IF IT HAPPENS IT'S IN THE HERALD
SALE THIS BEAUTIFUL PIECE OF COAL
JEWELER

THE SALT LAKE HERALD.

ESTABLISHED JUNE 6, 1870.

PRICE FIVE CENTS.

SALT LAKE CITY, UTAH, SATURDAY, NOVEMBER 14, 1903

LAST EDITION

WEATHER FOR SALT LAKE
Threatening; rain or snow.

THE METALS.
Silver, 57⅞c per ounce.
Copper, 12⅝c; New York, 12 to 12⅛c.
Lead, $3.50; New York, $4.50.

MEN WILLING TO TAKE LESS PAY

Colorado Miners Are Contending For Eight Hours.

SITUATION LOOKS BETTER

AGREEMENT REACHED IN THE NORTHERN FIELDS.

LOUISVILLE, Colo., Nov. 13.—As a result of the concession of an eight-hour day by the operators all of the striking miners in the northern coal fields will return to work Monday morning. This was practically determined upon at a conference here this afternoon between the operators and a committee representing all of the unions in the district.

The operators agreed to grant an eight-hour day pending the settlement of the strike in the southern coal fields, on the condition that, if that strike terminated without the granting of an eight-hour day by the southern operators, the men should be put back to work on a nine-hour basis in the northern fields. The committee of the men received this proposition with favor, and will submit it for a referendum vote tomorrow, when it is believed that it will be accepted by the unions, and that the miners will return to work Monday.

This eight-hour concession is the result of several conferences held in Denver by the operators of the Northern Coal & Coke company and John F. Ream of Ohio, a member of the national council of the United Mine Workers of America, and National Organizer Chris Evans of Ohio, representing President John Mitchell.

Mr. Ream said the men would agree to a 10 per cent reduction of wages if given the eight-hour day.

AMOUNT TOO SMALL.

Colorado Miners Turn Up Their Noses at $1,000.

Denver, Colo., Nov. 13.—Colorado union miners are not very much concerned over the outcome of the resolution before the American Federation of Labor asking that body to appropriate $1,000 to assist the miners in carrying on the strike. The following telegram was sent to the convention now in session at Boston this afternoon:

"Frank P. Morrison, Secretary Convention of the American Federation of Labor: In the interest of organized labor, waste no time in your convention discussing appropriations of $1,000 to Western Federation of Miners. The metalliferous miners under the leadership of President Moyer and the coal miners under Mother Jones have joined hands in battle for an eight-hour day and we are going to win.

"W. D. HAYWOOD,
"Secretary-Treasurer Western Federation of Miners."

Governor Peabody today ordered that the number of troops in the Cripple Creek district be lowered to 200. The cavalry has all been ordered home and in a few weeks the guard will be reduced to fifty or seventy-five men.

COMPANY MADE ADVANCES.

Miners Insisted Upon Recognition of Their Union.

Trinidad, Colo., Nov. 13.—For the first time since the strike of the coal miners in this district was declared on Monday, J. T. Kebler, general manager of the Colorado Fuel & Iron company, is said to have made advances to effect a settlement. He is authoritatively stated that he requested the striking miners to appoint a committee of five men to confer with him in his office in Trinidad. This proposition was rejected by the men, who say the United Mine Workers of America must be recognized before any settlement can be made. The proposition is said to have been made in both Starkville and Engleville, two C. F. & I. camps, which have been closed down since the strike was declared.

A number of miners were taken to Primero this morning in a caboose of the Colorado & Wyoming railroad. Several armed guards went with the miners and they were taken to the mine under guard. Whether they were strikers who returned to work or men sent here from other points is impossible to determine. The company officials claim they were returning strikers, while the union officials state that they were shipped in from other points. Many rumors were afloat today, and one to the effect that the operators had acceded to all the demands of the men with the exception of a recognition of the union gained considerable credence and caused a sensation on the streets this evening. This proved to be incorrect and was promptly denied by both operators and union officials. No settlement is in sight at this time.

FEDERATION OF LABOR.

Convention Adjourned to Consider Resolutions.

Boston, Nov. 13.—A mass of resolutions was delivered to the secretary of the American Federation of Labor today, and in order that the various committees might consider them the convention was adjourned until tomorrow, one hour after the delegates had assembled. The business of the convention was in grave danger of being seriously blocked by the resolutions, which numbered 281.

The feature of the brief session was the adoption of a resolution expressing sympathy for the street railway men of Chicago in their strike, together with the hope that an early settlement might be reached. Secretary Morrison telephoned the action of the convention to the strikers.

RUSSIANS ENCOUNTER FORCE OF CHINESE

Tien Tsin, Nov. 13.—It is reported here that Russian troops, marching toward Shan-Tai-Kwan, encountered a force of imperial Chinese troops and that fighting ensued. the Russians, it is asserted pretending that the imperial force was a band of Chinese robbers.

Altogether over 1,000 imperial troops have crossed the frontier into Manchuria.

STREET CAR HELD UP.

Masked Man Turns a Trick in San Francisco.

San Francisco, Nov. 13.—When the Hayes street cable car, in charge of Conductor Forrest, reached the Golden Gate park terminus tonight and was waiting the time for the return trip a masked man entered. The conductor and gripman were seated inside. The stranger had a revolver in his hand. He ordered Forrest to hand out his money and got $20. The police were quickly notified and soon afterward, on the description furnished, two men were arrested near the scene of the hold-up. They had pistols and $19 in their possession. They gave the names of E. L. Good and Lester Good and said they are cousins and waiters recently of Phoenix, Ore. The conductor could not positively identify E. L. Good, who is suspected of being the robber.

FIREMEN JOIN THE STRIKERS

Situation at Chicago Becomes More Complicated.

OTHER TROUBLES EXPECTED

TEAMSTERS MAY MAKE THE NEXT BREAK.

CHICAGO, Nov. 13.—Twenty-five cars run on the Wentworth avenue line without damage to the cars or injury to the non-union employes operating them, was what the Chicago City Railway company was able to accomplish today with the assistance of the police department. The cars were run at three different times, five leaving the Seventy-seventh street barns at 4:20 a. m., ten leaving at 10:40 and ten at 3:40. In the first two runs the round trip was made in about three hours; in the third in about one and a half hours, the usual time. During the entire trip, a distance of over eight miles, only one missile was thrown.

Jeers and Hoots.

While there was no active interference with the handling of the cars such as attended the attempts to run cars yesterday, the crowds that lined the streets jeered and hooted the police and the non-union men almost without intermission. But two stones were hurled at the cars during the day, one being thrown by a woman, who made her escape in the crowd before the police could reach her, and the other being hurled from the new postoffice building now being built. Neither stone did damage worth mentioning.

At nightfall the officials of the street car company were inclined to view the day's work as being successful and, on the whole, satisfactory. They announced that cars would be run tomorrow on the Wentworth avenue line at the same hours as today, and that attempts would be made to operate other lines, which were, however, not specified.

Firemen Go Out.

Shortly after this decision was announced the situation was complicated for the company by a sudden strike of the firemen employed in all six power houses owned by the company.

The firemen's union made an agreement two days ago with the company which was to last for a year. There was a clause in the contract which gave the firemen the discretion to go on a sympathetic strike if the company declined to arbitrate with the employes now on strike. The company explained its attitude on arbitration and said that it had always been willing to arbitrate the question of wages.

The firemen then signed the contract which was repudiated tonight. The officials of the firemen's union declared that they had ordered the strike because the company had declined their offer to mediate between the company and the employes now on strike.

Many Others Involved.

The calling out of the firemen involves oilers, water tenders, coal passers, ash handlers and coal supply men, 250 in all. The real danger in this last strike lies in the attitude of the teamsters. They may decline to deliver coal to the company if non-union firemen are employed and the company has but three days' supply on hand.

During the afternoon an effort was made to bring about a peaceable adjustment of the strike. The members of the state board of arbitration called upon Manager McCulloch and upon the latter's suggestion went into conference with H. R. Bliss, counsel for the company, with the hope of arranging a settlement or at least a conference between the strikers and the officials of the road. Nothing definite was accomplished at the conference, but another meeting has been arranged for tomorrow, when a second attempt will be made to have the controversy submitted to arbitration. After today's meeting one of the arbitration board said that the indications were that the management of the company would agree to arbitrate all the demands of the men with the exception of the recognition of the union.

The company had announced that it would put on enough cars to handle the usual evening traffic, but at the conclusion of the last trip in the afternoon decided not to attempt handling cars after dark and the plan was given up.

UNLUCKY DAY CHOSEN

Republican National Committee Called to Meet at Washington Friday, Dec. 11.

Washington, Nov. 13.—Senator M. A. Hanna, chairman of the Republican national committee, today mailed to each member of the committee a letter calling them to meet at the Arlington hotel, Washington, on Friday, Dec. 11. The call also is signed by Perry S. Heath, secretary. The committee will meet on Friday for the purpose of appointing sub-committees and Saturday morning will hear the claims of cities aspiring to be selected as the place of holding the 1904 convention. Senator Hanna will entertain the members of the committee at a dinner at the Arlington on Saturday night, Dec. 12. The call follows:

"The members of the Republican national committee are hereby called to meet at the Arlington hotel in the city of Washington, D. C., at 12 o'clock noon Friday, Dec. 11. It is expected that the session will continue Saturday, Dec. 12, the business before the committee being to decide the time and place of holding the next Republican national convention and to transact such other business as may properly come before the meeting."

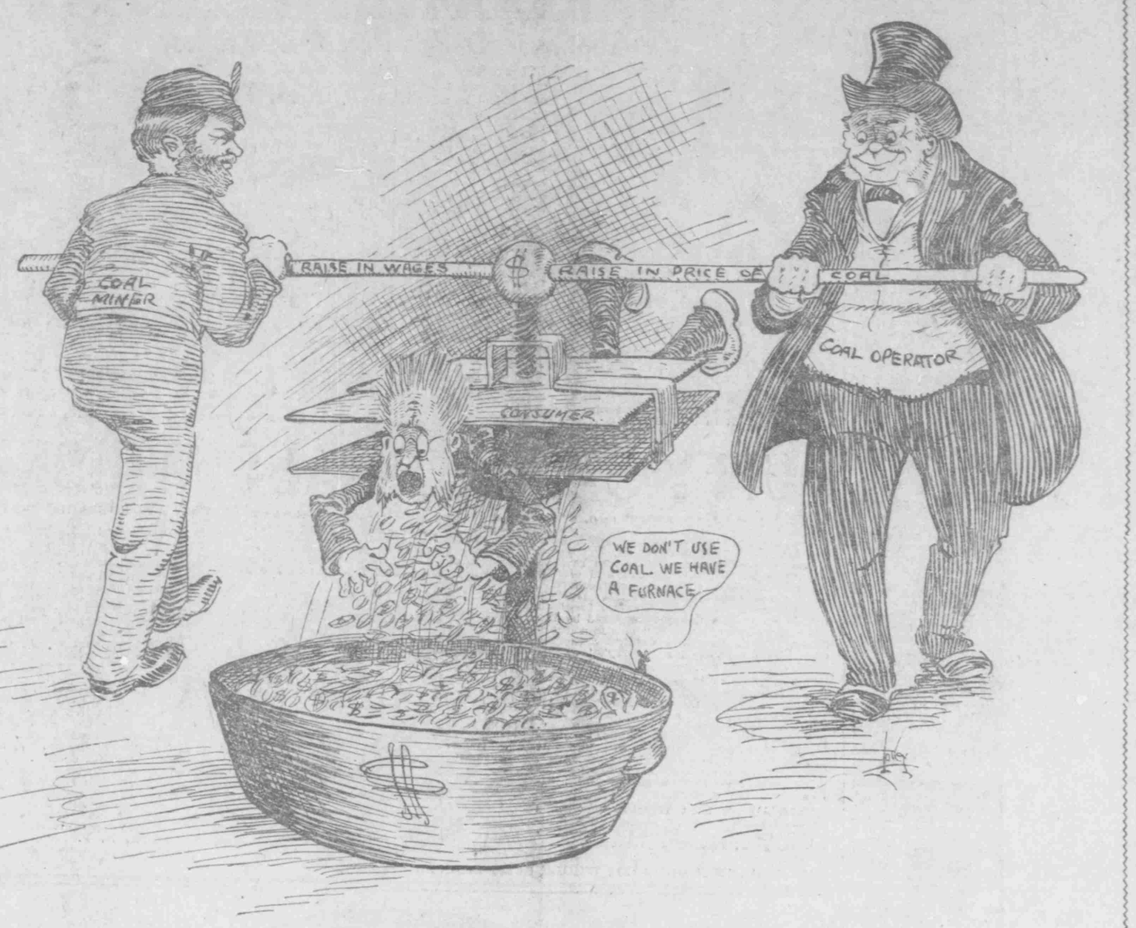
WIDOW GOT JUDGMENT.

Leadville, Colo., Nov. 13.—A suit of considerable importance was decided here today in the case of the widow of A. Copperman against the United Moderns. The latter just before the death of Copperman cancelled his policy, alleging that the policy holder secured admittance by misrepresentation. A jury decided that the disease on which alleged misrepresentation was charged was not of long standing and awarded the widow the judgment.

CUBA WILL WAIT.

Havana, Nov. 13.—It has been decided by the cabinet that no recognition will be given by the Cuban government to the new republic of Panama until the republic has been recognized by some of the other Latin-American governments.

THE SAME OLD STORY.



HOW LONG CAN HE STAND IT?

PRICE OF COAL MAY DROP BACK

Utah Fuel Company Holds Key to Situation.

ADVANCE EXPECTED TODAY

RAILROAD COMBINATION CONTROLS THE SITUATION.

The prices of coal may, after all, go back to where they were Thursday. It depends on the Utah Fuel company. This concern, which has practically a monopoly on the Utah product, has not yet advanced its prices. The companies operating in Wyoming have done so. Dealers generally say the Utah Fuel company will probably make the same advance—50 cents a ton—today. General Manager H. G. Williams is at Sunnyside, and had not been reached by telegraph at a late hour last night because of wire troubles due to the storm. Should he order the increase on the part of the company, the higher prices will be general. If his company maintains the old prices, competition will probably force the resumption of that level by all.

Yesterday practically all dealers were selling at advanced prices, with the exception of the Pleasant Valley Coal company, subsidiary organization of the Utah Fuel company. This agency continued to take orders at the old prices, based on $5 a ton delivered, for nut and lump coal.

Utah in Trust's Grip.

Men in close touch with the situation declare that the recent increase in wages is merely an excuse and does not justify the advance in coal.

"Wages have been raised an average of ten cents a ton," said a local dealer yesterday. "The producers have announced an addition of 50 cents a ton. This means a clear added profit to them of forty cents a ton.

"The situation is controlled by the railroad companies—the Union Pacific and the Rio Grande. The former controls the Union Pacific Coal company, which operates the mines along its line, and the latter controls the Utah Fuel company, operating on the Rio Grande Western. Mine operators can deliver coal at the yards of dealers in Salt Lake at $3 a ton and make a profit of $1.10 on every ton. The cost of coal delivered on cars at the mine is about 90 cents. The cost of hauling to Salt Lake does not exceed $1 per ton from the Wyoming mines, and is less from the Utah mines, making the cost delivered at the Salt Lake yards approximately $1.90 a ton. Even with the increase of 10 cents a ton in wages the cost would not exceed $2 a ton. On the proposed altered basis, however, the retail dealer is forced to pay $2.25 a ton for lump and nut coal at the mines and $2 freight, making $4.25 at the yards, to which must be added 50 cents drayage and 25 cents screening in estimating the cost, delivered to the consumer. As the railroad companies own the mines they get all the profit up to the time the coal is delivered to the retailer, or about 112½ per cent.

Independents Are Helpless.

"The independent operators are powerless to remedy this. If they should cut the prices on coal below those fixed by the big companies, the railroads would promptly raise transportation charges and put them out of business. The public in the intermountain region is at the mercy of what is practically a coal trust, as the two big companies have hitherto worked in harmony in fixing prices. The pinch now appears to be due to the fact that the responsible head of one of the companies is away from his office trying to head off strikes."

PLENTY OF POWER ALONG SNAKE RIVER

(Special to The Herald.)

Blackfoot, Ida., Nov. 13.—The Blackfoot Mill & Elevator company have just installed a large dynamo in their big mill and have contracted for the largest amount of electric power ever furnished one concern in Idaho. The power is furnished by the American Falls Light & Power company, and is transmitted from American Falls, where the Snake river has been put in harness. The power company expects to furnish power and light for the whole valley from their American Falls project.

TOM HORN DOES NOT SHOW FEAR

Condemned Murderer, With But a Few Days of Life Ahead of Him, Declares He Will Not Hang—Suicide Will Be Prevented.

(Special to The Herald.)

CHEYENNE, Wyo., Nov. 13.—Tom Horn, the condemned murderer of Willie Nickell, only has seven days to live, but he is as chipper as can be and apparently has no fear of his approaching doom. Indeed, he is more cheerful now than at any time since his arrest, and his keepers take this as a sure sign that there will be something doing in the jail delivery line.

The other day a young man named Tillotson, being held as a witness in the case of Jim McCloud, charged with robbing the Buffalo postoffice, gave his testimony before the grand jury and was released. To a friend he expressed the belief that Horn would never hang. When asked for his reason for so thinking, Tillotson repeated a conversation he had in jail with Horn, during which Horn, when advised that in all probability the governor would not commute his sentence to life imprisonment, said:

"I don't care if he does decide against me, for I'll not hang. All of the governors in the United States, and not even Teddy Roosevelt, himself, can hang me."

Whether Horn is relying on the success of an attempt to deliver him, or whether his attorneys have a winning card to play is not known, but certain it is that Horn's actions and certain developments of the past few days have caused a feeling of anxiety in and about the county jail. Those who know of the strength of the defenses and the completeness of the arrangements to prevent the delivery of Horn cannot believe that his friends stand any show of getting the prisoner out alive, and these people are confident that if he is to be saved from the gallows it will be by some other method.

Did Horn mean that he will commit suicide when he said that all of the governors in the United States and not even the president himself could hang him? This is the question that is now being asked. Some say Horn is desperate and proud of his reputation of never betraying a friend, and will not tell what he knows. He has always said that he would never hang, and this can mean only one thing in case his friends do not deliver him, and that is suicide. But Horn will be watched closely, and in the event he attempts to sever an artery or take his life by any of the well known methods adopted by desperate men facing the gallows, he will be prevented if possible.

MOST OF THE SUNNYSIDE MINERS WILL GO BACK TO WORK MONDAY

(Special to The Herald.)

Sunnyside, Utah, Nov. 13.—Between 5 and 6 o'clock this evening there was a meeting of the miners of this camp in front of the company's boarding house and the building of the Wasatch store company. The meeting was attended by about four hundred or more miners of the camp who voted to go to work. The place of the meeting was a mile and a half or two miles from the place of the meeting yesterday, the latter being held at an isolated point outside of the town when 203 of the men out of 850 employes of the Utah Fuel company decided to go out. It looks as if a very large proportion of the men employed by the company will resume work tomorrow.

The best of order prevails throughout the camp and one not informed of the strike would not know anything was wrong. Numbers of those who might have been intimidated by the threats and actions of some of those at the meeting yesterday, and who have in the meantime left for surrounding towns, have signified their willingness to return to work tomorrow or Monday and again resume work for the company. These men had actually never quit work on their own volition, but through fear of personal violence, have temporarily gone to outside places in the hope that matters would be amicably adjusted and they could, within a short time, return to work. Advices from outside camps, that is Winter Quarters, Clear Creek and Castle Gate, are that everything is harmonious and mines are working full forces.

ROOSEVELT AND VARILLA FIX UP THE SCHEME FOR A NEW REPUBLIC

Washington, Nov. 13.—President Roosevelt today formally received M. Philippe Bunau-Varilla, the duly accredited envoy extraordinary and minister plenipotentiary of Panama to the United States. The reception of the minister marked the birth of the new republic of Panama into the family of nations, and paves the way for negotiations between the United States and the infant republic precisely as they may be conducted between any two sovereign nations.

London, Nov. 13.—From inquiries made by a representative of the Associated Press, it is believed that President Roosevelt's reception of Bunau-Varilla as minister of the republic of Panama will not affect the attitude of Great Britain toward Panama. While the British government is quite willing to leave the arrangements of affairs at the isthmus to the United States, it does not desire to commit itself to recognize Panama's independence until assured that it has been established. A special dispatch from Washington saying surprise is expressed in administration circles there at the fact that Great Britain has not yet recognized the independence of Panama was shown to the foreign office and elicited a statement as follows:

"Great Britain has taken similar action to France. This does not imply the recognition of Panama's independence, but merely recognizes its temporary government."

FREE TRADE BILL.

Washington, Nov. 13.—Senator Lodge has introduced a bill providing for the removal of all duties from all articles imported from the Philippines into the United States, except sugar and tobacco, and fixing the duty on those two articles at 59 per cent of the rate on sugar and tobacco shipped from foreign countries.

MONEY IN BANK TAXED BY ORDER OF THE COURT

Butte, Mont., Nov. 13.—A special from Helena says: Judge Knowles has ordered that the receiver, J. S. Harris, of the Snohomish and Tramway mines in Butte, pay taxes upon $36,000 belonging to the property which he has on deposit in the First National bank in Butte. The treasurer of Silver Bow county recently levied on the money for taxes. The attorney general of the state argued the matter before Judge Knowles and the court ordered the receiver to pay taxes amounting to about $3,600.

ANSWER FILED IN MINING SUIT

Stratton's Executors and Heirs Defend the Estate.

NO FRAUD WAS PRACTICED

ENGLISH INVESTORS FULLY INVESTIGATED.

Denver, Colo., Nov. 13.— Answer was filed today in the United States district court by Tyson S. Dines, Carl S. Chamberlain and D. H. Rice as executors, D. H. Rice, Tyson S. Dines and Moses Hallet as trustees and I. Harry Stratton as sole heir of the W. S. Stratton estate to the suit of Stratton's Independence, limited, company of London for $6,000,000 damages for alleged fraudulent misrepresentations as to the value of the Independence mine in the Cripple Creek district in connection with the sale to British investors General denial is made of the allegations of salting or other fraudulent acts on the part of Stratton or his agents and the further defense is made that "in making over the shares of the company to Mr. Stratton, the plaintiff company parted with nothing of value except as such shares had value by reason of the ownership by said company of the property acquired."

It is further set up that plaintiffs had full opportunity to examine the mine, the mill, the premises, the books, showing smelter returns and all things pertaining to the property, and that they did, in fact, so examine them. It is asserted that the property was not conveyed to the plaintiff for any sum whatever, but that there was simply the formation of a company to comply with the law and to avoid putting up any actual money at all. It is shown that Stratton entered into the plan as did the other incorporators whose interests were merely nominal to have something to put on the market, and that Stratton owned and, for a long time, held the stock of the company so that if anybody was defrauded it was he, as it was upon the value of the property that the advantageous sale of the stock depended.

As a final ground of defense the answer sets up that the cause of action, "accrued, if it ever accured at all, during the lifetime of Winfield Scott Stratton and the same did not survive his death and did not, and does not constitute any basis for a claim against the executors of the estate."

The bulky document of twenty-nine typewritten pages closes with a petition to the court for discharge from the suit and judgment for the full costs of the same.

YELLOW FEVER BULLETIN.

Four Deaths at Laredo and Seven at Monterey.

Laredo, Tex., Nov. 13.—The official yellow fever bulletin issued tonight shows: New cases, thirty-one; deaths, four; total cases to date, 81; total deaths, eighty-one. Monterey reports seven deaths and fifteen cases on Wednesday.

Nuevo Laredo, which for four days had been without a new case of yellow fever, reported for yesterday one death and two new cases.

San Antonio, Tex., Nov. 13.—One new case of yellow fever and two deaths from the disease were reported by the health authorities today. This makes a total of ten deaths and twenty-one cases here to date.

ECUADOR'S SYMPATHY.

Guayaquil, Ecuador, Nov. 13.—General Plaza, president of Ecuador, has cabled to President Marroquin of Colombia sympathizing with him in the recent events on the isthmus of Panama. President Marroquin has replied thanking General Plaza and adding that Generals Reyes, Ospina, Caballeros and Holguin are marching on Panama with a large army to subdue the isthmus.

KILLED ON HIS OWN DOORSTEP

Andrew H. Green Shot Down by an Insane Negro.

VICTIM A NOTED NEW YORKER

CRIME THE RESULT OF A STRANGE DELUSION.

NEW YORK, Nov. 13.—Andrew H. Green, the "father of Greater New York," and one of the city's oldest and most remarkable citizens, was shot and instantly killed on the steps of his home on Park avenue today by Cornelius M. Williams, a negro, who is believed to be insane. The shooting was evidently the outcome of an insane delusion on the part of the negro that Mr. Green had slandered him, for when he was asked why he had committed the murder he replied:

"I did it to save my character."

Negro in Waiting.

There were three witnesses of the tragedy, Mrs. Anna Bray, a domestic in Mr. Green's family; Emil Michelson, an errand boy, and Patrick Dyer, a cabman. According to these witnesses, the negro must have been waiting for Mr. Green to come home from his office. The negro was standing in the vestibule of the house, and as Mr. Green started to ascend the three steps leading to the hall door Williams advanced toward him. There was a brief interchange of words, and then the negro drew a revolver and fired five shots in rapid succession. Mr. Green sank to the stone pavement, blood streaming from his head, while the murderer, returning the revolver to his pocket, leaned against the railing of the stoop, as if waiting arrest.

Murderer Arrested.

William H. Burns, carriage starter for the Murray Hill hotel, was one of the first to reach the negro, whom he seized as he was about to walk away, and turned him over to a policeman and a detective who rushed up a moment later. A physician was on the spot almost immediately and pronounced Mr. Green dead. As the negro's aged victim fell, a young woman rushed out of the house and took the dead or dying man's head in her lap, at the same time calling upon him, in piteous tones, to speak to her. As she tried in vain to get a response, Williams turned upon his victim and shouted:

"Damn you, I told you I would get even with you."

One of the negro's bullets imbedded itself in the ceiling of the vestibule. It is believed that all of the others took effect. A cursory examination by a physician and coroner revealed one wound in the left side of the head, one in the left temple, and another at the base of the brain. Any one was sufficient to cause instant death.

Story of Domestic.

Mrs. Bray told the police that she was just about to enter the house when she saw Mr. Green accosted by Williams and heard the former say in answer to some words addressed to him by the negro:

"Go away; I don't know you."

Then Williams drew his revolver and shot the old man. The colored man was hurried to the station house, where he was subjected to a searching examination, the result of which left little doubt of the negro's insanity. Besides the revolver the police found in Williams' possession a razor and a purse containing $10.

Williams appeared to be perfectly self-possessed. He said he was single, 43 years old and lived at No. 155 West Twenty-sixth street, at which place, however, he is not known.

The prisoner answered without hesitation or any show of irritation all questions put to him, and spoke like a man firm in the conviction that he had been deeply wronged by the man he had murdered.

Told Rambling Story.

He told a rambling story about a colored woman, Mrs. Bessie Davis, who, until about four months ago, kept a lodging house for negroes in West Fifty-third street, who, he said, had circulated statements derogatory to his character and against whom he had been trying to bring suit for $20,000 for slander. The trouble, he said, dated back to the year 1895, when he was one of the lodgers. Her stories reached the congregation of the Mount Olivet church, of which he was an attendant, and he was forced to give up his membership there because his fellow worshipers pointed the finger of scorn at him. Her slanders, continuing over eight years, cost him nearly all his friends.

"I would have been married now only for her," he added bitterly.

Why He Shot Green.

Continuing, he said he had not been able to find the woman, who had been spirited away by powerful friends. He blamed Mr. Green for befriending the woman and enabling her to continue her slanderous stories. He said he had asked Mr. Green to "get after her," but he had failed to do so. "I am not sorry I shot him," exclaimed the prisoner; "he got what he deserved. I may not be justified by society, but I am justified in the eye of God. I'm willing to go to the electric chair, if necessary, to vindicate my character."

Employes of the Murray Hill hotel told the police that they had seen the colored man walking up and down the street in front of Mr. Green's house every day for the past week. They had heard him muttering to himself and waving his hands about him, and decided that he was crazy.

Mr. Green, who was a bachelor, lives with his nephew, Timothy R. Green, and his three nieces.

Timothy R. Green said tonight that his uncle had never before seen the man who shot him; that he had never heard of the colored woman, Bessie Davis, and that he never had any colored servants in his house. The story told by Williams was, said Mr. Green, pure fiction.

No trace of the Davis woman could be found. The police are disposed to believe that the Davis woman was merely the figment of an insane imagination.

ENGINEER KILLED.

Pennsylvania Passenger Train Derailed Near Buffalo.

Buffalo, Nov. 13.—A Pennsylvania passenger train, which left Buffalo at 11:45 for East Aurora, was derailed a quarter of a mile east of the city line at midnight. Four passengers were injured, two of whom may die. A man named Lockwood, whose home is in East Aurora, and an unknown woman were brought to the hospital. It is believed both will die.

There were twenty-one passengers on the train and they were more or less injured by the shock of the wreck. The body of Engineer Cole was discovered late under the wreckage, but whether he was dead or only unconscious could not be learned. The man brought to the emergency hospital has been identified as Millington Lockwood, a well known Buffalo stationer. The woman is Mrs. William B. White of East Elma. Byron Gibson of East Aurora was badly injured.

REMAINS CREMATED.

Washington, Nov. 13.—The funeral of Rear Admiral Lester A. Beardslee, U. S. N., retired, who died in Augusta, Ga., Tuesday night, was held here today. The remains were cremated and the ashes deposited in the national cemetery at Arlington.

WILL BE CALLED UP NEXT MONDAY

Cuban Bill to Be Forced Through the House.

ALL AMENDMENTS BEATEN

COMMITTEE AUTHORIZED TO REPORT.

Washington, Nov. 13.—Chairman Hay of the Democratic caucus has notified the Republican leaders that all pairs have been declared off for the vote on the rule for considering the Cuban bill on Monday. Representative Tawney, the Republican whip, has notified every Republican member to be present at the session of the house on Monday.

WASHINGTON, Nov. 13.—When the house met today Mr. Payne of New York, chairman of the committee on ways and means, reported the Cuban bill and gave notice that on Monday he would call it up for consideration.

Mr. Payne stated that the agreement with the minority was that the Cuban bill be considered until 4 p. m. Thursday, when a vote will be taken. By unanimous consent the minority of the ways and means committee were given further time to submit a minority report. Immediately after the reading of the journal Mr. Livernash of California arose to a question of personal privilege. Reading from manuscript, he began by saying:

"Indications are that in the Panama-Colombia matter the president is invading a constitutional prerogative of the congress and it seems of high importance to the dignity and authority of this house that doubt be dispelled forthwith."

Mr. Payne arose to a point of order and insisted that the question of privilege be stated first. The speaker suggested that a resolution would inform the house as to what question the speaker desired to present. He finally sustained the point of order, cries of "regular order" being heard on the Republican side. On motion of Mr. Payne the house adjourned.

WENT THROUGH COMMITTEE.

Amendments Voted Down by Republican Majority.

Washington, Nov. 13.—The house committee on ways and means today authorized a favorable report on the bill making effective the Cuban reciprocity treaty, by a vote of fourteen to two. Mr. Metcalf, (Rep., Cal.), was present, but did not vote and Messrs. Robertson, (Dem., La.), and Cooper, (Dem., Tex.), voted against the bill.

Two amendments were offered in committee, but both were rejected by the Republican vote. One extended the provisions of the treaty to all other countries. The other abolished the differential duty on refined sugar. The report says:

President Powerless.

"The enactment of the bill into law is necessary to give effect to the convention providing for reciprocal trade between this country and Cuba. This results not merely because the convention itself provides that it shall not take effect until the same shall have been approved by the congress, but because the constitution gives no power to the president and the senate to make a convention or treaty changing the rates of revenue. That power now is expressly lodged in the congress. It is not intended here to cite authorities or advance reasons on this proposition. The records of congress abound with unrefuted arguments on the affirmitive of this contention and the practice of congress has been uniformly in the same direction.

In Time for New Crop.

"The president has deemed the subject of sufficient importance to convene an extra session of congress in order that the convention may become effective before the commencement of the harvest of the new sugar crop in December.

"This convention will result in no harm to any American industry. The product of this country, like the articles embraced in this convention now imported from Cuba, receive the very highest protection of any in the same schedule. The duty on sugar was placed above the protective point for the purpose of revenue. The bill provides for a reduction in the interests of a reciprocal trade agreement, which it authorized the president to make. The duty on tobacco has for years been much higher than any necessity required on account of the competition of Cuban tobacco. The reduction in this bill leaves it amply protected."

The report closes with an argument setting forth the advantages to both this country and Cuba, which will result from a reciprocal arrangement provided in the legislation.

ACCIDENT AT SCOFIELD

Italian Killed and Section Foreman Stanley Gardner Fatally Injured.

(Special to The Herald.)

Scofield, Nov. 13.—A sad accident occurred about 9 o'clock this evening. While a switching engine was being run to the round house a hand car was struck and an Italian named Raefel Pinoto was instantly killed and Section Foreman Stanley Gardner seriously injured. The accident occurred as follows: Gardner, who is section foreman for the Rio Grande at Hale, and his three men came up to Scofield this evening to do some trading. They started home on their car and came up by the round house, where the night hostler was putting an engine away. Evidently the men on the car did not see the engine until close by and were trying to get the car off the track. When it was about half way off they were struck. The Italian was dragged under the pilot and instantly killed. Foreman Gardner was struck in the back and knocked down. When picked up he was in an unconscious condition. Dr. Isgreen was summoned immediately and found on a hurried examination that his back was broken and that he had no chance to live. He was put on a special train and started for Salt Lake City. Gardner has a wife and two small children living at Hale. The special will stop and pick her and the children up to accompany the husband and father to Salt Lake.

Gardner died on the train en route to Salt Lake.

RECEIVER APPOINTED.

Cripple Creek, Colo., Nov. 13.—District Judge Seeds today appointed V. B. Cosad, a real estate and mining broker, as receiver for the Bimetallic bank, a state institution, which closed its doors on Nov. 5 and subsequently made an assignment to Charles C. Butler. The court ordered the assignee to turn over to the receiver all the bank's assets. Receiver Cosad's bond was fixed at $350,000.