



CONGRESS IN SESSION

Fifty-Ninth Congress Began It's Session at Noon.

PRESIDENTS MESSAGE

Message Not Delivered Yesterday After Transacting Routine Business Adjourned.

NEGRO TROOPS RESOLUTIONS

Long List of Appointments Received From President Roosevelt, Which Will Not Be Considered Until After Message is Read.

WASHINGTON, Dec. 3.—The Fifty-ninth Congress began its last session today. It took the Senate fifteen minutes to arrange its preliminaries and the House one hour. The Senate received from President Roosevelt a long list of appointments for its confirmation and in an executive session which lasted fifteen minutes. It was decided that as the nomination had been received before the body was organized formally, to make no confirmations until the President's annual message had been received and the session fairly started.

Senators Penrose of Pennsylvania and Foraker of Ohio came forward with resolutions of inquiry regarding the discharge of the negro troops of the 25th Infantry. One was addressed to the President and the other to the secretary of war. After a ripple of surprise had passed, the vice president suggested that it was unusual to transact any business until after the President's message had been received and the resolution went over. Senator Dupont of Delaware took the oath of office.

The opening of the two houses of Congress was witnessed by an animated throng which filled the galleries to their utmost capacity. Hundreds went away disappointed in not gaining admission to witness the session of either House or Senate. Not in years has there been as large a number of members elect of the lower house to present themselves at the speaker's desk to take the oath of office. Death has been unusually active among the membership during the closing days of the last session and the beginning of the present, and Chaplain Coudon feelingly called attention to the work of the gri m reaper during the months since adjournment.

The routine work of the House incident to the opening day was quickly dispatched. Roll call showed 300 members present. After the appointment of the usual committee to wait on the President and inform him that the House was organized and ready to receive his message, the House adjourned out of respect for deceased members.

APPRAISERS' MEETING.

Annual Convention to Be Held in New York City.

NEW YORK, Dec. 3.—To conform with the last call issued some time ago by Leslie M. Shaw, secretary of the treasury, appraisers from all parts of the United States will commence their annual convention here today to discuss the subject of uniformity of appraisements of merchandise. The convention will probably last until December 10. Some of the delegates began to arrive in town Saturday, and it is expected that when today's session is called to order, such cities as

Boston, Philadelphia, Cincinnati, Cleveland, Pittsburgh, Chicago and San Francisco will be represented, while some other appraisers will arrive in town later, including the government's representative at Manila. Whatever conclusions may be reached during the convention will be submitted to the Treasury Department and the whole matter will then be reviewed by the secretary.

AT THE ASTORIA THEATER.

The Mack Swain Theater company have entered upon the last week of their engagement in this city, a fact that will be viewed with regret by the theater-going public. Last night the great scenic melodrama, "The World" was presented to a large, appreciative and enthusiastic audience. The settings for several acts of the play were made in full view of the audience and the skill and deftness of the stage crew in making the necessary changes was warmly applauded. Tonight the beautiful pastoral drama, "The Allen Homestead" will be presented. Wednesday will be Souvenir Night; every lady attending the performance will be presented with a beautiful colored portrait of Cora King Swain, and the world-famous drama "East Lynne" will form the bill.

SMOOT CASE.

Senator Burrows Announces That the Case Will Be Called Monday.
WASHINGTON, Dec. 3.—Senator Burrows of Michigan, chairman of the Senate committee on privileges and elections, has announced that next Monday he will bring up the report against Senator Reed Smoot as to being entitled to a seat in the United States Senate.

LEAVING AMERICA

Harry K. Shaw and Wife Will Reside in Paris.

PROVIDED THAW ACQUITTED

Mrs. Thaw Says She and Her Husband Will Quit America Forever, Providing Her Husband is Acquitted of Murder.

NEW YORK, Dec. 3.—Mrs. Harry K. Thaw is confident of the acquittal of her husband at his forthcoming trial for the killing of Stanford White. In an interview Sunday she said she was negotiating for the purchase of a home in Paris, where she and her husband will take up their residence if her expectation of his liberation from prison is realized. Mrs. Thaw said: "When Harry leaves the prison we shall take the first ship from New York, leaving America behind forever. I have already made arrangements with a Paris real estate firm for the purchase of a modest house in the Champs Elysee district. You see how certain I am of Harry's acquittal."

"I would rather live in Paris than in any other city in Europe. We both feel it would never do for us to remain here after the trial, so I am making arrangements to locate permanently in the French capital."

SHOT BY BANDIT.

Chas. Ward Shot During Attempt at Train Robbery.

TOPEKA, Dec. 3.—Charles Ward, of DePue, I. T., was shot by a bandit during an attempted train robbery on the Santa Fe railroad near Holiday, Kans., tonight. Ward was shot in the right leg, the robber firing four shots at him. B. E. Wood was also injured by jumping through the window. The robber boarded the train at Kansas City.

HOLY CITY ABANDONED

New Moses With Lead Children Out of Wilderness.

CREDITORS IN CONTROL

New City Will be Founded for Ignorant Followers of Elijah Dowie.

OLIVA IS TO BE SUPREME

Autocratic Socialism is to be the Government of the New Community and No More Debts or House Rent.

CHICAGO, Dec. 3.—The Chronicle today says: Zion City is to be abandoned. The "Restoration Host," which was built up by John Alexander Dowie after years of strenuous effort, will shortly be left to its creditors, by Overseer Wilbur Glenn Oliva, who, like a new Moses, will lead his people forth from the discredited gates to found another Zion.

Announcement of the approaching hegira was made yesterday by Overseer Voliva before an audience of more than 1,000 persons in Zion Church at 15th and Michigan avenue. It was marked by his assumption of "divine authority," at the same time he outlined his plans for a new city, to be conducted along socialistic lines with himself as supreme spiritual and temporal head. Coupled with the announcement of his plans were vehement denunciation of the unworthy members of the church, whom, he declared, were responsible for its fall.

The new Zion, into which no unworthy member shall be allowed to enter, will form the nucleus of a most energetic crusade against the wickedness of the world and Chicago in particular.

Autocratic Socialism is to be the government of the new community. No more debts, no more house rent, no more holding of land or property by individuals, but a sublime condition of brotherly love and primitive Christianity is to prevail. At the same time Voliva is to be supreme.

The nucleus of the new Zion is to consist of ten chosen families which will be selected by Voliva. These families will be chosen for their implicit faith in the guidance of the new prophet and their preparedness to sacrifice all at his bidding.

As to the location of the new Zion Voliva is silent, contenting himself with the declaration that he would have several announcements to make within two weeks. In preparation, however, of the crusade which he proposes to start in Chicago, he stated that to a certain extent headquarters would be located in the "great devil's kingdom," as he determined this city.

JAPANESE POURING IN.

Entering United States Over the Mexican Line.

SAN ANTONIO, Tex., Dec. 3.—A dispatch to the Express from Eagle Pass, Texas, says: Three hundred Japanese have entered the United States from Mexico through Eagle Pass since November 1. They are leaving Mexico because of ill treatment which they received at the hands of Mexican employers. The Japanese says they were lured into Mexico with promises of good pay and

pleasant work on farms. So inviting were the promises that Japanese immigration societies worked to get the Japanese for agricultural work. The men on arriving in Mexico declared they were put to work in coal mines on little wages and food and are watched by guards, making conditions little better than servitude. To this is due the great exodus of the orientals from the Mexican Republic.

BASEBALL LEAGUE.

Suit Brought to Reimburse Club for Losses Sustained.

LOS ANGELES, Dec. 3.—The echo of the troubles of the Pacific Coast Baseball League of the past season was heard today in the Superior court when two stockholders of the former Los Angeles club brought suit against the former manager, J. J. Moreley, for \$35,000, the amount of loss it is claimed the club sustained at his hands during the last season. It is by forfeiting the franchise of the local club and also by rescinding contracts with sixteen players, all of which, it is averred, was done without the consent of the board of directors.

KILLED IN ACCIDENT.

SAN FRANCISCO, Dec. 3.—A fatal accident took place tonight on the San Mateo line near Cypress Lawn Cemetery. A crowded in-bound car was run into by a work car and as a result one man, an Italian named Campellini Napali, was killed and two others, Jos. Mello and C. J. Saxlinetto, had their skulls fractured and received other injuries which will, it is feared, prove fatal. Other passengers on the car were badly shaken and injured more or less seriously.

CABINET APPOINTED

Seven Changes Reported in President's Cabinet.

APPOINTMENT NOT CONFIRMED

Senate Refuses to Confirm Appointments Until After the President's Message Has Been Received and Considered.

WASHINGTON, Dec. 3.—Seven cabinet changes and one appointment to the United States Supreme judgeship were sent to the Senate today by President Roosevelt, but they were not confirmed in accordance with the general custom concerning such important nominations. It is said there is no opposition to any of the appointments for the cabinet or to the nomination of Attorney General Moody to be associate justice of the Supreme Court, despite the fact that it was determined to refer these nominations to a committee for a report. The reasons advanced for the delay were that no message of any character had been received from the President, and therefore it would not be proper to transact any business.

TRANSPORT SHERIDAN.

SAN FRANCISCO, Dec. 3.—Unusual currents, uncharted rock and defective lights on Barber's Point, are the reasons assigned by Captain Peabody for the stranding of the transport Sheridan on the reef near Barber's Point, Oahu Island, on August 31. Captain Peabody was under investigation today before Inspectors Bulger and Bolles and was questioned at length regarding the stranding of his boat. He declared the current, which is given in the sailing directions as having a southward tendency, was on that night setting toward the north, and was during the weeks the boat was on the rocks very variable. He said the shoal water he struck was not on the charts. Third Officer Kennedy corroborated the captain's story, especially as to the unusual currents.

IMPORTANT DECISION

U. S. Supreme Court Decides Steunenberg Case.

GOVERNOR IS UPHELD

Important Case Comes Up on Habeas Corpus Proceedings for Decision.

CONSTITUTIONAL VIOLATION

Governor of Colorado Not Required to Demand Proof Beyond That Alleged in the Extradition Papers as Presented.

WASHINGTON, Dec. 3.—In deciding that the United States courts have no jurisdiction in habeas corpus proceedings in the cases of Moyer, Haywood and Pettibone, who are incarcerated at Boise in connection with the murder of former Governor Steunenberg, the United States Supreme Court, speaking through Justice Harlan, today, said that the appellate court could not perceive that anything had been done in Colorado in connection with the arrest of the petitioners and their deportation, however hastily or inconsiderately done, that can be adjudged to be in violation of the constitution and laws of the United States. He stated in his opinion, that the governor of Colorado was not required to demand proof beyond that stated in the extradition papers and his failure to do so cannot be regarded as an infringement of any of the rights of the petitioner.

The court said that if the petitioner was not a fugitive from justice no warrant could have been issued by the governor of Colorado, and after the issuing of the warrant, it was competent for a court, federal or state, sitting in Colorado, to inquire whether the petitioner was a fugitive from justice and if he was not to discharge him from custody. But, the court said, it was not incumbent upon the governor of Colorado and upon the agents of the state of Idaho to so time and conduct the prisoner's deportation from Colorado as to afford him convenient opportunity to test the question before a court. The court decided that the United States court, sitting in Idaho, could not go into the question of the prisoner's guilt or innocence of the crimes charged, that being wholly within the jurisdiction of the Idaho state court. The question before the appellate court is whether the state court of Idaho could be prevented from issuing extradition papers.

The court concludes by stating that any investigation into the motives of the governors of Idaho and Colorado would be improper as well as irrelevant to the questions to be determined. It must be presumed that those officers proceeded throughout the affair with no evil purpose and with no other motives than to enforce the law.

COAL STRIKE ENDED.

Operators and Miners Come to An Understanding.

LETHBRIDGE, Alberta, Dec. 2.—The long standing coal strike is over, the operators and men having come to terms last night. A large number of miners will return to work immediately. The following terms were accepted:

No checkoff or discrimination between union and nonunion men employed, but a substantial increase in wages has been granted. Arbitration is also provided for in advance of future disputes. The news will cause great rejoicing throughout the entire west, as the strike has created a fuel famine and coal has had to be brought from the East.

GLASS IMITATIONS.

Most of People Wear Mostly Glass Diamonds.

NEW YORK, Dec. 3.—Warnings are being sent out by importers of precious stones to wholesale and retail dealers to beware of glass imitations of rubies, emeralds and sapphires that have been sold in large quantities in the last week or two to dealers by a French vendor who designated the articles as re-constructed stones. It is said that some of the imitations have already been sold under the same name to holiday buyers.

INVESTIGATION CONCLUDED.

Decision of Inspectors in Dix Accident Reported Next Week.

SEATTLE, Dec. 3.—The investigation held by the marine inspectors to determine the blame for the sinking of the steamer Dix was concluded today. Three witnesses were examined. Their evidence showed that the crew of the Jeannie consisted of one longshoreman, one watchman and one sailor. The rest of the crew had left the vessel that day. There was also difficulty in getting out the life boat. The evidence tended to show that if the ship had been properly manned, more lives could have been saved. The decision of the inspectors will be rendered some time next week.

EX-GOVERNOR DEAD

Former Territorial Governor Dies at Hotel.

HEART FAILURE THE CAUSE

Was Territorial Governor of Washington, Postmaster at Portland and a Delegate to Congress from Washington in 1863.

PORTLAND, Dec. 3.—Former Territorial Governor George E. Cole of Washington territory was found dead at a local hotel this evening. Coroner Finley stated that he had been dead about ten hours and apparently died from heart failure. The friends of Mr. Cole, who had been with him in the city, stated that he was in perfect health this morning. Mr. Cole resided at Fairview, Wash.

Ex-Governor Cole came to Oregon in 1850. He was postmaster at Corvallis in 1853 and moved east of the mountains when his term expired and engaged in the steamboat business, residing at Walla Walla, from which place he was elected to congress from Washington in 1863. He was appointed governor of Washington Territory in 1866. Later he moved back to Portland, where he became postmaster during Grant's administration. For several years he has been a resident of Spokane.

PARTIAL REPORT.

Utah Grand Jury Will Submit Report of Investigation.

SALT LAKE, Dec. 3.—Word comes from the jury room that a partial report will be made by the federal grand jury to the presiding judge tomorrow. A "partial report" is construed to mean the first installment of indictments against persons supposed to be involved in the recent revelations concerning the stealing of government coal lands.