THE OMAHA DAILY BEE

VOL. XXXVI—NO. 283. OMAHA, TUESDAY MORNING, MAY 14, 1907—TWELVE PAGES. SINGLE COPY THREE CENTS.

STATUS OF STREAMS

Irrigation Suit of Kansas Against Colorado is Dismissed.

UNABLE TO SHOW MATERIAL DAMAGE

Sunflower State May Renew Its Suit When it Has a Case.

EACH STATE CAN CONTROL OWN WATERS

Government May Determine Iquitable Division of Interstate Streams.

CASE HAS BEEN PENDING FIVE YEARS

It Has Attracted Unusual Attention Because of the Importance of the Issues Involved.

WASHINGTON, May 13.—The somewhat famous case of the state of Kansas against the state of Colorado, by which the former sought to have the latter enjoined from diverting the waters of the Arkansas river for irrigation purposes, or permitting its citizens to do so, was dismissed by the supreme court of the United States today. The announcement of the court's decision was made by Justice Brewer, who said that the dismissal was without prejudice to the right of Kansas to serve its petition whenever it can be shown that that state is being substantially injured. The intervening petition of the United States also was dismissed.

The case has been on the court docket since 1901, when Kansas first lodged its bill of complaint. In that document it was alleged that the numerous irrigation ditches in Colorado had caused such a great a permanent dimnunition of the volume of the water as to render a once navagable stream almost totally dry, to great diminish the power for manufacturing purposes; to lower to the extent of about five feet the surface of the underflow of the stream and to entirely cut off the supply of water for irrigation in western Kansas. The loss was reported to be incalculable. Kansas asked for an injunction to be directed especially against future appropriations, and to recognize the principle of priority of right on the part of the Kansas ditches organized before ditches in Colorado. The common law doctrine relative to reparian right was a strong dependence of the complaining state and it was strenuously urged that under that right the waters of the river could not be converted to distant lands as is done under such extensive systems of irrigation as prevail along the Arkansas in Colorado. Colorado, on the other hand, contended for its right to the exclusive control of the waters within its own boundary, refused to acknowledge the navigability of the Arkansas at any time, pleaded the practice of diversion under irrigation law the world over, dwelt upon the immense interests that have accumulated unquestioned by Kansas and urged that through seepage much of the irrigation water finds its way back into the body of the stream. The United States was represented in the hearing in the case as an intervenor. Almost a year was spent in taking testimony. Three hundred and fifty witnesses were heard. Not only the two states and the national government, but many private corporations were heard in connection with the suit. Much general interest was aroused because of the large interests at stake and of the general principles involved. It was recognized as the first great irrigation legal contest. Justice Brewer's opinion concludes as follows:

Suming up our conclusions, we are of the opinion that the contention of Colorado cannot be sustained; that the appropriation of the waters of the Arkansas by Calorado for purposes of irrigation has diminished the flow of water into the state of Kansas; that the result of that appropriation has been the reclamation of large areas in Colorado, transforming thousands of acres into fertile fields and rendering profitable their occupation and cultivation when otherwise they would have continued barren and unoccupied; that while the effect of such diminution has been of perceptible injury to the Arkansas valley in Kansas, particularly those portions closest to the Colorado line, yet to the great body of the valley, it has worked little detriment, and regarding the interests of both states and the rights of each to receive benefits through irrigation in any manner from the waters of this stream, we are not satisfied that Kansas has made out a case entitling it to a decree. At the same time it is obvious that if the depletion of the waters of the river by Colorado continues to increase there will come a time when Kansas may justly say that there is no longer an equitable division of benefits and may rightfully call for relief against the action of Colorado, its corporations and citizens, in appropriating the waters of the Arkansas for irrigation purposes.

Dismissal Without Prejudice.

The decree which therefore will be entered, will be the dismissal of the petition for intervenor without prejudice to the right of the United States to take such action as it shall deem necessary to preserve or improve the navigability of the river. The decree will also dismiss the bill of the state of Kansas as against all the defendants, without prejudice to the right of the plaintiff to institute new proceedings whenever it shall appear that through a material increase in the depletion of the waters of the Arkansas by Colorado, its corporations or citizens, the substantial interests of Kansas are being injured to the extent of destroying the equitable apportionment of benefits between the two states resulting from the flow of the river. Each party will pay its own costs.

Federal Powers Involved.

With reference to the power of the government in interstate controversies involving irrigation questions, the opinion held that no rights could be exercised that had not been granted to the federal authorities.

"While," he said, "arid lands are to be found mainly, if not only, in the newer states, yet the powers of the national government within the limits of those states are the same (no greater and no less) than those within the limits of the original thirteen, and it would be strange if, in the absence of a definite grant of power, the national government could enter the territory of the states along the Atlantic and legislate in respect to improving by irrigation o rotherwise the lands within their borders. Nor do we understand that hitherto congress has acted in disregard to this limitation.

"It is useless to pursue the inquiry further in this direction. It is enough for the

(Continued on Second Page.)

SUMMARY OF THE BEE

Tuesday, May 14, 1907.

1907			MAY			1907
SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

THE WEATHER.

FORECAST FOR NEBRASKA—Fair in west, rain or snow in east portion Tuesday; warmer in northeast portion. Wednesday fair and warmer.

FORECAST FOR IOWA—Showers Tuesday, possibly snow in extreme west portion; much colder in central and east portions.

Temperature at Omaha yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	67	1 p. m.	49
6 a. m.	67	2 p. m.	49
7 a. m.	67	3 p. m.	53
8 a. m.	66	4 p. m.	53
9 a. m.	67	5 p. m.	52
10 a. m.	68	6 p. m.	56
11 a. m.	62	7 p. m.	48
		8 p. m.	48
		9 p. m.	48

DOMESTIC.

Chicago wheat market rises 4 cents on unfavorable reports from Nebraska, Manitoba and Russia. High mark for the December option is $1.03. **Page 1**

One tentative juror was selected at the session of the Haywood trial Monday afternoon. **Page 2**

Three hundredth anniversary of the landing of the first settlers at Jamestown is appropriately celebrated. General Kuroki reviews warships in the harbor. **Page 11**

Chairman Dick of Ohio republican executive committee withdraws call for conference of leaders at Columbus tomorrow. He says the purpose of the meeting is misunderstood and misrepresented and in present state of feeling it could accomplish nothing. **Page 2**

The nearly completed steamer City of Cleveland was destroyed by fire at Detroit. It was designed to be the finest vessel afloat on fresh water. The loss is about $700,000. **Page 1**

Four persons are injured and number of houses unroofed by storm at Kansas City, Kan. **Page 2**

NEBRASKA.

State Railway commission is preparing to request railroads for names and addresses of all people to whom transportation has been issued at less than 2 cents per mile actual cash. May dividend of the temporary school fund to be approximately $400,000. **Page 2**

W. L. Copple, a prosperous farmer, and his wife, on the reservation near Pender are murdered by their hired man, who makes his escape. Robbery evidently the motive for the crime. **Page 1**

Mrs. Gertrude Keith of Norfolk is killed by lightning at Crofton. **Page 3**

WASHINGTON.

Supreme court of the United States dismisses the case of Kansas against Colorado involving right to take water from Arkansas river. It holds that Kansas has failed to show material damage, and state is given leave to renew suit in case any should ensue. The decision of the Nebraska court in the case of Yates against the Utica bank was upheld. The court also decided that the eight-hour law of 1892 does not apply to mechanics and laborers employed on dredges in rivers and harbors improvements. **Page 1**

LOCAL.

Arguments regarding compulsory purchase by city of water works plant heard before Judge Munger in the United States circuit court. **Page 11**

Austin W. Tidd, a Tammanyite of New York, predicts Mayor Dahlman for chairman of national democratic committee, with Bryan and McClellan as candidates. **Page 5**

Five-story addition to be built to Henshaw hotel on present site of One Minute restaurant at 1511 Farnam street. **Page 7**

Grain men of Omaha return from trip to Kansas and report serious injury to winter wheat by green bugs and drouth. **Page 3**

Walter A. Waggoner of Buenos Ayres and Capetown visiting his father, Ab Waggoner, city license inspector, and tells of South African conditions. **Page 5**

Society Notes—Masquerade party at Country club and dinner given by Captain and Mrs. Thomas Swobe. **Page 5**

Representatives of Russian movement for liberty address Omaha meeting, presided over by Governor Sheldon, and tell of the mighty struggle for liberty now going on in that country. **Page 1**

SPORT.

Denna Ken is the only winning favorite at Belmont park. **Page 4**

SOUTH DAKOTA STORM FATAL

Overturns House, Lamp Starts Fire and Two People Are Burned to Death.

PARKER, S. D., May 13.—A tornado overturned a farm house south of here last night. A lamp, which was burning, set fire to the bed clothes and burned to death the wife and young son of Ole Sangstead. The husband and father was seriously injured.

South Dakota Luther League.

YANKTON, S. D., May 13.—(Special.)—The Luther league of this state convened here Sunday morning in a three-day convention, with the state president, Rev. I. Gleane of Aberdeen, presiding. The opening service was conducted by Rev. C. K. Solberg of Chicago, and very fine music was furnished by choirs from Augusta college, Canton and the local high school. In the afternoon, following an address of welcome by Hon. John Holman, the state president made his annual address. The delegates, who number over 100, are from all sections of this state. Monday and Tuesday will be devoted to the convention, and a very interesting program has been arranged for the event.

South Dakota Appointments.

PIERRE, S. D., May 13.—(Special Telegram.)—Governor Crawford today appointed F. C. Robinson of Groton as the fifth and last member of the State Board of Agriculture, and John F. Baker of Hermosa, member of the Soldiers' Home board to fill the vacancy caused by the resignation of John D. Patton. The first of June Representative John Bibelheimer will take the position of bookkeeper in the state auditor's office, in place of Theron G. Brown, resigned.

Hold Consecration Services.

RICHMOND, Va., May 13.—The consecration services of the restored Bruton Parish church at Williamsburg, Va., were held yesterday, Bishop Randolph of the diocese of Southern Virginia officiating. Bruton church was established in 1683, the present building being erected in 1715.

LIBERTY AND LAND THE CRY

Representatives of Popular Movement in Russia Address Omaha Audience.

NEW DUMA UNDER THUMB OF AUTOCRACY

Populace is Aroused and Will Not Be Denied, Though a Generation of Patriots May Be Martyrs to the Cause.

"Liberty and land is the cry that is now resounding the breadth and depth of Russia." Such is the message that is brought to Omaha by the distinguished Russians, Alexis Aladjan, members of the first Russian duma, and Nicholas Tchaykovsky, who addressed a largely attended meeting at the First Congregational church Monday evening, which was presided over by Governor Sheldon of Nebraska.

The meeting was called to order by Mayor James C. Dahlman, who said:

We are here tonight to do honor to two distinguished foreigners and learn from them the situation in Russia from the viewpoint of men actually in the field. We are glad also to have with us our distinguished fellow citizen, the governor of Nebraska, Governor Sheldon, who has kindly consented to leave his arduous duties at Lincoln to preside at this meeting.

Governor Sheldon said:

I am very much pleased to be here tonight to preside over so large and intelligent an audience as is here assembled. There is always a warm place in my heart for the people of Omaha and I am glad of any occasion that calls me to Omaha, and especially as at this time when we are to hear the story of Russia from such able speakers and distinguished patriots as Mr. Aladjan and Mr. Tchaykovsky. I remember hearing as a boy a Polish speaker once say that no true man was ashamed of his native land. And to you men of Russia who have fought the great battles for the betterment of your people in your own land the greatest honor is due, more, far more, than to men who have come here and made the cry for liberty for Russia from afar. Gentlemen, I welcome you to Nebraska in the name of the people of Nebraska and am proud of this honor.

Tells of Russian Struggle.

Governor Sheldon then introduced Mr. Aladjan. Mr. Aladjan was given a cordial welcome as he stepped forward to speak. He is a young man of possibly 35 years and speaks English fluently, though with a slight Russian accent. At times during his address he was extremely eloquent and at all times deeply earnest. He said in part:

From all my heart I thank you for this welcome, and it rejoices me that I am permitted to tell this intelligent audience something of the great struggle for constitutional and civil liberty that my people are now making and have been making for the last fifty years. For this struggle is not a new one; it has been going on by groups in this last half century, and is finally combined together in one general cause and has at last wrenched from the government the right to form a Duma, or a congress, or parliament. We have united ourselves in one mighty effort for the liberty of 150,000,000 people. It was in 1906 that the first Duma of 440 men, representatives from every quarter of our mighty empire, assembled to do we hardly knew what. We had no previous experience in legislative work and had to find a common ground upon which to make our fight for freedom. We had to contend with the traditions of centuries in that the Russian people had never known how to frame an answer to a crown speech. We were there only five days and five nights. The nights we spent in our committee work and the days in the house, and then presented our answer to the crown. Our address was not exactly conciliatory, but our demands were extraordinary. We had much to do, much to think of.

Many of Best People in Prison.

The conditions throughout Russia were not unlike those that prevailed at the close of your civil war. But with you it was a spirit of conciliation. Some of the best and brightest of our people, who had been laboring in this cause for years, were in Siberia—30,000 men and women had been torn from their homes in the dead of night without trial and were sent to Siberia or the northern mines or some unknown prison, merely because they sought liberation for their fellowmen. The prisons were crowded and the best of our people were rusting somewhere in Siberia or prison. Freedom of conscience, speech and press were denied us. We said to the autocracy, "If you do not give us what we ask, we will take it." We objected to martial law in time of peace. There were two kinds of court-martial—mercenary and drum head. It mattered but little by which one you were tried, for you would be shot anyhow.

The condition of our people, our peasantry, is beyond your comprehension. The great mass of the Russian people eat meat but about five times a year, and bread is not always on th stables of our farmers. Every five years Russia is beset by famine. We expect to lose 1,500,000 of our people within the year by starvation. There is no help for it. Privation and poverty and starvation compels in a great many instances the sale of 16 and 17-year-old girls by their parents. Oh, yes; there are men in Russia who buy these girls. With the poverty and self-denial of years and generations, with the recurrence of famine every five years, it is almost impossible for our peasant people to accumulate anything. The tax, tax, tax consumes all the surplus. We, with the most rigid economy, and it cannot be more so than it is now, it will take from ten to forty years for the average peasant Russian to accumulate anything.

Duma Come to Stay.

Who is the state? The peasantry, which comprises 80 per cent of the population of Russia, is the state. We pay the crown a salary of $6,000,000 per year. That is quite enough. There is but one way to meet an emergency, and that is the national way, and we will meet it that way. We can say to othe crown, you must come to us; you must give us a constitution and a ministry that can work with and for us. The government has recognized the fact that the Duma has come to stay. It dissolved the first Duma, of which I was a member, and allowed us to elect a second one, which is now in session. But the precaution was taken by the government that only such should be elected to this second Duma as would serve its interests, at least a sufficient majority to do its bidding. It must have a Duma that will do its bidding. I belonged to the party of the xtreme left, the party of the soil. At the first Duma there were 105 members of the extreme left, now there is over 300, but they all are not permitted to serve. I am one of those who is not permitted to serve, though I was elected to this second Duma. The reason is apparent. But we have to fight on. Our sons and daughters will have to die. You cannot conceive the dread and terror of the situation, you can merely look on from afar. I believe that if this second Duma is arbitrarily dissolved Russia will appeal to the force of arms as a last resort. The national spirit is aroused. The resort to arms is the final resort of a despairing nation. We come here to ask you which side will you take, that of a government which oppresses our people or a people who suffer, sacrifice and die. Remember, my people, many of whom fought for you in your great cause for liberty. Can you not at least give them your moral support in this great struggle for constitutional liberty.

Governor Sheldon then introduced Mr. Tchaykovsky, saying:

I feel that I know more of Russian now than I have ever known before in hearing Mr. Aladjan. I can appreciate the dilema of the first Duma of which he was a member, in that they had so much to do in five days, and did it, too. I see here in this audience some few men who have been members of the Nebraska legislature, and they will bear with me in the suggestion that we had no end of trouble in accomplishing anything in sixty days.

Masses Not Intelligent.

Mr. Tchaykovsky is a distinguished looking man of probably 60 years, who bears a strong resemblance to the pictures of Count Leo Tolstoi. He has been in America about four years and is the head of the Russian movement in America. He said:

The knowledge that most Americans have of Russia and Russian affairs dates back to about twenty years ago, when Mr.

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PATHETIC SCENES AT WRECK

Death of Bride and Groom, Each Sending Message of Love to Other.

SAN FRANCISCO, May 13.—Three trains bearing Shriners arrived yesterday from the scene of the wreck. An excursion train containing twenty-five Shriners which had been but a few miles behind the wrecked train, arrived last night. The train was switched around the wreck and the passengers agree in the statement that it was the most deplorable sight they ever witnessed.

[illegible] are of Cincinnati, who was the physician to reach the scene, arrived tonight and told a graphic story of the terrible scenes that he witnessed. The most pathetic incident was the death of a bride and groom at almost the same instant, each believing that the other still lived. L. N. Ellenbogen and his bride were members of the excursion party and were thrown from the coach on opposite sides of the track as it reeled over on the grade. Both were mortally injured, but regained consciousness and exhibited remarkable bravery. The wife's first thought was for her husband and the husband's first thought was for his wife.

"Tell my wife that I am all right," murmered Ellenbogen to the physician. "Give her my love and let me know how she is."

Mrs. Ellenbogen in return sent a message of love to her husband with the assurance that she was all right! Before the physician could carry another message both had passed away.

Dr. Ware was compelled to use driftwood for pillows and cut up the sheets on the train for bandages.

S. E. Thornton, the head of a large party of Shriners from Meridian, Miss., who came through from Los Angeles on the second section of the wrecked Shriners' special, is at a hotel here. He is a railroad man of many years' experience, and is not satisfied that the disaster was caused by a defective switch.

According to his statement, the sleepers were not badly affected by the wreck and are largely intact. They were flung in every direction, one of them ahead of the engine, but they did not collapse. The San Francisco members of the Mystic Shrine, consisting of members of Islam temple and their wives and daughters who were in attendance at the conclave of the order in Los Angeles, returned here yesterday and were the first to arrive since the fearful train wreck at Honda.

The train which carried the Shriners doomed to death in the wreck left Los Angeles ten minutes after the Islam temple special. By some unaccountable working of fate the first train, containing the party that arrived yesterday passed safely, at a mile a minute clip, over the very spot at which the following train was wrecked.

SAN LUIS OBISPO, Cal., May 13.—The unknown woman who was fatally injured in the wreck of the Southern Pacific Shriners' train Saturday at Honda, was today identified as Mrs. E. Kahler of Reading, Pa.

No more deaths have occurred among the injured here.

SANTA BARBARA, Cal., May 13.—The funeral train to carry the bodies of the victims of the Honda wreck to their former homes in the east will leave Santa Barbara as soon as the inquest is finished this afternoon.

Between 200 and 300 eastern Shriners and their friends will leave here this afternoon on a special train, one coach of which will be fitted up as a funeral car and will carry the bodies of twenty-one dead. The train will proceed over the northern route via San Francisco. At San Luis Obispo the eleven bodies there will be taken on board and the Shriners who are in that city and able to travel will also go east on this train. The total dead is thirty-two.

PRATT ATTACKS THE SERVICE

Aged Man Files Motion Against Way He Was Served of Divorce Suit.

Colonel James H. Pratt filed a motion in district court late yesterday afternoon attacking the service upon him in the divorce suit recently filed by his wife, Julia Montgomery Pratt. Service was had by publication upon an affidavit stating he was a nonresident of the state and the motion alleges that this was untrue; that he was a resident of Douglas county at the time and for a long time previous to the filing of the suit. He also attacks the petition, affidavit and notice on the technical grounds they are not sufficient. Margaret Louise Pratt Olson and Harriett Belle Magee, who are defendants in the suit, have also filed separate motions to quash the service upon them.

MURRAY SMELTERS RESUME

Seventy-Five Deputies Protect Workmen Who Secured Desired Increase.

SALT LAKE CITY, May 13.—The plant of the American Smelting and Refining company at Murray, a suburb, which closed down last week, throwing 1,200 men out of work, resumed operations this morning under protection of seventy-five deputies. There was no disorder, however, and a majority of the men who struck for higher wages and made those who wanted to work go out with them, returned to their places at an increase of about 10 per cent offered by the company, but previously rejected by the strikers.

HELD ON GERMANY'S REQUEST

Charles Barnestall of Chicago Accused of Securing Large Sum of Money from Woman.

ZURICH, Switzerland, May 13.—Charles Barnstall of Chicago has been arrested here upon the demand of the German authorities, charged with fraud. It is alleged that Barnstall obtained $16,250 last month from a lady of Munich, Bavaria, to whom he was betrothed. After obtaining the money, it is alleged, Barnstall absconded. He had $11,250 in his possession when taken into custody.

CHICAGO, May 13.—The name "Charles Barnstall" does not appear in the Chicago directory.

CABINET CHANGE IMPENDING

Crisis in France Threatened by Refusal of House to Support Government.

PARIS, May 13.—In the Chamber of Deputies today, during the debate on the government's policy toward labor, Education Minister Briand announced that if the house did not support the government's disciplinary measures the ministers would not retain their portfolios.

The debate was adjourned until tomorrow when the government will ask for a vote of confidence.

MURDER NEAR PENDER

Prosperous Farmer and His Wife Killed by an Employe.

ROBBERY THE MOTIVE FOR THE CRIME

Murderer Finally Mounts a Mule Belonging to His Victims, Rides Away and Has Not Since Been Seen.

PENDER, Neb., May 13.—(Special Telegram.)—One of the most brutal crimes in the history of Thurston county was committed four miles east of Rosalie, at the farm of W. L. Copple, where Copple and his wife, Eva, were the victims. About 2 a. m. the children of the family, seven in number, were awakened by gunshots. The eldest, Blanche, a girl of 13, heard her father scream and say, "Fred, you have killed me." At this moment her mother was aroused and ran out, when she, too, was heard to scream out and say, "Oh, my children."

Fred Burke, the hired man, who had been in the employ of Copple since February, hadarisen from his bed, and in some way attracted the attention of Copple outside, where he shot him in the abdomen and twice in the head. Fearing that the mother would get away, he likewise fired three shots at her. Not satisfied with this, he clubbed them until their skulls were pounded into a pulp, after which he went into the house, where the seven children were crying, and with threats made them go to sleep, telling them there were burglars outside and that their parents were out watching them.

What the Children Tell.

At the coroner's inquest today, Summer, a boy 10 years old, who slept in the same bed with Burke, told that when Burke retired he looked at his watch and murmured that he wished his father was dead. He was awakened, but through fear did not leave his room. Blanche, a 13-year-old girl, arose from her bed and attempted to follow her mother out, but was threatened if she came out. At 5 a. m. the children arose, went outside and there found the father and mother lying upon the ground, dead, the hogs eating away at their prostrate forms. The nose and one ear were already eaten from the face of the father and the whole top of the mother's head was gone. At this revolting sight the little ones herded the hogs away, while the older girl attended the wants of the youngest pair of twins, 4 months old. Tom Headley, a neighbor, came upon the scene, where seven innocent children were in sorrow.

The motive of this crime evidently was robbery, as Copple was known to carry considerable money upon his person. A few days previous to this tragedy Copple had sold a carload of cattle, receiving some money and a draft for $900. There was some money in the house in a bureau drawer, and this was missing this morning. The draft and $2.50 was found. A shotgun which was used is also missing. Burke saddled a mule belonging to Copple and has evaded his pursuers so far. If captured a lynching will doubtless be the culmination of this tragedy. Copple was a well-to-do and prosperous farmer living upon the reservation, where he had many friends.

In No Hurry to Leave.

LYONS, Neb., May 13.—(Special Telegram.)—One of the most atrocious crimes ever known in this part of the country was committed at the home of Walter Copple, who is known as Bud Copple, on the reservation about ten miles north of Lyons, Monday morning. At about 2 o'clock, as the evidence which has been gathered shows, Bud Copple was called or aroused in some way from the outside and, getting out of bed and putting on his shoes, went outside, where he was shot down in his tracks just outside the door, the charge, which was fired from a shotgun, going through his body and into the door. After he had fallen to the ground he was shot through the head, the charge going through his head and into the ground. As the circumstances indicate, Mrs. Copple, on hearing the shots, rushed to the door and was hit on the head with a piece of a ball bat and knocked back into a small kitchen, from which she was dragged to the outside, where she was beaten to death with the ball bat and left lying on the ground.

Girl Met Murderer.

The oldest girl, who is 13 years of age, on hearing the noise, rushed to the door and was met by the hired man, Fred Burke, who pushed her back into the room and quieting her by telling her that there were burglars on the outside and that her father and mother were watching for them. He then helped her feed the little twin babies who were crying, and then sat down by a window with a shotgun across his knees and tried to get the girl to take the babies to bed, but she would not go, as the babies were still crying. He waited until about 4 o'clock, just about daybreak, then went outside, locking the doors behind him, and the little girl saw him ride over the hill westward on one of her father's mules. She then tried to get outside and at last managed to break the lock on the door and went out, where she discovered her father and mother on the ground in front of the doorway, surrounded by the hogs, which were running loose and which had eaten part of Mrs. Copple's head. The little girl drove off the hogs and called the rest of the children and told them to watch and keep the hogs off while she milked the cow in order to feed the babies, after which she went to the neighbors and secured help and the entire neighborhood was aroused and parties were organized to pursue the fleeing murderer.

Mr. and Mrs. Copple leave behind them seven little children, the oldest of whom is 13 years of age. This is one of the worst crimes ever committed in this section of the country and no trace of the murderer has yet been found.

SPOKANE GETS CONCESSIONS

Freight Conference Between Heads of Hill and Harriman Systems.

ST. PAUL, May 13.—A freight conference of vast importance to the business interests of Spokane, Wash., was held today at the offices of James J. Hill between high officials of the Hill and Harriman systems. After deliberating for several hours freight reductions were decided upon which have been contended for by the jobbing and mercantile interests of Spokane for many years.

The explanation of the conference is found in two words—Soo Line.

For years the freight rates from St. Paul and other western points to Spokane have been computed on the basis of shipments going first to Seattle and then returning to Spokane. This was in the interest of the jobbing interests of Seattle. Recently the Soo line entered Spokane by a roundabout line and this has disturbed the situation, which remained unchanged until the Soo entered the field.

ROADS ENLARGING SERVICE

San Francisco Traction Lines Are Being Forced Ahead by Demands of Public.

SAN FRANCISCO, May 13.—The success which attended the efforts of the officials of the United Railways to run their cars yesterday has prompted them to enlarge the service today. In addition to the operation of the Sutter, Turk and Eddy street cars, the Valencia and Mission street lines will be placed in service and also in the western addition, starting in at 8 o'clock this morning and running until 7 o'clock at night. A number of special policemen have been ordered to report for duty today to assist the regular force in maintaining order.

The board of supervisors will now insist that the railroads must operate their lines in the interest of the public, threatening that if this is not done at once the municipality will itself restore the traffic.

The company says that it now has enough men to run its entire system and large numbers of men are arriving daily from the east. Besides these many old employes have, it is said, applied for reinstatement and have been taken on.

It is hoped that the telephone strike will be ended shortly, possibly today. In the other strikes, no change is reported.

Street cars were run this morning through the city to the ferry at the foot of Market street. No disturbance occurred on the early runs.

The United Railroads will put many more cars on during the day.

MANY ARE INJURED IN WRECK

West Virginia Express on Toledo & Ohio Central Ditched at Truro, O.

COLUMBUS, O., May 13.—Dashing through an open switch at Truro station, twelve miles southwest of Columbus, today the West Virginia express on the Ohio Central road, which left Columbus at 8:15 a. m., was derailed and one man, who was walking along the side of the track, was killed and a number of trainmen were more or less injured. Most of the passengers escaped with a few bruises. Mike Martin, the engineer, who was pinned under the engine, will die as will also Dan Martin, the fireman, and an unknown woman. A special coach carrying members of the Red Men going to Marietta was the only one not derailed, but a number of the members of the order were slightly injured. The coaches and the baggage car were smashed to pieces. The dead:

JOHN DAVIS of Truro Station.

Fatally injured:

Mike Martin, engineer; legs and arms horribly scalded, internal injuries.

Fireman Daniel Martin, cheek bone smashed, arm broken and internal injuries.

Mrs. Chris Harris, skull crushed.

Seven others were more or less seriously injured.

RESUME LEATHER TRUST CASE

Hearing in Suit to Enjoin Proposed Merger is Again Taken Up.

NEW YORK, May 13.—The hearing in the suit to enjoin the proposed merger of the United States Leather company with the Central Leather company was resumed today. The defendant company had been directed to prepare affidavits showing the creation of the $20,000,000 surplus of the United States Leather company, which is the real bone of contention. The defendant company admits that $7,000,000 of the surplus represents the earnings of the United States Leather company, but claims that the remaining $13,000,000 comes from the reappraisement of land in Pennsylvania acquired through the subsidiary companies.

James R. Plum, treasurer of both of the companies concerned in the action, was questioned on the stand as to the receiving of the subsidiary companies into the United States Leather company and as to whether or not the United States company owned all of the stock of the subsidiary companies, most of which were lumber concerns. As to the ownership of the stock the witness answered in the affirmative in every case.

SAYS ADAMS' RATE IS HIGH

Ohio Firm Declares that Express Company Discriminates Against It.

WASHINGTON, May 13.—A complaint was filed with the Interstate Commerce commission today against the Adams Express company alleging excessive rates and discrimination. The complainant is the firm of McLaughlin Brothers of Columbus, O., engaged in the importation, shipment and sale of horses. It is alleged the defendant charges the firm $550 a car for the shipment of horses from New York to Kansas City, with a stop-over privilege at Columbus, while the rate for shipment of horses from New York to Kansas City direct is only $450 a car. The allegation is that the stop-over rate is unjust and excessive, both to Kansas City and to St. Paul, Minn., where the complainant has a branch establishment. The commission is asked to fix a fair and suitable rate with stop-over privilege.

FOURTEEN MEN ARE KILLED

Premature Explosion at Southwestern Railway Camp Causes Disaster.

CHARLOTTE, N. C., May 13.—As a result of the premature explosion of "Camp 2½," on the Southwestern railway, near Marion, N. C., last Saturday evening fourteen men are dead, eight bodies having been recovered. Foreman Kidd's body was badly mangled.

At the same camp Sunday afternoon Walking Boss Kidd and Charles Hale went to quiet "Jim" and William Anderson, who are said to have been drinking, when Anderson fired and killed Kidd. Following this Hale killed Anderson. Hale and five others are under arrest at Marion charged with murder.

FATHER GILMAN'S BLESSING

Disowned Sire Insists on Giving Congratulations to Opera Queen.

SAN FRANCISCO, May 13.—Although Mabelle Gilman has declared that D. C. Gilman, living in this city, is not her father, he sent the following telegram to her today:

"Accept a father's blessing for happiness and a long married life. Live up to Christian Science."

The message was addressed to W. E. Corey and Mabelle Gilman, Hotel Gotham, New York.

DOLLAR FOR WHEAT

December Option Rises Above This Mark on Chicago Board of Trade.

SENSATIONAL SCENES IN THE PIT

Brokers Loaded with Buying Orders from All Parts of Country.

NET ADVANCE OF FIVE CENTS FOR JULY

Opening Sales Show Spread of About One Cent.

EUROPEAN MARKETS ARE HIGHLY EXCITED

Buying Movement is Due Largely to Unfavorable Reports from Nebraska, Manitoba and Russia.

CHICAGO, May 13.—In the most sensational opening in the history of the Chicago Board of Trade, wheat today shot past the $1 mark. Heavy realizing sales pushed the price backward somewhat, but at the close the market was strong, and, according to the majority of speculators on the board, the demand upon which the late advance has been made is still unsatisfied.

The net advance for wheat today was 4 cents for July and September options and 4¼ cents for the December. From the low point of Monday of last week, July wheat had advanced 13¾ cents, September has gone up 15¾ cents and in the December option the high point of today was 16¾ cents above the low price of last Monday.

It was a certainty that a strong bulge would take place in the wheat market at the opening. Country orders have been pouring in seemingly in an endless stream and in obedience to them, brokers stood ready to buy millions of bushels at the market. Shorts were in a highly nervous condition and were eager to cover. The result was that as soon as the gong sounded there was a terrific roar of voices all anxious to buy and nothing to sell. The market was too big and broad to be followed with any certainty and brokers filled orders frequently 7 cents away from the point at which they had hoped to buy. The confusion was so great that for a few minutes but little actual business was transacted, the brokers fighting and struggling in the effort to get hold of wheat from anybody or at any price. The July options sold, as soon as figures could be registered out of the confusion, anywhere between 93 and 94 cents, which was 1¼ to 2¾ cents higher than the close of Saturday. September opened at 95 to 99c, which was up 1¾ to 1¾ cents above the closing of Saturday. December had a wider range than either of the other options and the opening quotations ranged at all figures between 96½ cents and $1.03. This price was 1½ to 8 cents above the final quotations of Saturday.

Advance Temporarily Checked.

The rush of buying orders seemed to come from almost every city in the United States which was situated along a telegraph wire. They came from Winnipeg and from Louisiana and from all points on the Pacific and Atlantic seaboards. The professional traders were of the opinion that the opening was a little too vigorous. As soon as trade steadied a trifle millions of bushels were thrown upon the market in realizing sales and the advance for a time was checked. The buying orders, however, still poured in and the market soared up again. Again the long wheat came out and brought about a reaction, and again the country buyers forced it up. The situation was too strong for any man or any clique of men to stop. The country at large seemed determined to buy wheat at whatever price it could be had. There were no claims in any direction that the market was being manipulated. The general opinion seemed to be that the advance was based on natural conditions which are certain to curtail in large degree the world's coming crop of wheat. The advices from all parts of the west and northwest confirmed all previous reports of damage by weather and insects, while the telegrams from the Canadian northwest claimed there was no possibility of reseeding in that district and every day of delay meant the loss of thousands of acres that might otherwise have been sown to wheat.

Cablegrams reported the markets at Liverpool and Budapest to be in a highly excited condition, with prices advancing strongly. Liverpool was declared to be affected by gloomy reports from Russia and it was the belief of many prominent commission men that Europe will be forced to buy heavily in the American market and that the American market, instead of being able to meet this demand, will be scarcely strong enough to supply such wheat as is needed for home consumption. Such prominent traders as William H. Bartlett and James A. Patten declared that the conditions warranted the sensational advance in prices, declaring that the wheat problem for this year will be a difficult one for European buyers to solve. Among smaller traders predictions were made that before the present advance has stopped July wheat will go certainly over $1.25 and possibly $1.50.

Rise Reflected in New York.

NEW YORK, May 13.—"Dollar wheat" on the Chicago Board of Trade today was reflected in a violent advance on the Produce exchange here, where trading assumed tremendous proportions. July wheat opened at $1.00¾@$1.03½, an advance of 4c over Saturday's close. September opened at $1.01@1.03⅝, an advance of 4c. December jumped from $1.04 to $1.05⅝ at the opening, having closed Saturday at $1.01⅝. In the first hour of trading it is estimated 2,000,000 bushels were bought and sold in the pit. Severe losses are said to have been sustained by belated shorts.

Reports from the British grain market indicated panicky conditions because of the gloomy advices from Russia and other continental countries. There was a wild rush to execute orders for both the long and short accounts at the opening here, there having been a heavy accumulation of buying orders over Sunday. Fluctuations were violent and in some instances a cent apart. The local traders vigorously pressed their advantage. Heavy realizing on the advance did not appear to check the upward movement, but after the first hour the market became quieter.

The pit fairly boiled with excitement in the first hour. The execution of each heavy buying order with a resultant advance in prices caused wild demonstration.

During the afternoon there came a pause in outside buying and prices fell off from 1 to 5½ points from the extreme high figures in the early advance. The decline was materially assisted by selling, which began soon after prices began to run ahead of the quotations in Europe.