

from the first story, about 20 feet above the prevenent, breaking one leg and sustaining internal injuries. Her husband had a narrow escape. The fire loss is probably covered by insur-

Chicago, Dec 3.—The friends of John Alexander Dowle today denied stren-uously the stories that the mind of the former leader of Zion church has become weakened. Dencon Lewis, Dowle's companion,

said, however, that Dowle had been very sick and is still far from being

**TWO BANCHERS** SETTLE A DISPUTE ULTILL A DIULUT

Washington, Dec. 2.—All that is mortal of Samuel Spencer, late presi-dent of the Southern raiway, whose tragic death on his own rairoad on the morning of Thanksgiving day, shocked the peope of two hemis-pheres, was laid to rest this afternoon in the receiving vault at the Oak-bill construct there to await final dis-

London, Dec. 3.—In view of the recent rumors regarding the condition of the health of Joseph Chamberlain, the ex-volonial secretary, a bulletin was issued from his residence, Highbury, Moore-Green, Birmingham, this morning, stating that Mr. Chamberlain maintains a steady improve-

### ARCHITECT COMING.

It is interesting to note that Mr. Newhouse has where all new York archi-tect to come out here at once to look over the location of the two great office buildings he is about to erect op-posite the Federal building. Mr. New-

ing method shall be used. There is a possibility that the Congressional Rec-nt will contain both styles of spelling. Representative Charles Landis, chairan of the house committee on print-

abed and it will be for the coramittee

an of the house committee on print-ing in discussing the question said: "The Congressional Record will con-tinue to be printed as heretolore, I mean that the simplified spelling rules vill not apply to the Record. Of course, in reprinting the president's message a the Record the simplified spelling toms that appear in the document will exclude but otherwise the Record printed, but otherwise the Record continue to be the same old fashmed fireside companion as of yore. The friends of the ship subsidy bill re insistent that that measure reive consideration at this session. The is still in committee in the house,

but its friends think they will be able to get it out in due season and have Speaker Cannon and many other members of the he Wei at the Capitol long before the seting of the house and engaged in a reminin and informal discussion of notable issues which will occupy

rough attention. The Japanese situation was discussed the generally by the members and the epinion was expressed freely that measures affecting the Japanese may is introduced in the house at any time presentative Kahn of California sid he does not think the California decition will take immediate steps to tush any legislation affecting Japaation probably will hold a meeting with two weeks for the discussion of the situation and doubtless will act as unit in case decision is reached to uge the passage of any special meas-Two Japanese exclusion bills, one Repres ntative McKinley of Califor-, and the other by Representative yes of California, are now pending in angress

resentative Needham of Califorthe was the first member of the dele-tation from that state to reach the Cupitel. Mr. Needhem is not from the San Francisco district, and consequentb is not in close touch with the situa-tion in that city arising from the exlusion of Japanese from the public shools attended by white children. He mid, however, that he believes the presin agitation will gradually die out, and the situation will quietly settle itself. At 12:44 the senate adjourned until

The house adjourned at 12:53 p. m.

# \$5,000,000 INVOLVED.

# fuit Brought by Philadelphia Against Filtration Plant Contractors.

Philadelphia, Dec. 3 .- The equity suit f the city of Philadelphia, involving of D. J. McNicholl of this city and othra in connection with the construction of the \$25,000,000 municipal filtration plant, was called for trial before Judge Bate in aller in the common pleas court to. aller in the common pleas court to. By The city charges that the money seeks to recover was obtained by a contractors by fraud and collusion.

# ORPHAN CHILDREN CASE.

Washington, Dec. 3.-The supreme surf of the United States dismissed toay for want of jurisdiction the case ay for want of jurisdiction the case of the New York Foundling hospital John C. Gatti. This decision revived the story of about 40 orphan children want from New York to Arizona in 1904. Which at the time received much atthe story of about 40 orphan children and from New York to Arizona in 1964, which at the time received much at-testion at the hands of the public. The steet of the decision which was deter-mined by Justice Day, is to leave in affect the decision of the Arizona su-press cout, which was favorable to Satu

# A. H. BUCK ARRESTED.

tte, Mont., Dec. 3.-Arthur H. Buck was arrested early this morning Back was arrested early this morning in information received by the local solic, which alieges that he has got may with several thousand dollars' with of cash and jeweiry, the prop-tive of the company, jeweiry mer-thants of 64-6 John street, New York. STUDENTS 'AS STOCK JUDGES.

Chicago, Dec. 3 .- Students of the Ontario agricultural college, Guelph, Ont., were awarded the first prize in the judging contest for all animals com bined at the International Live show, in the report made yesterday by Prof. J. H. Sheperd of North Da-

kota agricultural college, the superin-tendent of the judging. The students' judging team of the Ames agricultural college of Ames, Ia. took second, Ohlo ranked third, Kansas fourth, Michigan faith and Texas sixth.

In the contest of horse judging for the McLaughlin Brothers prize, Iowa was first, Texas second, Ohio third, Ontario fourth, Michigan fifth and Kansas sixth

For individual excellence, A. H. Hamer of Ontario ranked first. J. O. Olsen of Kansas second and C. C. Nixon of Ontario third.

# JEWELERS WARNED.

### To Beware of Glass Imitations of Rubies, Emeralds and Sapphires.

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

## "LODGE OF SORROW" SERVICES.

New York, Dec. 3.—Throughout this country the "Lodge of Sorrow" was observed by the Elks yesterday. Ser-vices were held in public halls, theaters and churches. One of the most impres-sive ceremonies was in Plymouth church, Brooklyn, where a congregation that reminded the older men of the days when Henry Ward Beecher preached, filled the vast building. Exalted Ruler Edward S. McGrath

presided. ALBERTA COAL STRIKE OVER.

Lethbridge, Alberta, Dec. 3.-The long-standing coal strike is over, the op-erators and men having come to terms last night. A large number of miners will return to work immediately. The

following terms were accepted: No check off or discrimination be-tween union and non-union men em-ployed, but a substantial increase in wages has been granted. Arbitration is also provided for in advance of future disputes. The news will cause great rejoicing throughout the entire west, as the strike has created a fuel famm coal has had to be brought from and coal the east.

## NO DANGER OF COAL FAMINE IN NEVADA.

San Francisco, Dec. 3.-There is no longer any danger of a fuel famine in San Francisco and Nevada, according to James H. Smith, vice president of the Western Fuel company Mr. Smith stated today that 6,000 tons of coal are now being unloaded in San Francisco and 12,000 tons more will arrive before the end of the week. Last week 1,000 tons were shipped to Nevada points and another 1,000 tons will be shipped

and another 1,000 tons will be shipped this week. The unusual demand from interior points, together with unavoid-able delay in loading the company's steamers at the mines, caused the shortage. The steamers are now get-ting quick dispatch and with the arriva! of Australian coal, which is soon due, the situation has been relieved. Coal, however, will not be plentiful for the next three months.



Washington, Dec. 3.—Senator Penrose today introduced a resolution calling on the president for information re-garding the discharge of a battalion of negro troops at Fort Reno, Oklahomá, account of the affray at Brownsville, Tex. The war department is preparit for

an investigation by Congress cases of the Twenty-fifth Infantry, recently discharged without honor by or-der of President Roosevelt, and to this end has complied a record of negro troops, dating back to the Civil war. It is said that this record discloses a state of affairs not generally known, and that once before, at least, the Twenty of the infantry "shot up" a Twenty-fifth infantry -fifth infantry "shot up" a The affair happened in 1885 at

Fort Sturgis, Dakota. Some of the negro soldiers went on a rampage sim-ilar to that at Brownsville, and one of their number killed a citizen. In that case however, the citizens took the men into their own hands, forced the troopers under pain of death to dis-close the name of the man who did the killing and then took him out and lynched him.

# I.T. COLLARD'S TRIAL.

Portsmouth, Dec. 3.-The trial by courtmartial of Lieut. Collard, R. N. charged with inflicting unusual punish-ment and using abusive language to a stoker in 1905, and with improper use of the order "on the knee" Nov. 4 last, which caused mutinous outbreaks outbreaks among stokers began here today.

# TO REIGN OVER PERSIA.

### Mohammed Alimirza, Heir Apparent, **Owing to Father's Illness.**

Terhan, Persia, Dec. 3.-The report that Mohammed Alimirza, the heir ap-parent and governor of Azerbai Jan, has been summoned from Tabriz to Tabae to examine the parameter during Terhan to assume the regency during illness of his father, the shah, is confirmed.

establishment of a Persian national bank and the issue of an internal loan with the object of emancipating country from dependence on foreign financiers appears to be assured.

### ENGINEER E. FEARL KILLED.

Spokane, Wash., Dec. 3.-A fatal wreck occurred at the Jefferson street crossing of the Northern Pacific this morning, a switch engine colliding with an extra eastbound freight. Engineer Ed Fearl of the Switch engine was in-stantly killed. No one else was serious-ly injured. It is said that the switch-ing crew had not been notified that the freight was coming, and it is sup-posed Engineer Fearl may have been looking backward watching for signals.

PRESIDENT SENDS IN

CABINET NOMINATIONS. Washington, Dec. 3 .- The president oday sent the following nominations to

the senate: Secretary of the Treasury-George B. Cortelyou. Attorney General-Charles J. Bona-

parte Postmaster General-George L, von

Meyer. Secretary of the Navy-Victor H. Metcalf.

Secretary of the Interior-James R. Garfield.

Garfield. Secretary of Commerce and Labor-Oscar S. Straus. Associate Justice Supreme Court-William H. Moody. Arthur W. Merrifield, to be United

States marshal for the district of Montana.

# And When it Was Settled Dead Bodies of Two Men and a Woman Lay by Roadside.

# TROUBLE OVER A LAW SUIT.

# Howard Gore Killed Edward Brady Mrs. Brady Shot Gore, He Killed Her Before He Died.

San Diego, Cal., Dec. 1 .- Three corpses by the side of the road between Escondido and San Luis Rey dam resulted from what was but a casual meeting of two ranchers named Howard Gore and Edward Brady this morning. The two have been at enmity for some time over a lawsuit over a claim Gore is alleged to have jumped and it is said

that many threats have been made. This morning the two met on the high-way 16 miles from Escondido in what is known as Hell's Hole canyon, along the line of the Escondido irrigation ditch The dispute was renewed and Gore sho Brady, killing him. Mrs. Brady, who was present, got hold of a gun and shot Gore, who then succeeded in killing Mrs. Brady before he died. Gore is understood to be unmarried,

but Brady had been married twice, his divorced wife being now Mrs. E. M. Abel of Escondido.

It is said that when the three met this morning the Bradys were unarmed, while Gore carried his rifle and imme-diately began firing at Brady. Two shots took effect but though seriously wounded, Brady was able to get to an open ditch, where he sought to protect himself from Gore's fire. Gore ran to the ditch and deliberately fired Gore ran u Brady, killing him. He then turned his attention to Mrs. Brady, who had start-ed for her house. He fired twice at ed for her house. He hed twice at the woman, wounding her and contin-ued to advance. She succeeded in get-ting into the house, where there was a rifle, which she loaded and knew how

to use. As Gore continued to comtoward the house, Mrs. Brady broke out a pane of glass in the window and fired. The shot took effect, but before Gore dropped he managed to fire an other shot which killed Mrs. H"ady. was 51 years of age and Gore Virginia Woods, who was at was 46. the Brady house, is the only witness to the triple tragedy.

# SAFETY APPLIANCES.

# Not Using Them.

Washington, Dec. 2.—Acting on re-ports submitted by the interstate com-merce commission, Atty, Gen. Moody has directed that suits be brought against a large number of additional railroad companies for violation of the safety appliance law. The defendants, the districts in which the suits will be brought and the number of violations include; Arizona & New Mexico railway, district of Ari-

number of violations include; Arizona & New Mexico railway, district of Ari-zona, two violations; Arizona & New Mexico railway, district of New Mex-ico, two violations; El Paso & South-western railway, district of New Mex-ico, one violation; Fort Worth & Den-ver City railway, northern district of Texas, two violations.

## SPANISH CABINET RESIGNS.

Madrid, Dec. 3 .- The cabinet has resigned,

Hill cemetery, there to await final dis-

A notable tribute was paid to the memory of the distinguished railroad magnate. The funeral obsequence, held in historic St. John's Protestant Epis copal church, were attended by rail-road officials, financiers and public men from all parts of the country. Hundreds of friends came from the south.

The service was strictly in accord-ance with the ritual of the Protestant Episcopal church, and was conducted by Bishop Saterlee. A special musical program was rendered, Mrs. Spencer having selected her favorite hymns. At the conclusion of the ritualistic

service, the remains were borne from the church during the singing of "Abide With Me." No such wonderful "Ande With Me. No such wondertui profusion of exquisite floral offerings had been seen in Washington since the obsequies of the late "President McKinley, as today filled the Massachusetts avenue residence of President Spencer, and the chancel of St. John's church. These tributes came from all parts of the country. President and Mrs. Roosevelt sent a wreath of orchids and white roses, tied with hite satin ribbon.

By special direction of Mrs. Spencer, all of the floral offerings were dis-tributed later among the various hospitals and charitable institutions of Washington.

The voting trustees and the board of directors of the Southern railway had a joint meeting today and took action on the death of President action on the death of Presi Spencer. First Vice President A Andrews presided and the others present were J. Pierpont Morgan and George F. Baker, voting trustees, and George F. Baker, voling trustees, and the following directors: Joseph Bry-an, Richmond, Va.: Samuel Inman, Atlanta, Ga.; Adrian Iselin, Jr., New York: Edmund D. Randolph, New York: James T. Woodward, New York: William W. Finley, Washington and Charles Steele, New York,

A lengthy statement was adopted and placed on the records, paying high tribute to Mr. Spencer's services to the company, to other corporations and to the public, and pointing out that the great progress of the road under his administration was effected without making it the basis of an increase in the road's stock beyond the amount contemplated when the properties were reorganized 11 years ago,

The statement, after detailing wonderful advancement in the rail ay properties under President Spenadministration, says: ne mighty fabric which for 12

The years he has been moulding must con-tinue under others to develop and to improve in the service that it shall render to the public, but never can cease to bear the impress or to reveal the continuing impulse of the master mind of its first president. In the height of his usefulness and his powers, he has been called away, but the inspiration of his shining example and his lofty standards must ever animate his successors."

# Large Number of Roads to be Sued for THREAT TO ASSASSINATE KING VICTOR EMMANUEL.

Milan, Italy, Dec. 3 .- A careful search has been made at Bergamo, about miles from here, with the view of di covering the sender of a threatening covering the sender of a threatening letter to King Victor, Emmanuel, re-ferring to a plot formed by what the writer termed the "Holy alliance," to assassinate the king, but up to the present the efforts of the police have been fruitless.

## MENELIK NOT ILL.

Adis-Abeba, Abyssinia, Dec. 3.—The reports of the illness of King Menelik which are attracting considerable ut-tention in Europe on the possibility of complications in the succession to the throne, are unfounded. A British syndicate has acquired the only known coalfields in Abyssinia.

lake daily walks and drives and that his eyes have so much improved that he is now allowed to read.

# THE SAN JOSE SCALE.

Discovered in Fruit Orchards in Leominister, Massachusetts.

Leominster, Mass., Dec. 3.-The dreaded San Jose scale has been discovered in several fruit orchards in this section by Tree Warden S. R. Walker. This pest does great dam-age to fruit trees and shrubbery, and as the latest addition to the forces of the gypsy and browntail moths is causing agriculturalists much alarm. It is It is thought that the insects may have been brought here on nursery stock from the

west.

TRANS-CAUSASIAN ROBBERS.

Band of Twelve Captured to be Tried By Drumhead Court Martial.

Tiffis, Trans-Caucasia, Dec. band of 12 robbers yesterday attacked the estate of Princess Avalova, plundering her residence, and assaulted the princess. They were captured later and will be tried today by drumhead courtmartial.



Secy. Metcalf Quoted as Saying California is Within Her Rights.

San Francisco, Dec. 3 .- The Call says (oday)

School Director D. H. Oilver stated yesterday that Secy. Metcalf before his departure for Washington told the school director's that he believed they were clearly within their rights in cstablishing a separate school for Japan-ese pupils. This would tend to correct the impression that Secy. Metcalf had decided to favor the Japanese in his report to the president. The secretary's

report, it may be assumed, will con-form to his assurances to the school Attorneys versed in international law believe that the treaty between Japan

and America in no way covers the points at issue and the best that the United States can do for the island empire is to institute a test case in the the federal courts, as has already been

done. That the matter will be taken to the supreme court for final decision is now quite evident, and if it is decided there that the Japanese are not Mongoliant, a contention that he been made to di-vert the enforcement of the law requir-ing that race to be kept in schools sep-arate from while children, it is quite certain that the state legislature at its next session will pass a new law to keep the Japanese out of the schools in which Caucasions are taught.

In an interview yesterday, Director Walsh expressed sentiments similar to, those of Mr. Oliver.

### SOCIAL EDUCATION CONGRESS.

Boston, Dec. 2 .- Three addresses delivered before a large audience tonight brought to a close the Social Education congress. Rev. William M. Long of Stamford, Conn., in dealing with "Na-ture's Message to Moral Education," said that man seems to be the only creature that is immoral, although the child is born a moral animal. The beastliness of nature in man was shown, he declared, in a personal un-cleanliness, the envy and greed arous of by the setting up of wealth against by the setting up of wealth against poverty, gluttony and drunkenness and , sexual vices. None of these, he assert-ed, was found in the animal kingdom except in man and monkeys. He de-scribed the struggle for individualism, and said that the message of nature was mutual co-operation and com-

was mutual co-operation and com-

house is much gratified with the appreciation shown his enterprise by local public. ALL CASH SALES. The realty transfers in connection with the recent Newhouse deal were not

properly options, as all were strictly cash sales, partial payments being made only in a few cases where a little time was required in which to examine titles

# **NEW YORK'S SECOND** TEMPLE OF MUSIC.

New York, Dec. 2.-A second great temple of music, dedicated exclusively to grand opera, in this city, will be opened tomorrow night when the cur-

tain rises on the first performance in Oscar Hammerstein's new Manhattan Opera House. The question whether or not New York will support simulta-

neously two grand opera houses and two high class companies of singers will then be put to a test.

Mr. Hammerstein has creeted a beau-

tiful opera house in West Thirty-fourth

weeks of grand opera in French and Italian, with a company of singers of

nternational reputation and a chorus o

The cost of the venture when the season is inaugurated tomorrow even-

ing, it is said, will have been in the neighborhood of \$2,000,000. The opera for the opening night will be Bellini's

'I Puritani," and later on in the woek 'Don Glovanni' and "Faust" will be

Mme. Melba and Mme. Pinkert head

the list of sopranes of the company. Mme. Regina Arta, also a soprano, is a native of Pittsburg. Mme. Breslar-Gianoli and Mme. Eleanore de Claneros,

the two chief inezzo-sepranos, have been heard here before.

Alessandro Bonci, a Neapolitan, whose voice is reputed to be beautiful

quality, is the star tenor, and after

Maurice Roynaud, another Frenchman, and San Marco, an Italian, baritones, both come to this country with great reputations. Gilbert, who has been heard here, and Galetti-Glanell, from

the buffo-basso parts. Vittorio Ara-mondi, the leading basso, has sung in the United States before. The orches-tra will comprise 75 musicians, under

TOMB OF CICERO.

What is Thought to be it Discovered

At Formaie.

Naples, Dec. 2 .- What would ap-

pear to be a most important arch-acological discovery has been made at Formale, near which place Cicero

discovery consists of remains which are

thought to be the tomb of the great or-ator. They stand on a hill dominating both the Arcian and Herculeanum

BRYAN ADDRESSES ELKS.

Lincoln, Neb., Dec. 2 .- William J. Bryan today, in addressing the local

lodge of Elks at a sacred session held in memory of departed members, said:

immortality. Heaven never seems so real to us as when it becomes the about

real to us as when it becomes the abola of some one whom we have known and loved. And then when these treasure from our hearts are there we can ene-ily believe that no heart warmed hato a glow by the fire of brotherly love will ever suffer an eternal chill, that no spiritual flame, that grows brighter with the years, will ever be estim-guished never to shine aguin."

"Death turned our thoughts toward

This

was assassinated 20 centuries ago.

and Leandro Campanari.

Teatro Rivoli, Venice, are to sing buffo-basso parts. Vittorio Ara-

direction of Cleofante Campania

Dalmores, a robusto singer, and fiski. Both are Frenchmen,

in this city.

reard.

Alfscheffski.

ator.

ways.

voices recruited both in Italy and

street, and will begin a season of six