

papal nunciature yesterday placed the government's hands important lence which may prove exceedingcompany, today was convicted of lar-ceny of \$7,500 of the company's funds. The prosecution and conviction of Burnham was an outgrowth of the in-vestigation of insurance companies in the past year, and states that prelim-inary work has begun upon the designs of the 20,000-ton battleship authorized this state by a legislative committee a year ago. The other officers of the insurance company, Frederick A. Burn-ham, president, and George D. El-dridge, vice president, were indicted at at the last session of Congress. Admiral Capps doubts the expedienthe same time as the man who was cy of repairs to warships on foreign stations, and says that both economy and efficiency will result from carrying convicted today. One of the sensational features of the trial which ended today was the pro-duction of a check by the prosecution which bore the name of Louis F. Payn, out all large repairs and overhaulings of naval vessels in navy yards within the continental limits of the United former superintendent of insurance and the United States Express company, of States wherever practicable. which United States Senator Platt is president. It was not claimed, howeve that Burnham paid the amount of this check to Mr. Payn, but that it was used to resist an alleged demand by Emperor Authorizes Von Buelow to Payn for \$100,000 from the life insurance Dissolve it and Order New Elections. company. Further proceedings were postponed Berlin, Dec. 12.-Emperor William has

THE REICHSTAG.

ections if the supplementary appro-

priations asked for by the government

shall be given up or retained. An ap-peal to the country, if necessary, will

he made on that issue, the government's

not granted by the house,

which may prove exceeding-by embarrassing to the vatican if open war is to take place. They include be-sides all the diplomatic records cover-ing the correspondence exchanged be-fore the rupture with the vatican, re-cent instructions from Cardinal Merry with a the monot scoretary of state e val. the papal secretary of state, mass of letters from prelates all over and letters in the handwriting of deputies of the Right party. M. Juares, the Socialist leader, asserts h his paper that the seized documents prove the existence of a, conspir-

Cardinal Richard has accepted the mporary hospitality of M. Denys whin, a Conservative member of the ther of deputies from one of the ris districts. eminaries at Bordeaux The Catholic Kende and Saint Brieux were evacuattoday.

WILL HOLD SERVICES.

aris, Dec. 12.—The prefect of police, aring the afternoon, announced that be government had accepted the appliof M. Martinet, editor of the ssance, and Felix Robin for peron, under the public meetings law 1881, to hold religious meetings in all churches as being in compliance ith the law. In other words, the step ken provides for the legalization of services in the legalization of services in the churches of ris tomorrow.

VATICAN FORCES MOBILIZED.

Rome, Dec. 12 .- The vatican authoricharacterize the action of French in having Mgr. Montanini, the expelled secretary of the papal nun-dature at Paris, accompanied to the police as "an odious act," showing a desire to inflict humiliation on those who because of their weakness not retaliate.

It is much regretted in vatican cirde that, contrary to the propositions of some of the cardinals, Monsignor Della Chiesa, the assistant papal sectary of state, was not sent to Paris ter the rupture of diplomatic relaafter the in view of his Francophile attitude the late Pope Leo he was the mly person capable of reaching an untanding with the French governstanding with the French govern-cent. It is believed even now that not-vithstanding the gravity of the situa-ion France would not find it difficult a conclinate the vatican if negotiations the the subject were opened. In the anwhile the vatican forces have been lized) take part in the campaign ven Father Wornz, the general of the suita, has joined the billigerents. The he latest instructions sent to the they are to look upon the situation with the worst possible aspect and organize private religious services. Thousands of telegrams, it is announced here, have been apply en sent from Free Masons, anti-ericals, Republican and Liberal clubs and politicians, to the French premier. M. Clemenceau, and Minister of Public orship Briand, congratulating them a their energetic attitude against the can and ciericalism. On the other the vatican authorities have reved the

usands of telegrams of sympathy and encouragement from bish-atholic clubs and prominent Cath-Cathalt elies, Italians and foreigners, condemn-ing the action of the French govern-THE EXPELLED SECRETARY.

Turin, Italy, Dec. 12.-Mgr. Montag-nini, secretary of the papal nunciatures at Paris, who was expelled from France vesterious applied here this yesterday arrived here morning and continued toward Rome, after refusing to see anybody,



RE

Mexico City, Dec. 11,-With a net sur-plus of \$20,000,000 for the fiscal year Meding June 30, 1906, and a treasury vation.

until next Friday at the request of Burnham's counsel, Burnham being remanded to the Tombs.

BIG FIRE IN GREENWOOD, N. C.

The question of the reichstag appro-Greenwood, N. C., Dec. 12,-The vege-table canning factory of J. P. Polk & Co. burned today. The loss is estimatpriating enough money to keep the present army in German Southwest Africa in the field, is, according to the ed at \$220,000. conviction of the government, equiva-lent to the question whether the colony

FIRE IN WAREHAM, MASS.

Wareham, Mass., Dec. 12 .- The heart of this town was swept last night by a fire which destroyed 10 buildings at a loss of \$75,000 to \$100,000. Dynamite had to be used twice to check the spread.

BOSTON FOR LICENSE.

Boston, Dec. 12.-The vote in Boston yesterday on the liquor question was: Yes, 43,280; no, 18,540; majority for license, 24,740.

Last year's vote: Yes, 55,045; no, 26,-432; majority for license, 28,613. Twelve-o'clock law: Yes, 39,417; no, 21,293; majority for new law, 18,124.

GILLETTE OFF FOR PRISON.

Herkimer, N. Y., Dec. 12.-Chester E. Gillette was taken from the jail today by Sheriff Klock and a deputy, and started for Auburn state prison at noon. While waiting at the railroad station, Gillette was surrounded by a crowd.

WHITELAW REID ARRIVES.

New York, Dec. 12 .- Whitelaw Reid, American ambassador to the court of St. James, and Mrs. Reid arrived today on the steamer Kron Prinz Wilhelm. W. V. Rodawitz, son of the German ambassador at Madrid, who comes here to take the post of second secretary of the Germen embassy at Washington also was a passenger on the Kron Pring Wilhelm.

FAVORS FEDERAL LICENSE.

Princeton, N. J., Dec. II.-James R. Garfield, lecturing tonight on the "Re-lation of the Government to Corpora-tions," said: "I think that the federal license will be the method which will control corporations and prevent un-just monopolies. By this means we may know exactly what they are doing. We must take measures now to place the power of control in the hands of the government."

SMALLPOX ON THE BLUECHER.

New York, Dec. 12.-The 52 cabin passengers on the steamer Bluccher, which was detained at quarantine yesterday upon her arrival from Hamburg and Cherbourg with a case of smallpox in the second cabin, will be released today. All the steerage passengers also probably will be released, but the 115 second cabin passengers who were di-rectly exposed to the disease, will be detained at Hoffman island for obser-

the vitality, and in some instances, complete break-down of officers whose uninterested parties. services were especially valuable. The report speaks at length of the work on new and old vessels during

HARTJE DIVORCE CASE.

were secured illegally despite the pro-

Judge Frazer Denies Husband's Petition for a Divorce.

Of course, if the people have come to the conclusion that everything that the president recommends is right, then there is hardly any use in contesting any of his propositions, and instead of conferring upon him the power to give Congress information of the state of the Union, we might confer upon him the function of, furnishing his own pe-cular views upon the entire state of Pittsburg, Dec. 12 .- The famous di-corce case brought by Augustus Hartje, the millionaire paper manufacturer, against his wife, Mary Scott Hartje, in which he named Coachman Thos. the function of furnishing his own pe-cullar views upon the entire state of the universe and recommending any Madine as co-respondent, was today decided in favor of Mrs. Hartje

Jurge Frazer denied the petition of the complaint, but makes no reference to the question of alimony. The children are to remain in the cus-

tody of Mrs. Hartje until a further order of court. court costs must be paid by The

Hartje. Hartje's counsel announced the case

will be appealed. The case aroused public interest all over the country. authorized Chancellor von Buelow to dissolve the reichstag and order new Hearing of the testimony took nearly five weeks. The trouble centered in the production of a series of letters al-leged to have been written by the wife to Thos. Madine, the coachman of the family. For five days handwriting ex-perts gave their opinion on the authen-ticity of these letters.

president had said in his message in praise of the Japanese. His sympa-thies had, he said, been with them dur-During the trial, Mr. Hartje and Jno. S. Welshons, his friend, together with Clifford Hooe, colored, a former coaching the war with Russia, and he thought it a great shame that Japan should have been overpowered in the conference room when she had been victorious on the battlefield. He proman of Hartje's were arrested charges of conspiracy. Hooe was also charged with perjury. A separate suit brought by Mrs.

Hartje for temporary allmony, counsel fees and \$30,000 expenses incurred during the trial is still pending.

BURNHAM'S BAIL.

New York, Dec. 12 .- The bail of Fredever in the treaty with Japan that confers the right that the president erick A. Burnham, president of the speaks of or gives to the government of Japan the privilege that it claims in Mutual Reserve Life Insurance company, and Geo. D. Eldridge, vice presiconnection with the public school sys-tem of California or of any other state, 2-If there was such a provision in dent of the company, both of whom are under indictment on charges of this treaty, or any other treaty confer-ring this right, the treaty would be forgery and larceny, was increased by fustice Greenbaum in the supreme cout void and without any authority upon the part of the United States to make it, and in violation of the Constitution today.

Burnham's ball was fixed at \$20,000, and that of Eldridge at \$15,000. Both gave the bonds required. Hitherto both had been held in \$12,500

ball. The action was taken on request of the district attorney, following the conviction yesterday of George Burn-ham, Jr., general counsel of the com-pany, on a charge of larceny under which he was indicted jointly with Frederick A. Burnham and Eldredige. After the fines were imposed U. S. Dist. Atty. Stimson, who conducted the prosecution, told the court that he thought the amount of the fine as-sessed was sufficiently large to act as a deterent to rebaters in the future and that the government would consent to the remainder of the indictments

INFANT SON DIES.

Dean Young Pond of Pocatello a Victim of Pneumonia.

(Special to the "News,")

Pocatello, Dec. 11 .- Dean Young, the 15-months-old son of Mr. and Mrs. of a state, then we can undoubtedly de-prive the state of every reserved right that it possesses and rescind and annul its laws and its Constitution whenever Noah S. Pond of the Pocatello stake presidency, and a grandson of Mr. Mor-ris B. Young of Salt Lake City, died last night of pneumonia. Funeral services will be held at the

residence next Thursday afternoon. Mrs. Young has already arrived here.

MRS. WAHLQUIST DEAD.

Passed Away at Murray From Complication of Troubles

Mrs. Anna M. Wahlquist of Murray, The sales are alleged to have been made to cocaine victims. Dahiberg was arrested and was com-pelled to remain locked up five hours. The bonds were fixed at a total of \$10,-000. Heretofore, under the old justice system, bonds usually were as low as \$200. aged 43, died yesterday, at 12:30 p. m., at her residence in Murray, from a complication of diseases that have af-flicted her for over three years. She leaves a husband and three children. The funeral will be held from the Grant

admission of the negro children of Santo Domingo into the white schools South Carolina or of any other state of the Union.

STATE OF THE UNIVERSE. Of course, if the people have come to

improvements or changes in the

eral plan of creation that he may deem

expedient, from the craddle to the grave. In fact, the president, upon page 29 of his message, anticipates the

cradle and makes a recommendation upon the state of the Union that tends

of the birth rate of the country. Now if we can only supplement this func-

have a rule on which his ubiquity

MAIN PROPOSITIONS.

Continuing, Mr. Rayner said:

privileges in the public schools of the states that are prohibited either by the Constitution or by the laws of the state

In which they are claimed, if we can, in defiance of the laws and constitution

came in conflict with the treaty-

making power. I trample upon this ap-

of the men who framed it; it would undermine the entire framework of the

government.

place in his hands the establishment

to the president, said today that nothing beyond receiving the applications for re-emlistment would be done until the replies of the president and himself to the senate resolutions of inquiry are submitted. The evidence furnished yesterday by Glichrist Stewart, who is acting for a number of the men, the secretary also said, would be gone into carefully, and be taken into account in the final ad-judication of the matter.

SECY. CORTELYOU

Will Take Charge of Treasury Department on March 4.

Washington, Dec. 12 .- "It is the present intention to have Mr. Cortelyou take charge of the treasury portfolio on March 4," said Senator Aldrich, who talked with the president today about Mr. Cortelyou's nomination to be seeretary of the treasury which was held up by the senate finance committee yes-terday because no date was specified

tion by giving him complete jurisdic-tion over the death rate, we will then as to when the appointment would become effective. It has been customary heretofore, the senator said, to specifically indicate the uncircumscribed and whose unlimited possibilities are beyond the reach of human contemplation." date upon which such appointments are to take effect, and its omission in the present case apparently was an over-sight. So far as he was aware, the seantor said, there is no objection to Mr. Corteleour date Rayner coincided with what the Mr. Cortelyou's confirmation nor to others now pending.

As the result of the conference between Senator Aldrich and the presi-dent, the nomination of Mr. Von Meyer to be postmaster general and Mr. Garfield to be secretary of the in-terior also will be descretary of the inposed, he said, to discuss the present question entirely outside of the particterior, also will be dated to take ef-fect March 4. An alteration will be made in the form of the nomination ular circumstances and plant himself on these two propositions: of Attorney General Moody to be assistent justice of the supreme court. Secretary of the Navy Bonaparte to be 1-That there is no provision whatattorney gengral, Secretary of Coin-merce and Labor Metcalf to be secretary of the navy, and Oscar Strauss to be secretary of commerce and labor. These nominations will take effect Dec. 24.

WILL ABANDON TUNNEL UNDER CHICAGO RIVER.

and the treaty-making power of the Chicago, Dec. 12 .- It was decided to day by engineers employed by the city that the tunnel under the Chicago river "The precise point involved." he said "is the tenth article of the Constitution, that powers not delegated to the United at La Salle street must be abandoned. For years the tunnel has been an ob-States by the Constitution nor prohibit-ed by it to the states, are reserved to struction to navigation, as its roofs are so high that deep draught, sails heavily loaded almost invariably strike its roof. the states respectively or to the peo-The war department ordered the tunnel lowered and the work has been in prog-"The power of a state to regulate its public school system is clearly among ress for some time. The engineers have, however, found the roof so badly damits reserved powers. Have we, there-fore, a right to provide in a treaty that the citizens of foreign lands shall aged by the pounding it has received from vessels as to be incapable of repair and they have therefore recompossess privileges in a treaty that the citizens of foreign lands shall possess mended it be abandoned.

HICKS IS CHEERFUL.

Entombed Miner is Alive and Believes He'll be Rescued.

Bakersileld, Cal., Dec. 12.-Information received today from the Edison Power company's camp, where L. B. Hicks, one of the miners entombed by a cave-in her-Friday morning, is known to be allow. to the effect that Hicks is cheerful and believes he soon will be rescued, though it is apparent that he caputot be reached inside of four days. Non-ishment is being lowered to him through a pipe today. making power. I trample upon this ap-palling doctrine. If ever such a de-formity as this should creep into our judicial decisions it would disfigure the Constitution to such an extent that its features would no longer be capable of recognition. It would annul the charter; it would frustrate the intention of the man who formed its in sould be

S. P. OFFICES MOVED.

b. F. OFFICES MOVED.
b. S. D. OFFICES MOVED.
b. As been located in the Union of Market. Powell and Ellis streets. This modern Hestory structure of steel and stone occuples the stood both the earthquake and fits withestood the of the old Balwin hotel. and withstood the

exchange, charged in company with 79 other members with maintaining a trust, in violation of the state law, re-turned a verdict of guilty this morn-ing. The case will be appealed. This is the first trial under the indictment which includes practically every cosl firm in the city. The court has indict-ed the intention of trying each defendant separately and the next case will be called Monday.

METCALF'S REPORT.

President Has Decided to Send it to Congress Tuesday Next.

Washington, Dec. 12 .-- President Roosevelt has decided to send on Tuesday next the report made by Secy. Metcalf, of the department of the com-merce and labor, into the alleged dis-crimination against the Japanese in San Francisco, in the matter of schools and in other ways.

LEON SOEDER'S CASE.

Monday He Will be Resentenced for Murder of Joseph Blaise.

San Francisco, Dec. 12 .- Judge Carroll Cook today signed an order directing that Leon Soeder be brought before him next Monday morning to be re-sentenced for the murder of Jo-seph Blaise. The latter was a brotherin-law of the convicted man and it was proved that Soeder cut his throat and threw the body over one of the Tele-graph hill clifs for the purpose of col-

ecting insurance carried by the murdered man. action of Judge Cook follows a decision by the supreme court re-affirming the decision that Soeder pay we death penalty.

OKLA, CONST. PREAMBLE.

Guthrie, Oyla., Dec. 12 .- The constitutional convention here today unanimously passed the following preamble to the constitution being drafted for the new state of Oklahoma:

"Invoking the guidance of Almighty God in order to secure and perpetuate the blessing of liberty, to secure a just and rightful government, to promote mutual welfare and happiness, we, the people of Oklahoma, do ordain and establish this constitution." It probably will be 40 days yet before the entire constitution has been drafted

and adopted.

HOLIDAY ADJOURNMENT,

Washington, Dec. 12.-The house to-day adopted the concurrent resolution to adjourn for the Christmas holidaya on Dec. 20 to re-convene Jan. 3.

CHOPPED WITH A CLEAVER,

Oakland, Dec. 12 .- Choy Wah, a Chinese basished, Dec. 12.-Choy Wan, a Chinese woman, aged 25, was terribly cut on the bead and her hands were mutilated yes, terday with a cleaver wielded by a Chi-nese, supposed to be Ah Soy, a mer-chant, who came to Oakland from Fres-to two days ago. Soy was arrested im-mediately after the crime. He refused to talk talk.

The police think that the woman was slave owned by Boy, that she ran away nd that he attacked her in revenge,

NO MERCY FOR FEATHERSTONE.

Victoria, B. C., Dec. 12-Efforta made Victoria, B. C., Dec. 12.—Efforta made boday to secure commutation to life im-orisonment of the sentence of death pass-ed on Robert F. Featherstone for the mur-ier of Mary Dalton at South Wellington, in July, were unsuccessful. Telegrams were sent stating Featherstone's mind was unbalanced. Hon. Mr. Aylesworth, minister of justice, telegraphed that the evidence in the case disclosed no insanity and so refused to interfere. Featherstone still be hanged Wednesday morning. Rad-diffe, the official hangman, has arrived to prepare the scatfold.

Chicago, Dec. 12 .- The movement to cheek the traffic in cocaine and similar drugs, which have cast a blight over the neighborhood of the Desplaines street police station, received a new Acting on five informations filed by the state's attorney under the Illinois law. Municipal Judge Frank P. Sadler issued bench warrants for the arrest of Dr. Albert J. Dahlberg, a clerk in the drugstore of Adolph C. Brendecke, charging him with "selling cocalne and preparations said to contain cocaine." The sales are alleged to have been

ward in Murray, at 11 a. m., Thursday, with burial in the city cemetery.

position being that if the present garrison of German Southwest Africa is reduced from 12,000 to 2,500 men, as the Center party and the extreme Left contend should be done, the insurgent natives will obtain possession of the AM. SUGAR CO.

Fined \$80,0000 for Accepting Rebates From Railroads.

colony.

New York, Dec. 1.-Fines aggregating \$150,000 were imposed today by Judge Holt in the United States circuit court upon the American Sugar Refining com-pany and the Brooklyn Cooperage company after the defendants through counsel had pleaded guilty to indict-ments charging the acceptance of reon sugar shipments in violation a Elkins anti-rebating act. The of the Sugar Refining company was fined \$80,-000 and the cooperage company \$70,-

After the fines were imposed U. S.

against the American Sugar Refining

company and the Brooklyn Cooperage

company being dismissed. Judg Holt granted a motion dismissing the other

TO STOP COCAINE TRAFFIC.

Indictments.