THE OMAHA DAILY BEE

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ALTON FOUND GUILTY

Chicago Jury Convicts Railroad of Paying Rebates to Shippers.

TWO COUNTS IN INDICTMENTS VOID

Judge Landis Excludes Sections Relative to Refunding Passenger Fares.

MOTION IS MADE FOR NEW TRIAL

Court Will Hear Arguments of Attorneys This Morning.

PART OF FREIGHT CHARGES RETURNED

Packers Allowed $1 a Car for Use of Track—Court Declares This is a Rebate Because It Was Not in Tariff Sheet.

CHICAGO, Ill., July 6.—The Chicago & Alton railroad and John N. Faithorn and Fred A. Wann, formerly officials of the road, were today convicted in the United States district court of illegally granting rebates to the Schwarzschild & Sulzberger Packing company. No sentence was imposed today by Judge Landis, pending the arguments for a new trial for the defendants, which will be heard tomorrow morning. It was claimed by the government that the officials of the railroad company had allowed the employes of the packing company to travel free of expense by refunding to them all money expended for transportation. It was declared by the court that this did not comprise a rebate, and he instructed the jury that a verdict of not guilty should be returned as to the counts of the indictment which charged the giving of rebates in connection with this passenger transportation.

In the other eight counts of the indictment on all of which the defendants were found guilty, two offenses against the Elkins law were proved. It was shown by the government that the railroad company had charged $4 per car for handling the products of Schwarzschild & Sulzberger at Kansas City and had then repaid the packing company $1 on each car. The government claimed, and the court held that the failure of the railroad to publish in its tariff sheet the fact that the $1 was repaid made it in fact a secret rebate. It was claimed by the attorneys for the defendants that the refund of the $1 per car was necessary because the packing company owned the railroad track near its plant and compelled the railroad company to pay that amount for trackage when it hauled the cars away.

Under the law the maximum sentence of the court may be a fine of $120,000 for each of the three defendants. No imprisonment provision appears in the law. There are two specific allegations of rebating alleged in the eight counts of the indictment upheld by the court.

RAILROAD MEN GAIN ONE POINT

Court Holds That Elkins Law Does Not Contemplate Prison Sentence.

NEW YORK, July 6.—Judge Holt, in the United States supreme court, today handed down an opinion the effect of which was to dismiss the indictments found against Nathan Guilford, vice president, and F. S. Pomeroy, traffic manager of the New York Central railroad, and C. Goodloe and Edwin Earle, the latter sugar merchants of Detroit, charging them with conspiracy to violate the provisions of the Elkins rebating act, punishable by imprisonment. The court, however, also holds that the indictments against the New York Central road, Guilford and Pomeroy, found under the Elkins act are good and sustains them so far as they are punishable by fine.

In sustaining the demurrer to the conspiracy indictments and dismissing the demurrer to the other indictments the court holds that congress did not intend violations of the Elkins law to be punishable by imprisonment. Judge Holt further holds that the amendment to the Elkins act providing a punishment by imprisonment was not retroactive and therefore could not include the men charged with conspiracy.

The American Sugar Refining company, jointly indicted with the New York Central, pleaded not guilty, but interposed no demurrers to the indictment, preferring evidently to stand trial under the indictments as returned.

"The public," said United States District Attorney Stimson today, commenting on the decision, "must not misunderstand Judge Holt's decision. The government charges the defendants with two distinct crimes: one for conspiring to commit an offense against the government, and the second for the actual commission of that offense. The conspiracy indictment was returned under a federal enactment entirely separate and distinct from the Elkins act. By this decision Judge Holt merely holds that congress did not intend a violation of the Elkins act should be punished with imprisonment, and throws out that indictment. The indictments returned under the Elkins act are sustained in their entirety by Judge Holt, and we shall proceed to try the accused forthwith or as soon as possible. Judge Holt's decision only affects the form of punishment to be administered if the accused are found guilty."

HOUSER FOUND NOT GUILTY

Wisconsin Secretary of State Acquitted of Charge of Attempted Bribery.

MADISON, Wis., July 6.—Walter L. Houser, secretary of the state of Wisconsin, was acquitted in the Dane county municipal court tonight of the criminal charge of having attempted to bribe Zeno M. Host, state commissioner of insurance, on June 16, 1902, by taking a prepared decision in the Brunkhorst-Equitable Insurance case from Robert Luscombe to the commissioner and telling him, as alleged in the complaint, that the Equitable society would contribute $2,000 to the La Follette campaign fund if such a decision were rendered. It took the jury over four hours to reach the verdict of acquittal.

BURLINGTON GETS ENGINES

Thirty of Pacific Type to Be Used on Lines in the West.

CHICAGO, July 6.—Thirty huge Pacific type locomotives have just been delivered to the Burlington road for service between this city and Denver. The machines outweigh by 87,000 pounds the heaviest passenger engines the Burlington road has ever had.

ALLEGED ANARCHIST TAKEN

August Rosenberg, Said to Be from Seattle, Arrested by Prussian Police.

ALTONA, Prussia, July 6.—It became known today that August Rosenberg, an alleged anarchist from Seattle, Wash., was arrested here Tuesday, July 3, as he was leaving a train arriving at Altona. Acting on information received from the police of New York the authorities were watching for Rosenberg, who has relatives living here. Rosenberg, who was accompanied by his wife, came to Europe on the Hamburg-American steamer Patricia, which left New York June 16 and arrived at Hamburg June 22. The prisoner affirms that he is an American citizen. His baggage has been forwarded to another part of Germany and has not yet been searched by the police.

LONDON, July 6.—According to a dispatch to a news agency the alleged anarchist arrested at Altona, Prussia, is named August Rosenberg and he is accused of having had designs on the life of Emperor William.

NEW YORK, July 6.—A dispatch from Seattle July 3 reported that the police of that city, acting at the instance of the German government, had raided the house formerly occupied by August Rosenberg, a brother, and had found a plant for making [illegible] and infernal machines. Rosenberg left Seattle for Hamburg, Germany, on May [illegible] that time the German government [illegible] a warning from Seattle that an attempt would be made to assassinate the German emperor. The German consul at Seattle subsequently received a cablegram from Hamburg instructing him to investigate. The articles seized included more than 200 bottles of acids and explosives, crucibles, mortars, moulds, a furnace and considerable scrap iron.

BRYAN MEETS WAR MINISTER

As Guest of Major Beacom, Nebraskan Talks with Head of British Army.

LONDON, July 6.—William J. Bryan today lunched with Major John H. Beacom, the United States military attache, to meet War Secretary Haldane. The luncheon was arranged particularly so that Mr. Bryan and Mr. Haldane could meet. No other guests were present.

Ambassador and Mrs. Reid gave a luncheon at Dorchester House today to a large party of visiting Americans, including Paul Morton and Mr. and Mrs. Morton, Bishop William F. Lawrence, Boston, and Mrs. Lawrence; John W. Yerkes, commissioner of internal revenue; M. O. Keeler, former governor of Connecticut, and D. O. Mills.

Mr. Bryan has decided not to leave London on Monday, as he had intended, but will remain until Thursday, principally to hear Mr. Haldane, at the latter's invitation, deliver a speech on army retrenchment in the House of Commons, after which Mr. Bryan will start on his tour of the Rhine, Switzerland and Italy. Mr. Bryan has also accepted invitations for next week from Winston Spencer Churchill and others in public life, when he will meet many prominent persons. He will go to Wrest Park tomorrow with Ambassador and Mrs. Reid.

SOCIALISTS TO START SCHOOL

Germans Will Instruct Youth on Economical Subjects from Party Standpoint.

BERLIN, July 6.—The executive committee of the socialist party has announced its intention to establish a partisan school in the autumn, with the object of preparing socialistic youths for public life, by lectures on national, economic, socialism, law, history, science, literature, the natural sciences and debating exercises.

The Vorwaerts, organ of the party, says that no expense should be spared to carry out the plan of thus creating a body of well informed agents, adding that, owing to the Reichstag's decision to payments of the Reichstag for their services, it is not necessary for the socialists to collect money to pay their own members, as has hitherto been done, thus saving $20,000 annually for the "partisan war school."

NEW SPANISH MINISTRY

Field Marshal Domingues Succeeds Moret as Premier with Portfolio of War.

MADRID, July 6.—King Alfonso today sanctioned the appointment of the following ministry to succeed the cabinet, headed by Moret Prendergast, which resigned yesterday:

Premier and Minister of War—Field Marshal Lopez Dominguez.
Minister of Foreign Affairs—Senor Guilon.
Minister of the Interior—Bernabe Davila.
Minister of Finances—Navarro Reventer.
Minister of Public Works—Garcia Prieto.
Minister of Marine—Senor Alvarado.
Minister of Instruction—Amalio Giemento.
Minister of Justice—Count Romananones.

Although the Moret cabinet disappears, the new ministry represents the same general policy, consisting of prominent men representing the various liberal groups in the Senate and Chamber of Deputies.

Morton Before Lords.

LONDON, July 6.—Paul Morton, president of the Equitable Life Assurance society, and Emery McClintock, vice president of the Mutual Life Insurance company of New York, appeared before the select committee of the House of Lords on life insurance. Mr. Morton explained the methods by which the Equitable was conducted and called attention to the special provision made for the security of British policy holders by the $500,000 deposits in the Bank of England. He considered that the investigations had clearly shown the sound financial position of the society, but he admitted that confidence in it had been restored more in America than abroad.

Ambassador at Constantinople.

CONSTANTINOPLE, July 6.—Mr. Jay, secretary of the American legation, yesterday presented to Foreign Minister Tewfik Pasha a note formally announcing the elevation of the legation to the rank of an embassy and saying that so soon as new credentials are received by Ambassador Leishman the change will take effect. The note also expresses the hope that the decision of the United States will be recognised as fresh proof of the friendly relations existing between the two states and the esteem felt for Turkey.

Persians Repulse Turks.

CONSTANTINOPLE, July 6.—A Turkish attempt to seize further territory on the Persian frontier has been checkmated by the governor of Pushkar, who repulsed the invading force of 300 Turkish regulars and 700 mounted Arab regulars with considerable loss to the raiders. The council of ministers has now instructed the Turkish commander, Zekki Pasha, to withdraw his troops from their most advanced positions and to avoid further causes for a rupture with Persia.

SCANDAL IN RUSSIAN FINANCE

Minister Admits Padding of Estimates to Liquidate War Expenses.

OBJECT BEING TO SECURE LARGER LOAN

Statement Causes a Sensation in the Lower House—Another Move Toward a Responsible Ministry.

ST. PETERSBURG, July 6.—While the action of the lower house of Parliament today in appropriating $7,500,000 to be dispensed by the administration for famine relief was epochal, as the first recognition of the cabinet by Parliament and the first step in joint work, its importance was far overshadowed by the revelation of alleged admissions made by Minister of Finance Kokovsoff in the budget commission about the padding of estimates for the liquidation of war expenses, in order to be able to extract a larger loan from the foreign markets. These developments made an immense sensation and were eagerly discussed in the corridors of the chamber, where it was declared that if the statement of the commission members were true it placed Russian financial methods on a par with those of mushroom South American republics and would undermine the confidence of foreign financiers in the old guard now managing Russian finances and immensely complicate future credit operations.

All this naturally is fish for the net of the constitutional democrats, who see in the revelations the brightest prospect for forcing the transfer of administrative power to a responsible cabinet.

All of today's moves of the constitutional democrats point to a realization of their expectation that they may soon be entrusted with the full responsibility of government, unhampered a bureaucratic ministry. The speeches of floor leader Nabokoff and others on Thursday during the debate on the Sidelnikoff incident show that the decision to break with the extremists and socialists, as foreshadowed in the recent interview of the Associated Press with Ivan Petrunkevitch, has been definitely taken and that the party leaders are now looking forward to constructive work in place of merely destructive criticism of everything governmental.

Warning from the Rech.

The Rech today, discussing the efforts made in the British House of Commons to induce the British government not to send a fleet to Cronstadt, says:

"Whether the fleet comes or does not come, the sympathy of the English with the struggle of the Russian democracy for constitutional institutions is already proved. The same is true of France. As regards Germany, it is the sole supporter of the old regime in Russia. Emperor William prefers to maintain the sources of weakness of the Russian state in order to profit thereby, but Emperor Nicholas should remember the danger of outside interference. It was the duke of Brunswick's threat to destroy Paris if King Louis was harmed which forfeited the king's head."

During the debate in the lower house of Parliament today on the Bialystok report an orthodox priest, Father Aranasieff, a radical member from the Don province, fiercely denounced the policy of the government, which, he declared, instead of being directed to pacifying the country, seemed to be deliberately provoking anti-Jewish riots and every manner of class and race strife by the spread of proclamations against the Jews and revolutionists.

Disorder in Interior Cities.

BATOUM, Transcaucasia, July 7.—The mutiny of troops here is ended. The ringleaders escaped, whereupon their followers yielded and are confined in the fortress.

WARSAW, Russian Poland, July 6.—The reign of crime and terrorism is so great here that the police have decided to resign. A few days ago, as a measure of protection against assassination by the revolutionists, the system of police beats was abandoned and the police were formed into patrols for mutual self-protection against bomb throwing, etc. But this only made it easier for the terrorists to shoot them. The governor general, when apprised of the decision of the police to resign, threatened to arrest and punish those who failed to appear for duty.

BERLIN, July 6.—A dispatch to the Lokal Anzeiger from Kattowitz, Prussian Silesia, says that twenty-five Cossacks today surrounded a lime kiln at Miechow, in the province of Kielce, Russian Poland, on information that it was being used for the manufacture of bombs. As the Cossacks were forcing their way in a terrific explosion blew the kiln to pieces. Eight Cossacks were killed and five were wounded. It is not established whether the explosion was caused by the bomb makers inside or whether the kiln was exploded from a distance.

PREMIER SEES PRESIDENT

New Zealand's Representative Would Have Reciprocity Law with United States.

OYSTER BAY, N. Y., July 6.—Sir Joseph Ward, premier of New Zealand, took lunch with President Roosevelt at Sagamore Hill today. Before proceeding to the president's home Sir Joseph said he was most interested in discussing with the president the possibility of negotiating a reciprocity treaty between the United States and New Zealand. The latter country he said had a surplus of wool and gum.

New Zealand could negotiate a treaty with the United States, he said, without reference to the British government and he was prepared to take the official preliminary steps in that matter and was anxious that such steps should be taken before he leaves the country. He said he should endeavor to leave the matter in the hands of the British embassy in Washington on his departure from the country.

WESTERN MATTERS AT CAPITAL

Major R. B. Turner Ordered to Take Charge of Construction Work.

(From a Staff Correspondent.)

WASHINGTON, July 6.—(Special Telegram.)—Major Reuben B. Turner, Eighth infantry, will proceed to Fort Meade and assume charge, temporarily, of construction work at that post, relieving Major George Hunter, Sixth cavalry, of that duty.

The First National bank of White Lake, S. D., has been authorized to begin business with $25,000 capital. H. W. Hinrichs is president, John Goeres vice president and John P. Baker cashier.

Civil service examinations will be held at Omaha, July 11, and Laramie, Wyo., August 8, for positions of clerk and carrier in the postoffice service.

WHITE AND MRS. HARRY THAW

Chauffeur of Dead Man Says They Were on Friendly Terms Recently

NEW YORK, July 6.—Mrs. Harry K. Thaw's visit to her husband in the Tombs prison was very brief. She remained scarcely more than ten minutes in the prison, and after leaving there went to the offices of her husband's attorneys.

That Mrs. Thaw and Stanford White were on friendly terms up until last September is the assertion made in a signed statement given out today by John Burns, who was employed by White as a chauffeur. Burns says in his statement that on two occasions, once in February and again in September, 1906, the electric cab which he drove was placed at Mrs. Thaw's disposal by White. The first of these occasions was before her marriage, the second was five months after it. In each instance, according to the chauffeur, she was taken from a restaurant to her hotel, and in neither case did White accompany her.

Dr. Allan McLane, the alienist, who has been retained by the defense, spent nearly two hours with Thaw today. Upon leaving the prison he said that he had examined Thaw at the request of counsel for the defense. He would say nothing, however, regarding the result of the examination.

Former Judge Olcott, after reading the statement given out today by Chauffeur Burns said he wished to deny absolutely that Mrs. Thaw since her marriage had been a guest of White and had used his automobile. "There is not one chance in a million of it being true," said Judge Olcott.

Assistant District Attorney Garvan said that although he had examined Burns in connection with his investigation of the Thaw-White tragedy, he never had heard of Mrs. Thaw's rides in White's automobile until today. Burns told him nothing whatever during the examination concerning White having entertained Mrs. Thaw, he said.

PITTSBURG, July 6.—Mrs. Charles J. Holman, mother of Mrs. Harry K. Thaw, broke silence today for the first time since the killing of White and in a short statement issued to the press made denial of many stories printed in Pittsburg and New York papers. Mrs. Holman says:

I never introduced my daughter to Stanford White. I never took her to theater managers. I accompanied her, as I would not permit her going alone. I have been maliciously misrepresented. My story will be told at the proper time. I am not in strict seclusion; have received all friends, but denied all reporters.

LONDON, July 6.—It is reported that Mrs. Thaw, mother of Harry K. Thaw, who is now in the Tombs, New York, charged with the murder of Stanford White, sailed for home today from Dover on the Hamburg-American line steamer Kaiserin Auguste Victoria. It is believed that the report is true, but every effort has been made to envelop Mrs. Thaw's movement with secrecy and no confirmation of the rumor has yet been obtained.

Later in the day the earl and countess of Yarmouth confirmed the report that Mrs. Thaw sailed for New York today.

AERONAUT CARRIED OUT TO SEA

Providence Balloonist Picked Up by Fishing Boat Several Miles Off the Coast.

BOSTON, July 6.—After one of the most remarkable experiences in the history of aerial navigation, James K. Allen, the aeronaut who made a balloon ascension at Providence on the Fourth of July, was brought to this port tonight on the fishing schooner Francis V. Sylvia. Allen was picked up at sea twelve miles off Chatham at 7:30 o'clock yesterday morning, eighteen and a half hours after his departure from Providence.

Allen had a narrow escape from death by drowning, the winds that prevailed Wednesday having blown his balloon a long distance from shore. Until news of his arrival here became known it had been thought that he had met his death, as it was known that at the last time he was sighted on Wednesday evening he was traveling out to sea.

That Allen is alive tonight is due wholly to a fortunate shift of the wind. When he made his ascension at Providence on Wednesday the wind was blowing a brisk breeze from the southwest. The aeronaut was carried in his balloon in a northeasterly direction and passed over the town of Attleboro. He had his balloon under perfect control at that time and while in the vicinity of Attleboro he descended twice.

From Attleboro the airship traveled in the direction of Brockton, and the last seen of the aeronaut by observers on shore was when he passed over Scituate early in the evening. At that time the balloon was headed straight out to sea. When Thursday dawned without any news being received from Allen and it became known that the last time he was seen was when he was on the ocean shore headed out to sea it was then believed that he would never return. After Allen passed over Massachusetts bay his plight was more perilous. Wednesday night he was over Provincetown. At this point of the voyage the wind shifted from southwest to northeast, and from Provincetown the balloon sailed down the outer Cape Cod coast. At 7:30 the aeronaut was rescued twelve miles off Chatham by the fishermen of the Sylvia. The balloon was saved in good condition and was brought to Boston on the schoner. During his flight Allen covered a total distance of about 200 miles, nearly half of which was over the water. The point where he was picked up is about seventy-seven miles from Providence.

ELECTION CASES ARE DROPPED

Defeated in Supreme Court, Denver Honest Election League Will Not Continue.

DENVER, Colo., July 6.—Attorneys for the League for Honest Elections today asked leave to withdraw their petition in the criminal court for a grand jury to investigate alleged frauds in the vote on franchises at the city election May 15.

They made a formal statement, the purport of which was that they wanted to have a jury drawn by elisors and the investigation conducted by special prosecutors, and as the supreme court had forbidden District Judge John I. Mullins, sitting in the criminal court, to oust District Attorney Stidger and Sheriff Nisbet, they had decided to drop the matter.

The court took the request under advisement and probably will announce its decision tomorrow.

The supreme court today issued injunctions against District Judge Mullins preventing him from removing officials who would serve in summoning and advising a grand jury. Judge Mullins construes this ruling as applying to the Honest Eelection league application for a grand jury and intimated that he would tomorrow, on his own account, start new proceedings.

GARFIELD FOR ROSEWATER

Republican County Convention Endorses Him for Senatorial Nomination.

DELEGATES INSTRUCTED BY RESOLUTION

Every Precinct Represented and the Resolutions Adopted Are Voted Without Dissent by Assembled Delegates.

Republican Instructions to Date.

FOR ROSEWATER FOR SENATOR.

	Delegates.
Cedar	11
Douglas	85
Garfield	4
Total	96

FOR BROWN FOR SENATOR.

Buffalo	15

FOR WALL FOR GOVERNOR.

Sherman	6
Valley	8
Total	14

FOR ROUSE FOR GOVERNOR.

Hall	14

FOR MILES FOR GOVERNOR.

Adams	15

FOR BRIAN FOR TREASURER.

Boone	11

BURWELL, Neb., July 6.—(Special Telegram.)—At the Garfield county republican convention today every precinct was represented. The delegates to the state convention are J. A. Brownell, E. Bailey, George Worth and E. B. Schamp, all of Burwell, and are for Rosewater for senator and go under the following resolution, offered by Judge G. S. Todd:

Whereas, The republicans of Garfield county in convention assembled, recognize in Edward Rosewater a man of the highest type of citizenship, a man who has the courage of his convictions and at all times ready to oppose graft and the domination of corporation greed. We recognize the fact that for many years Edward Rosewater has championed the cause of the common people, and while he has incited the enmity of the professional politicians of our state, he has likewise inspired the confidence of the rank and file of the people of Nebraska. We congratulate him upon the great victory just achieved in Douglas county and the rebuke administered to corporation and dishonorable methods resorted to by designing enemies. We recognize in Mr. Rosewater the qualities that go to make up the true statesman and believe that as United States senator he would reflect great honor and be of great service to the state. Therefore, be it

Resolved, That we heartily endorse Edward Rosewater as our choice for United States senator, and urge our delegation to the state convention to use all honorable means to secure his endorsement by said convention for such office.

Kinkaid was endorsed and the delegation is for him. T. H. Doran was allowed to name the representative delegation. He named the following delegates: P. P. Scott, Harry Whitesell, James Galino. C. I. Bragg was renominated for county attorney.

WARRANTS OUT FOR WITNESSES

Criminal Prosecutions to Grow Out of Millionaire's Divorce Suit at Pittsburg.

PITTSBURG, Pa., July 6.—A controversy by opposing counsel in the sensational suit of Augustus Hartje, a millionaire paper manufacturer of this city, against Mary Hartje, his wife, for divorce, which is now being tried here, has developed that Chief County Detective Robert G. Robinson has warrants in his possession for the arrest of Augustus Hartje, John L. Welshons, a wealthy business friend, and Clifford Hooe, colored, former coachman for Hartje. The charge against the three is conspiracy and the informations were made before Alderman Festus M. King by Detective Robinson on April 18.

The warrants have not yet been served and District Attorney Robb stated today no action would be taken until the divorce trial is concluded. Hooe, the negro coachman, who was named as a co-respondent in the case, is now in jail awaiting trial on the charge of perjury in connection with a deposition made previous to the opening of the present trial.

The first information that warrants had been issued was received by Attorney Ferguson, Hartje and Welshon when they read the evening papers. Attorney Ferguson immediately went to Alderman King's office with Attorney Marion, Augustus Hartje, Edward J. Hartje and Mr. Welshon, where a demand was made that the warrants be served. The lawyers read the papers and then arranged for bail, which was placed at $3,000 in each case. Attorney Edward J. Hartje went on the bond of his brother, Augustus, and Mr. Welshon. The hearing was fixed for Saturday, July 14.

LITERATURE FOR IMMIGRANTS

Prof. Canfield Would Have Public Libraries for Assistance of Foreign Citizens.

NARRAGANSETT PIER, R. I., July 6.—A recommendation that every public library in this country should be equipped with books intended to help immigrants to become citizens was made to the American Library association today by James H. Canfield of the Columbia university law library. He said:

Immigration to this country has become so enormous and is affecting so directly all the conditions of urban life that we must assimilate these people by the most rapid methods. It is a mistake to consider their presence a menace. There ought to be in every public library in every city of any size at least the classics in several languages to win the confidence of these people and to draw them to these libraries. Once there they should find elementary text books in civics and other literature that will be helpful to them in their new relations, translated from English into their own language. In other words, securing them as patrons of the public library by their own classics, we should minister to their needs precisely as we minister to the needs of our own people. No such texts exist, even in English. It is this very point upon which discussion ought to turn—what this association may be able to accomplish in the way of preparing or securing the preparation of such texts.

The following officers were elected:

President, C. W. Andrews, John Crerar library, Chicago; first vice president, P. P. Andrews, Albany, N. Y.; second vice president, Katherine L. Sharp, University of Illinois library, Urbana, Ill.; secretary, J. I. Wyer, Albany, N. Y.; treasurer, C. P. Bowerman, District of Columbia public library; recorder, Helen E. Haines, New York City. Members of the association council: G. S. Goddard, Hartford, Conn.; T. W. Bloch, Michigan State university library, Ann Arbor, Mich.; Herbert P. Putnam, librarian of congress, Washington, D. C.; Alice Tyler, Iowa State Library commission, and P. B. Wright, St. Joseph's public library, St. Joseph, Mo.

THREE FENCERS PLEAD GUILTY

Montana Men Fined $500 Each and Sentenced to Twenty-Four Hours in Jail.

ST. PAUL, Minn., July 6.—A special to The Pioneer-Press from Helena, Mont., says: Former United States Marshal J. H. Woolman, Grant Christian and Frank D. Cooper today pleaded guilty in the United States court to illegal fencing of government lands, and were fined $500 and sent to jail for twenty-four hours by Judge Hunt.

NEBRASKA WEATHER FORECAST

Fair Saturday and Warmer in West Portion; Sunday, Fair.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	61	1 p. m.	75
6 a. m.	62	2 p. m.	76
7 a. m.	63	3 p. m.	75
8 a. m.	65	4 p. m.	75
9 a. m.	67	5 p. m.	75
10 a. m.	70	6 p. m.	75
11 a. m.	74	7 p. m.	74
12 m.	74	8 p. m.	72
		9 p. m.	69

SUIT AGAINST TREASURER

State of Kansas Trying to Recover Ten Thousand Dollars from T. T. Kelly.

TOPEKA, Kan., July 6.—The examination of witnesses in a suit against T. T. Kelly, state treasurer, to recover an alleged shortage of $10,000 in his office, was begun here yesterday by Attorney General Coleman.

A supposed shortage of $77,000 in the state treasurer's accounts running through two administrations was discovered several months ago and made public by Governor Hoch. Treasurer Kelly, it is alleged, failed to account for certain interest bearing warrants supposed to have come into his possession.

District Judge A. W. Dana today sustained a demurrer to one count charging a shortage of $6,400 in the loss of interest on certain Oklahoma warrants, holding that Kelly had the right to dispose of the warrants as he saw fit. Attorney General Coleman thereupon withdrew another count of similar nature involving certain coupons owned by the State Agricultural college. After the defense had introduced its testimony respecting the two remaining counts, involving a total of $500, Judge Dana took the case and stated that he would announce his verdict on Monday next. The case was not tried by jury.

MAYOR ROSE IN CONTEMPT

Kansas Court Fines Kansas City Man for Being Elected to Office.

TOPEKA, Kan., July 6.—The state supreme court today handed down a decision holding Mayor W. W. Rose of Kansas City, Kan., in contempt for having assumed the office of mayor after the court had ousted him for the nonenforcement of the prohibition law and the law against gambling. In the order today Mayor Rose is ordered to relinquish the office and is fined $1,000 for contempt. The court further orders if Mayor Rose fails to pay the fine within twenty days he shall be committed to jail until such time as it is paid.

Mayor Rose's attorneys immediately filed a writ of error. If this is not granted the case will be appealed to the United States supreme court.

After being ousted last January Rose was re-elected at a special election.

MAYOR BIDAMIN IS REMOVED

Court Decides Against Indiana Mayor Who Attempted to Enjoin Impeachment.

TERRE HAUTE, Ind., July 6.—Judge W. D. Robinson of the Indiana appellate court sitting today as special judge in the petition of Mayor Edwin J. Bidamin to restrain Frank M. Buckingham from assuming the office of mayor, dissolved the temporary restraining order and held that the action of the city council in outsing Mayor Bidamin was legal and that Bidamin had no claim on the office. Buckingham, who was comptroller, became mayor on the impeachment and removal of Bidamin. Pending the ruling on the legality of the council's action, the city has been without an official head and all municipal business has been tied up.

TRANSPORT THOMAS AGROUND

Vessel Bound for Manila Fast on Coral Reef Near Island of Guam.

MANILA, July 6.—The United States transport Thomas is reported to be ashore on a coral reef near the island of Guam. General Wood has asked the secretary of war for authority to send the transport Meado to take off the passengers and cargo of the Thomas, whose position is favorable as long as good weather prevails. The Thomas is reported to have run on the reef a distance of 100 feet. Efforts to dislodge it thus far have been futile. All on board the Thomas are safe. It carried no troops.

DECLARE FOR TWO-CENT FARES

Federation of Traveling Men's Associations Favor Flat Rate for All.

PUT IN BAY, O., July 6.—This evening the seventh annual convention of the International Federation of Commercial Travelers' Organizations adopted a resolution declaring for a flat 2-cent rate to the traveling public.

The convention adjourned to meet at Colorado Springs next year. George S. Dane of Utica, N. Y., was elected president; Louis T. L. Beaume of St. Louis, vice president, and Arthur L. Sheets of Omaha, treasurer.

HAILSTONES BIG AS ORANGES

Child Killed and Fifty Persons Injured by Heavy Storm in Spain.

VALENCIA, Spain, July 6.—A hailstorm today killed one child and injured fifty persons. Hailstones as big as oranges smashed the roofs of houses, causing the inhabitants to take refuge in the cellars. The crops in many districts were destroyed and great distress prevails. Relief is urgently requested.

Movements of Ocean Vessels July 6.

At New York—Arrived: Dora, from Marseilles; Pennsylvania, from Hamburg; Indiana, from Naples.
At Manchester—Arrived: Caledonian, from Boston.
At Liverpool—Arrived: Philadelphian, from Portland. Sailed: Georgic, for New York; Cymric, for Boston.
At Moville—Arrived: Ionian, from Montreal. Sailed: Victorian, for Montreal.
At Bremen—Arrived: Prinzess Alice, from New York.
At Dover—Sailed: Kaiserin Auguste Victoria, for New York.
At Queenstown—Sailed: Parisian, for Glasgow; Cambrian, for London.
At St. Michaels—Arrived: Canopic, from Boston.
At Copenhagen—Arrived: Oscar II., from New York.
At Christiansand—Sailed: United States, for New York.
At Marseilles—Arrived: Gallia, from New York. Sailed: Roma, for New York.

BLAME FOR TRAGEDY

Onus of Disaster Placed on Street Railway and Manawa Amusement Company.

CORONER'S JURY FIXES RESPONSIBILITY

Decides Through Owner's Negligence Six People Lost Their Lives.

NO WARRANTS FOR ARREST ISSUED

Question of Jurisdiction Stands in Way of Further Action.

IOWA AND NEBRASKA BOTH INVOLVED

Aside from Verdict of Council Bluffs Jury Inquest is Held by the Sarpy County Coroner.

At an inquisition holden at Council Bluffs, in Pottawattamie county, on the fifth and sixth days of July, A. D., 1906, before V. L. Treynor, coroner of the said county, upon the body of Mary West and others, there lying dead, by the jurors whose names are hereto subscribed, and said jurors, upon their oath, do say that the deceased came to their deaths by drowning in Lake Manawa on the night of July 4, 1906, following their precipitation into the water of said lake by the collapse of the floor or platform at the Kursaal, upon which the deceased and others were standing.

We further find that the said platform was carelessly and negligently constructed and was not built strongly enough to support the weight of the people who could and did gather upon it.

We further find that the management did not have a sufficient force of employes to manage and properly safeguard the number of people who were present at the Kursaal at the time of the accident.

We further find that the management did not have in attendance any person or persons of sufficient skill and knowledge to give proper aid to drowning persons.

We further find that the Omaha & Council Bluffs Street Railway company and the Lake Manawa Amusement company were negligent in the premises and that the deceased met their deaths by reason of such negligence.

The jury empaneled by Coroner Armstrong of Sarpy county, Nebraska, failed to arrive at a verdict. Two of the jury declined to join in a verdict condemning either the street railway company or the amusement company operating the resort, while the other members were as decided in returning a verdict holding both of them responsible. The coroner announced that he would summon another jury and resume the inquest early next week.

The above is the full text of the verdict rendered by the coroner's jury at the inquest held Friday in Council Bluffs by Dr. V. L. Treynor, coroner of Pottawattamie county, Iowa, over Mary West of that city and the other five victims of the disaster at the Kursaal, Lake Manawa, on the Fourth of July.

The jurors were Ovide Vien, C. C. Clifton and A. M. Hutchinson, all of Council Bluffs.

Attorney C. M. Harl of the legal firm of Harl & Tinley represented the street railway company and the Manawa Amusement company, while the state of Iowa was represented by Attorney Dillon Ross, assistant county attorney of Pottawattamie county. A. L. Werrick of Omaha took shorthand notes of the testimony at the instance of Mayor Dahlman of Omaha. Two local stenographers did the same for the street railway company and the county authorities.

The testimony of Chris Jensen, a prominent Council Bluffs contractor, was that the construction and design of that part of the Kursaal which broke was faulty. The inquest was held at Cutler's undertaking establishment.

Ten Witnesses Examined.

Ten witnesses were examined, the only expert testimony being that of Mr. Jensen, who testified as to that part of the Kursaal which collapsed. He declared the platform faulty in construction and design and said the joists which supported the platform were not placed on top of the girders, but simply placed end up and nailed. In his opinion it was a miracle that the platform had not given way before, as it was not in any way constructed to bear the weight that it evidently was intended for.

E. C. Brown, deputy game and fish warden, Tom Kendall, Reed Hanchet and I. Von Gorkis testified in a general way regarding the collapse, scrambling of the victims and the rescue work.

Other witnesses were Albert Heaston, D. B. Dentler, E. P. Gooden, Samuel Dobson and D. P. Cowles. Dentler and Heaston are employes of the Manawa Amusement company at the Kursaal. The testimony of the former was not of importance, but Heaston testified that he had been employed at the Kursaal ever since it was constructed and had never known of any repairs or any inspection of the structure being made.

No Arrests Yet Made.

Owing to the jurisdiction of the Iowa authorities over that portion of Lake Manawa in which the Kursaal is located being in dispute, both Coroner Treynor and Assistant County Attorney Ross declined to order warrants issued for the arrest of any of the management of the lake resort on charges of criminal negligence imputed by the coroner's jury.

The verdict was returned about 3 o'clock yesterday afternoon, the jury having gone out at 12:30. At 2 p. m. Coroner Armstrong of Sarpy county, Nebraska, began an inquest.

The list of dead remains at six. No more bodies have been found, though the search has been continued. Yesterday three of the victims were buried and others will be laid at rest today.

In Omaha, South Omaha and Council Bluffs the feeling is pronounced in favor of thorough action in this terrible calamity that will tend to guard against a repetition of the disaster. Manawa and its attractions are denied to the public for the present.

Sarpy County Inquest.

The inquest held yesterday afternoon at the Kursaal by Coroner R. V. Armstrong of Sarpy county, Nebraska, over the victims of the Fourth of July disaster at Lake Manawa failed of results, as the jury could not agree on a verdict. It was stated that two members of the jury declined to agree on any verdict which would throw the responsibility for the catastrophe on either the street railway company or the Manawa Amusement company, while the remaining members were equally determined that both corporations should be held responsible.

When it was found that the jury could not agree on a verdict Coroner Armstrong announced that he would empanel another jury and hold another inquest the first part of next week at Papillion, the county seat of Sarpy county. The jury after being empanelled will be taken to Lake Manawa to view the scene of the disaster.