Vice President Lewis in connection with the trouble between the delegates and President Dolan and Vice President Bellingham of the Pittsburgh district whose resignations have been demanded by the delegates through resolutions and addresses during the past three days of the convention.

#### SNUBBED A GRAND DUKE.

Pretty Parisian Lady Resents Advances of Nicolai.

Paris, Feb. 8.—A story comes from Nice to the effect that the Russian Grand Duke Nicolai was strongly attracted recently by the charms of a beautiful young Parisian lady at the roulette table in the casino. After trying in vain to draw her attention he whispered to the croupier, placed two gold pieces on the number 13, and disappeared. The number was successful and the croupier pushed a considerable sum of money toward the young lady. She protested, but the croupier insisted that the money was hers. By and by the grand duke reappeared, rubbing his hands, and apparently certain of winning some notice from the charming lady.

She, however, turned to a gentleman sitting close by, and said, slowly and in a loud tone, "Would you do me the favor of sending this money on behalf of the Grand Duke Nicolai to the central committee for the victims of the revolution in Russia." And without even looking at the grand duke, she left the room.

Nothing will be done well that you do yourself if you don't know how.

#### STEAMER ON END.

German Vessel Beached and Cargo All Afloat.

Seattle, Wash., Feb. 8.—The German tramp steamer Marienchen is lying on her beam ends and listed heavily to port on the beach at False Bay in southeastern Alaska. The captain has abandoned the vessel as a total wreck, but the underwriters may make an effort to save her. The Chinese crew reached the city and will be sent to their homes in the Orient. The cargo is floating ashore and boxes of merchandise and sacks of flour are being carried away by the Indians.

#### RACES IN CUBA.

Havana, Feb. 8.—The second annual Cuban automobile carnival opened auspiciously today. The events of the next two days are all preliminary to the great 200-mile road race which takes place next Sunday.



TRUMAN H. NEWBERRY. (New Assistant Secretary of the Navy.)

## FLOODS ARE A MENACE TO LIFE

Of City of Campos Caused By River's Overflow.

Rio Janeiro, Feb. 8.—The Parahiba de Sul has broken its banks and inundated the lower parts of the city of Campos (140 miles northeast of Rio Janeiro) to the depth of twelve feet in some places. Many houses have collapsed, and widespread damage has been done and all communication with Campos is impeded. The work of rescuing the imprisoned inhabitants of the city is most difficult.

#### WEDS OLD YALE SPRINTER.

New York, Feb. 8.—A society wedding today was that of Miss Georgia Barker Gibbs and Charles H. Sherrill, which took place at the bride's home in East Sixty-fifth street. The bride is the daughter of the late Edwin M. Gibbs, who was treasurer of the New York Life Insurance company. Mr. Sherrill was one of Yale's famous athletes. He was captain of the track team during his senior year at Yale, and held the record for the 100 and 220 yard runs.

## HARVARD PUTS A BAN UPON ALL FOOT BALL

Faculty Decides Game Will Be Barred for the Present.

Cambridge, Mass., Feb. 8.—The announcement was made today that the faculty of Harvard has expressed its opinion to the committee on the regulation of athletic sports that intercollegiate football should be prohibited to Harvard students in 1906 and until a reasonable game shall have been formulated. This attitude of the faculty was adopted at its meeting on Tuesday, but the announcement was withheld.

#### MISSOURI HISTORY.

Columbia, Mo., Feb. 8.—Among the interesting features of this, the second and last day of the annual meeting of the Missouri Historical society, were papers by G. C. Strouphead of Columbia, and M. F. Stipes of Jamesport. The first named took as his subject, "Leading People and Events in Early Missouri History," and the topic discussed by Mr. Stipes was "Radisson and Hennepin in the Mississippi Valley."

#### SEA ISLAND COTTON.

Valdosta, Ga., Feb. 8.—The Sea Island Cotton association, which was formed last November, began a convention here this morning with many prominent planters in attendance from Florida and South Georgia. The convention is to consider the imperative needs of closer organization and to formulate plans for a better system of holding cotton.

## ONE MILLION DOLLARS FOR DRAINAGE ASSURED

Bill Passes The Senate Today Appropriating That Amount For Draining Red River Valley Lands—Opposition From California Delegation Expected In The House

### DELEGATES ARE TO MEET HERE FEB. 27

President Cashel of The Drainage League States That Five Delegates From North and South Dakota, Minnesota And Manitoba Will Be Sent Here to Consider The Question of The Overflowing of The Red River Valley Lands.

Washington, D. C., Feb. 8.—A bill appropriating a million dollars for the drainage of the Red river valley passed the senate today.

The above telegram from Washington received by The Evening Times is of vital importance and interest to the residents of the valley.

J. L. Cashel of Grafton was in the city today. He says there will be a conference of delegates from Manitoba, Minnesota and North and South Dakota—five each—at Grand Forks Feb. 27, to consider the overflow of the Red river and drainage. The premier of Manitoba will appoint five delegates and the governors of each of the states named will do likewise. The object of this meeting will be to discuss ways and means to overcome the damage to farmers from the overflow of the Red river in the spring, and to memorialize congress and the parliament of Manitoba to appoint joint committees to recommend necessary legislation to remedy the existing evil. Mr. Cashel believes that both governments will work in harmony on this appropriation, and that something substantial for the benefit of the valley will be accomplished this year.

In speaking of the Hansbrough bill, setting aside a million dollars for drainage in the valley, Mr. Cashel was of the opinion that the measure would meet with opposition from the California delegation when it came to the house. He had been reliably informed that the California crowd was after a big appropriation for a like purpose for their state, and not having any claim on the irrigation fund, they would attempt to kill the North Dakota bill when it came up, unless their claims were taken into consideration.

As the leader of the energetic forces which have pushed the problem of irrigation along, Senator Cashel is deserving of the highest praise. An untiring worker and aggressive, he has given the subject and the promotion of the project his personal time and energies and the influence of his presence at every important drainage meeting and recognizing his worth and effort, he was made president of the North Dakota Drainage league at the recent convention held here.

#### CARS CRASH IN FOG.

Five Injured in Collision on a Trestle in Washington.

Seattle, Wash., Feb. 8.—Running at an estimated speed of twenty miles an hour, through a dense fog, a Ballard street car and a Fort Lawton car of the Seattle Electric company collided head-on today on the trestle between Interbay and the South street siding on the Ballard line. Five men were badly hurt. Two of these, John Heron, the motorman of the Ballard car, and one passenger, name unknown, may die. The cars were telescoped. Failure of the motorman on the Ballard car to observe the block signals is given as the cause of the accident.

## FAMOUS CASE OF MAGONE SETTLED

Nine Years Effort to Secure Big Damages a Failure.

Butte, Mont., Feb. 8.—The findings in chancery Oliver T. Crane in the noted case of Hugh Magone against the different smelting and mining companies of Butte and Anaconda were returned yesterday, finding practically for defendant companies on the ground that the damages sustained from the pollution of streams into which tailings from the smelting and mining plants had been dumped in turn being deposited on the farming land in Deer Lodge valley was more than offset by the general good resulting from the operation of the smelters, which the action of Magone sought to close. The time consumed in hearing the Magone case breaks all records in this state, more than nine months being consumed in the taking of testimony. The transcript embraces about seven million words.

#### KANSAS Y. M. C. A.

Chanute, Kas., Feb. 8.—Enthusiasm is the keynote of the Kansas Young Men's Christian association convention which opened for three days' session in Chanute today. The delegates represent the local branches, both city and college, throughout the state. The program contains the names of many men of note, among them Governor Hoch, Chaplain J. T. Aston of Fort Leavenworth, V. W. Helm of Tokyo, Japan, Dean A. C. Peck of Denver, and Kenneth C. McArthur of New York.

#### LA FOLLETTE GETS BUSY.

Washington, Feb. 8.—Senator La Follette today introduced a bill prohibiting federal officials from seeking or accepting railroad or other favors and prohibiting the railroad from granting them. It imposes penalties for a violation of the law.

North Dakota and Minnesota: Fair tonight and Friday; colder tonight; fresh northwest winds.