

TOP HISTORICAL

Order Closing the Shops Is Countermanded Sunday.

Men Go Back to Work This Morning.

TRAINS ARE RUNNING Officials Say Telegraph Strike Is a Failure.

Only a Small Proportion of Men Are Out.

UNIONISTS ARE FIRM

Say That the Strike Is by No Means Over.

Trains Running Today on Schedule Time.

The Santa Fe officials say the telegraph strike is practically over. Officers of the O. R. T. insist that it is a success. The Toledo shops were reopened this morning.

Santa Fe officials were ready to classify the telegrapher's strike a failure by Sunday afternoon. The first move indicating that the officials considered they held the situation well in hand was when the order to close the Toledo shops was countermanded.

General Manager Mudge notified Assistant Superintendent of Machinery R. P. C. Sanderson to continue work as usual Monday morning. The notice posted late Saturday evening was accordingly taken down and the order to work took its place. Callers were sent out to notify the men of the change in plans and tell them to report for work. This determination was reached Sunday.

Concerning the revocation of his general order to heads of departments, issued before the strike, General Manager Mudge said: "The strike amounts to so little and the situation is so favorable that to shut down the shops is not necessary. I told Mr. Sanderson that such was the case and it was decided to open the shops as usual. Sanderson sent for the men in order to have a full force on hand in the morning.

"Mr. Storey, the chief engineer, had also suspended some work under his jurisdiction. He recalled his men also. "These orders were not drafted," he said in answer to a question. "I gave them verbally.

"If the operators had succeeded in letting up the system and prevented the operations of trains we would have had nothing for the men in the shops to do. As it is, with our trains running very close to schedule and no practical inconvenience to our business, there will be no regular work for the men in the shops why it should not be done.

"We have word that on the California line the operators are back to work; on the Southern California and Santa Joaquin Valley there are none out; they went out when the order to strike was issued but came back shortly afterward. They have no grievance and are under contract. On the Santa Fe Pacific there are about 10 operators out; in our information. One hundred and twenty-three men went out on the Gulf line in the original strike, which was the whole number employed.

From the division reports a compilation of the number of operators who went on strike on the A. T. & S. F. proper was made. Of the 566 operators on the main line and branches from Chicago to the western terminus, 225 went out according to this statement, issued from the general superintendent's office.

On Chicago division 57 out of 141, Eastern division 6 out of 105, Oklahoma division 28 out of 37, Middle division 10 out of 65, Western division 58 out of 74, New Mexico 20 out of 57, Rio Grande 3 out of 28, Southern Kansas of Texas 2 out of 5, Panhandle division 1 out of 15, No. Kansas (main line and Grand branch) 17 out of 41.

On the whole Santa Fe system there are about 1,200 operators employed. Of this number the reports given out by the officials account for 402 being on strike.

"I never saw such a fizzle of a strike in all my experience," said General Superintendent Resegnie. "The figures show the defection to have been strongest on the Oklahoma division and the western division. On the other divisions the number of operators who went out was very light. Proportionately more operators went out on the western than on the eastern divisions.

uninterrupted and close to schedule. In effect the strike is over."

"The company's confident attitude was further strengthened by the following dispatch from Williamsburg, Kas., taken by the wire after the strike order had gone into effect: "To M. M. Dolphin, President O. R. T., St. Louis, Mo. "Santa Fe membership will stand loyal your call Gulf case, but don't confirm Newman's newspaper statements. We have no grievance. Santa Fe proper justify strike."

"A. B. HARDING. "A. B. Harding was O. R. T. chairman of the Santa Fe system until a few months ago. A. Newman is now general chairman.

From the beginning of the trouble the effects of the strike have been perceived but little here. The men in and out of Topeka over Sunday, east and west, as per schedule. Some were on time, some a few minutes late, some an hour and a half late, and caught up to fifty minutes behind schedule at Dodge City. No. 2 was behind schedule morning No. 8 was an hour behind time. No. 1 was an hour late, yet came in ahead of No. 6, which was laid out over two hours. No. 2 was two and one-half hours late.

This company has been sending men out to the strikers' places steadily. "We have been having an increase in applications for vacancies right along," said Superintendent of Telegraph G. C. Sholes. "Seventy-five men were sent down on the Gulf before the strike began here. They are getting in fair operating shape down there now. We are disposing of the men in other places now as they come along.

"We are having working force sufficient in this office to handle our business, and will have a full force tonight. We are filling in the divisions where a larger number of men went out. I am confident that by the end of the week everything will be straightened out and the fact of a strike will hardly be known."

HAVE NOT GIVEN UP. According to members of the Order of Railway Telegraphers, the struggle in Sunday business was light, they say, and the rush of the week just opening will try out matters. They look for help from affiliated lines and other operators.

Division Chairman Whitney came up from Newton, meeting with Division Chairman W. A. Purkert and the strikers at Newton, Kan. Mr. Whitney says: "The men all went out at Newton, and made a strong stand on the middle division. The strikers are being received by the telegraphers to the effect that trainmen were going out on the western division, also that the trainmen on the middle division at Santa Fe had given the officials of that road until 9 o'clock Monday morning to settle with the telegraphers or the strike would continue."

L. C. Badgely, one of the local leaders, said: "We have a feeling that the operators on the Missouri Pacific, who are not directly affected by the strike, would be an indirect support. The O. R. T. has 200 men on the Missouri Pacific. This shows the desperate straits in which the company stands."

Mr. Newman says that when the strike is off, he will notify all local chairmen and they, instead of himself, will order the men back.

Mr. Newman advises that the Oklahoma division is out solid with the exception of three operators. Telegraphers are sending Chief Dispatcher and Operator Westcott from Arkansas City, are endeavoring to fill the gap.

"We are bound to win out and the prospects have never seemed so bright since the inauguration of the trouble," said Newman. "The men are coming from Topeka by General Manager Mudge that I have declared the strike off, and the company is giving thirty days' notice when they quit, neither does the company give thirty days' notice in discharging a man."

"We are accused of breaking a contract with the company. This is not so. Article 30 of our schedule has not been violated by us. It does not say that the men are to be discharged on going out of service. Thirty days' notice to quit has never been given."

"We have not broken our contract by leaving our desks when we applied in support of the telegraphers on the Gulf, is putting a meaning into the paragraph that is not there in the words. It has been interpreted as being constantly violated by the company, for that matter. The telegraphers let them go without presenting grievances."

"Newman at Wichita, sending messages to the strikers, telling them that they have agreed with President Ripley to arbitrate and that they can return to work. This is a lie. The strikers are not going to arbitrate until they have agreed with President Ripley to arbitrate and that they can return to work."

NEWSMAN'S STATEMENT. Wichita, Dec. 10.—The following statement was made at 11 o'clock by General Chairman Newman of the Santa Fe system of telegraphers:

"At this hour the situation is brighter than ever has been since regulations were inaugurated. Word has come to me from different sources that the Santa Fe officials are sending out bogus telegrams over my alleged signature, wherein I order the men to return to work, as the

strike is temporarily adjusted. I brand this and all similar statements as false, made up of by the railroad officials to deceive the operators and to get them to return to work, in order that the congested condition of freight and passenger traffic may be relieved. During the past eighteen hours 25 or 30 men have quit the O. R. T. and the union but were taken in to fill the places of the strikers. The fact of the matter is, that right in this city, L. B. DeLancey, agent of the Santa Fe, H. A. Tice, superintendent of the Santa Fe, R. A. Torrington, district freight agent, and traveling freight agent Warren L. E. Damon, two traveling auditors, all of whom at some time in their lives have been operators, are now along the line at Mulvane and Oklahoma City, handling the business personally as no operators could be obtained. J. H. Westcott, night chief dispatcher at Arkansas City, the center of the trouble has been transferred to Wichita. The Missouri Pacific will give us both moral and financial assistance, but we do not expect that to go out on the Missouri Pacific. If any attempt is made by the Santa Fe to pass freight over the Missouri Pacific the operators of that road will leave the line. The California and Santa Fe lines and the Gulf, Colorado & Santa Fe are out and over 95 per cent of the Santa Fe proper. It is absolutely necessary that all men stay out to the end, for defeat at this time would mean the abdication of the schedule on the whole Santa Fe system. Pay no attention to newspaper stories of railroad officials that they are hiring large numbers of men and that many of our men are returning to work. Both are lies. No men are made in the hope of weakening the men. They cannot fill strikers' places. They had better get out of our territory to us. See that all your territory gets this at once and urge them to stand firm. (Signed), "H. B. PERHAM, "Grand Secretary and Treasurer."

FROM ALL ALONG THE LINE. Wichita, Dec. 10.—The following message was received by Mr. Newman, general chairman of the Santa Fe telegraphers from St. Louis where the headquarters of the order is located, and where they receive reports as to the condition of affairs on the entire Santa Fe system this morning:

"St. Louis, Dec. 10.—J. A. Newman, Wichita, Kan.: Progress of strike entirely satisfactory. President Dolphin at Galveston personally dropping affairs. Our success assured beyond doubt, if men stand firm. Ninety-five per cent of the men on the Santa Fe, Southern California, Valley and Gulf, Colorado & Santa Fe are out and over 95 per cent of the Santa Fe proper. It is absolutely necessary that all men stay out to the end, for defeat at this time would mean the abdication of the schedule on the whole Santa Fe system. Pay no attention to newspaper stories of railroad officials that they are hiring large numbers of men and that many of our men are returning to work. Both are lies. No men are made in the hope of weakening the men. They cannot fill strikers' places. They had better get out of our territory to us. See that all your territory gets this at once and urge them to stand firm. (Signed), "H. B. PERHAM, "Grand Secretary and Treasurer."

Messages to Mr. Newman say: "The Santa Fe line reports that all are solid and trainmen are all rest-less."

The Santa Fe Pacific reports only three men out of the entire system. "The New Mexico and Rio Grande divisions report everybody out but four men and they are staying out. "Mr. Newman said: "The company is sending the following message out to the strikers: 'The company has declared the strike off and ordered the operators to return to work. This is absolutely false. We are waiting for the men to return to work. This shows the desperate straits in which the company stands.'"

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PITFULLY CROEL.

Florence Sells Exhibits No Pity For Her Mother.

Gives Most Damaging Testimony Without a Quaver.

MRS. SELLS BREAKS.

Her Sobs Disturb the Court as Daughter Concludes.

Forbids Her Attorneys to Cross Examine Florence.

THE DEFENSE BEGINS.

First Witness Tells of Peter Sells' Escapades.

Saw Him in Questionable Resort at Chattanooga.

When Florence Sells resumed the stand in the divorce suit of her parents she was very self-composed.

Her voice was in good shape and clear. Peter Sells accompanied his daughter into the court room and occupied the stand to the witness chair.

Florence told of presents of perfumes, wines, candies, etc., which William Bott had presented to her mother. These presents were made very frequently. Bott had also given her mother diamond rings. Her mother had told her about these presents.

She didn't know what kind of liquor Bott had given her mother, she was not versed in such matters, but some of them were green and in fancy bottles. She told of her mother drinking beer, and described where it was kept. She purchased her beer from Bott. She would telephone him to send the beer. She had seen her mother enter the lock to the side door so that Bott could enter without ringing the bell.

Florence said that when the proposition was made to her that she take the blame of the Bott bicycle episode she indignantly refused to have anything to do with the affair. Florence said that her mother told her that this trouble which was coming on was some of the work of Dennis Kelley, the enemy of Mr. Bott. Kelley is another wholesale liquor dealer.

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Florence told of some presents which she had seen her mother receive on the night of October 23, 1898, she spent the night at the home of W. A. Hardisty. Florence told of her mother giving indignantly refused to have anything to do with the affair. Florence said that her mother told her that this trouble which was coming on was some of the work of Dennis Kelley, the enemy of Mr. Bott. Kelley is another wholesale liquor dealer.

Florence said that so far as she knew her father was a very moderate drinker. She had never seen him under the influence of liquor. She was always kind and considerate to her mother. She had seen no quarrels between them. Her father and mother would sometimes quarrel, but she never saw any of them. Florence told of the trip Eliza Donohue took to Chicago with her father, and she said that her mother helped Eliza travel. Florence said that her mother told her that her father was a very moderate drinker. She had never seen him under the influence of liquor. She was always kind and considerate to her mother. She had seen no quarrels between them. Her father and mother would sometimes quarrel, but she never saw any of them. Florence told of the trip Eliza Donohue took to Chicago with her father, and she said that her mother helped Eliza travel.

Florence said that her mother received a circular letter from Detective Fox and on it was written "If you would like to see your mother, come to the office of Judge Hargerty, now her counsel. She said that Fox told her about the theft of Bott's bicycle, and also that Lyon's visits to the house were known. Judge Hargerty advised her never to go into Fox's office alone again.

Florence said that her mother told her that some one had stolen the wheel. Florence told of another visit her mother had made to Detective Fox. Judge Hargerty summoned her mother to his office. Judge Hargerty and Billy Bott were in the office. Florence said that Bott told her mother that he had been called up by some woman, and told him that he was in serious trouble and should get his property out of his hands. He was mixed up in a divorce case and his wife's wheel was to be used as evidence. Bott said that the woman said she was a stenographer and knew what she was doing. When asked Florence said that Judge Hargerty told her mother about the wheel. He wanted Florence to say that Bott was calling on her. Florence refused.

Mrs. Sells made another trip to the office of the detective. Fox told her that she was in trouble and wanted to help her, but Florence said that her mother told him she would refer the matter to her lawyer. Florence told of the home coming of her father the night before the separation. She said her father looked very badly when he came home that night. This was not to be wondered at, as he had just been told the story of his wife's shame.

Florence told of her last night at home, of the breakfast in the morning and of going that afternoon to Mrs. Sells' home to meet her father and his attorneys. This was the family council at which the separation was decided upon. Florence said she had not seen anything ominous in the air and she was restless all night.

When she reached the home of her aunt she and her father had a talk, and she decided to return no more to her mother. This was the first time Florence told her father of the conduct of her mother.

While at Mrs. Ephraim Sells' Florence received a telephone message from her mother. She asked her to come home, but she refused. Her mother also asked her to explain about the bicycle, but she refused, and her mother rang off.

Florence said she had talked one night with her mother about Bott's visits. She told her mother that Bott's visits would only lead to trouble and a separation. Her mother broke down, cried and promised Florence that she would cast Bott off and never receive him again. She told Florence that she was an ungrateful girl to talk so to her mother, and said she should remember all she had done for her. Florence begged and pleaded, and at last her mother said she would not let Bott in the house again.

"But," said Florence, in a sad, mournful tone, "the next night he was in my mother's room again."

As Florence spoke these words she was overcome by her emotions and compelled to pause for some time. Mrs. Sells was also much affected by her daughter's story, and seemed to have trouble in pressing back the tears.

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TOWNE GOES ON.

Populist United States Senator From Minnesota

Takes His Seat Under Appointment of the Governor.

NONE WISHED TO SPEAK

Debate Was Closed on the Legislative Bill

As Soon as It Was Taken Up in the House.

Washington, Dec. 10.—When the senate convened today Mr. Chandler (N. H.), Mr. Bates (Tennessee) and Mr. Jones (Tennessee) who heretofore during the present session had not been in attendance were in their seats.

Mr. Charles A. Towne, appointed to succeed the late C. K. Davis of Minnesota, was also in attendance. Mr. Nelson (Minnesota) at once presented the credentials of Mr. Towne and they were read.

Mr. Chandler (New Hampshire) chairman of the committee on privileges and elections, directed attention to the last clause of the credentials which was that Mr. Towne should hold his seat until "his successor was elected and qualified." He said the constitution provided simply that the appointee should hold office until the legislature had met. He said that the appointee should hold office until the legislature had met.

"In the credentials presented," said Mr. Chandler, "the governor has undertaken to prescribe the length of the new senator's term. This is a violation of the credentials of course is superfluous. I desire simply to call attention to this fact and have no intention to object to the new senator's taking his seat."

The new senator was conducted to the desk by Mr. Nelson and the oath of office was administered by Mr. Frye, the president pro tem.

Mr. Towne was congratulated warmly by many of his colleagues as he took his seat on the Democratic side of the chamber. A bill to provide for the appointment of an additional district judge in the northern judicial district of Ohio was passed.

Mr. Hanna (Ohio) offered a resolution that a committee of three senators be appointed by the president pro tem to make the necessary arrangements for the inauguration of the president of the United States on the 4th of March next. The resolution was adopted.

IN THE HOUSE. Washington, Dec. 10.—Today under the rules the house belonged to the District of Columbia, but owing to the desire of the Democratic side to spend the day on executive and judicial appropriation bills, District day was postponed until a week from tomorrow. The legislative day was accordingly postponed until a week from tomorrow.

Mr. Blinn (Pennsylvania) who was in charge of the measure, made a preliminary statement of its contents after which he being no longer in the room from either side of the house a general debate was closed and the bill was read for amendment under the five minute rule.

FIRE AT LAWRENCE. Gibbs Book Store Burned This Morning. Gibbs book store, the largest book store in Lawrence, at 803 Massachusetts street, was burned this morning. The fire started in the cellar from an overheated furnace. The large stock is a total loss.

RESOLUTION DAY. In the Convention of the American Federation of Labor. Louisville, Ky., Dec. 10.—Immediately following the call to order this morning the resolutions committee of the American Federation of Labor submitted its report. The first resolution recommended by the committee was one reaffirming its favorable position on the initiative and referendum, which was adopted by the convention by a vote of 22 to 56 after a lengthy debate.

Following in rapid succession were recommended and adopted resolutions requesting support by congress of a bill for the towing of barges and cargo carrying vessels on the lakes and the Atlantic coast.

The executive committee reported unfavorably on a resolution for the establishment of a department of commerce and industry, and its action was sustained.

There has been considerable misunderstanding about the score at the Topeka-Lawrence golf tournament at the links of the Grand club at Lawrence, Saturday. The Topeka players won by 14 holes, only one Topeka player, Hamman, losing. Following are the results: Woodward defeated Copley, four up. Lakin defeated McEllig, two up. Strydom defeated Newman, two up. Morgan defeated Broadhead, seven up. Hamann lost to Carr, four up. The game was 38 holes, medal play. A return game will be played in Topeka next Saturday.

BLAINE TREATY ON TRIAL.

Constitutionality to Be Determined by the Supreme Court.

Chicago, Dec. 10.—The question of the constitutionality of the Blaine extradition treaty between Great Britain and the United States signed by representatives of the two governments in 1850 and which it is asserted, has never been passed upon, is to be brought before the United States supreme court in the case of Fred L. Rice, Frank Kinslow and Thomas Jones, who were arrested in Chicago last June on the request of the Canadian authorities charged with being fugitives from justice. The case is regarded as one of great importance not only in this country, but in the queen's dominion as an opinion from the supreme court of Great Britain that a treaty of extradition commissioners in international law is not binding on the queen's dominions may remain in full force for a year before the case is passed upon. It was found concealed in a basket of grapes some three weeks ago and since that time the men have been closely watched.

Should bail be refused the prisoners, they may remain in jail here for a year before the case is passed upon. It was found concealed in a basket of grapes some three weeks ago and since that time the men have been closely watched.

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