WHISKY TRUST KNOCKED OUT

Eupreme Court of Illinois Deals It Its Death Blow.

FINDING OF THE LOWER COURT AFFIRMED Under the Decision the Distilleries in the

Big Combine Will Be Sold and the Affairs of the Organization Wound Up.

SPRINGFIELD, June 13.-The supreme SPRINGFIELD, June 13.—The supreme and Cattlefeeding company. There is no court of Illinois today filed its opinion in the clause in the leases providing for removal of case of the people against the Distilling and betterments at the expiration of life thereof. Cattlefeeding company. The judgment of ouster entered by the lower court is affirmed.

and lessees will be apt to demand all they are entitled to. There is a question as to the right of lessees to remove machinery from the Whisky trust. In the course of the opinion the court says:

"No one who intelligently considers the scheme of this trust as detailed in the infordesigned to be and was in fact a combination in restraint of trade; that it was organized for the purpose of getting control of the manufacture and sale of all distillery the prices at which the same should be sold,

tion can be shown consistent with an intenfluence of supply and demand, and the results as shown by the information were such as might be articipated. The trust ob-tained possession of nearly all the distilleries and nearly the entire distillery products of the United States, thus enabling it to dictate prices and the amount of production, and thus to draw to itself substantially the con-trol of the distillery business of the country."

The court cites a large number of decisions thowing combinations of a similar character. wing combinations of a similar character that have been held illegal in other states, among others the Match trust. The opinion

But it is urged that the defendant by its charter is authorized to purchase and own distillery property, but that there is no limit placed upon the amount of property which it may thus acquire. By its certifiwhich it may thus acquire. By its certain-cate of organization it is authorized to en-gage in a general distillery business in Illi-nois and elsewhere and to own property necessary for that purpose. It should be remembered that all powers in corporate charters are to be construed strictly and that what is not clearly given is by implica-tion denied. The defendant is authorized to own such property as is necessary for carry-ing on its distillery business and no more. Its power to acquire and hold property is limited to that purpose and it has no power by its charter to enter upon a scheme of getting into its hands and under its control all or substantially all the distilling plants and distillery business of the country for the purpose of controlling production and prices, or crushing out competition, and of establishing virtual monopoly in that business. Such purposes are foreign to the powers granted by charter. The acquisition of property to such an extent and for such purposes do not come within the authority to own property for the purpose of carrying on a general dis-tillery business. In acquiring distillery properties in the manner and for the purpose shown in the information the defendant has granted by its charter, but has usurped and which are wholly foreign to that instrument."

RECEIVER M'NULTA TALKS. Receiver John McNulta was not inclined to discuss the Whisky trust decision, but asserted his intention to hold the trust property at any risk. The opinion had been expressed that in the event of a decision such as was rendered today the trust's distilleries would revert to their original owners, some of whom had expressed the intention of seizing the plants. "I don't think the decision ing the plants. I don't think the decision will result in any immediate change of hands for the properties." Receiver McNulta said, "for I intend to hold to all that I have in charge as an officer of the court."

Deputy United States marshals have been on guard at the various distilleries for time and sturdy resistance will no doubt be made to any attempt to seize the plants. Attorney General Maloney, speaking of the ecision, said: "The supreme court practically holds that the Distilling and Cattlefeeding company is a trust and that as such Judge Gibbons of Chicago did right in pronouncing a judgment of civil death against The supreme court also decided that the attorney general was right in his views of the law regarding the matter and that the Distilling and Cattlefeeding company is no more than a continuation of the old Distillers' Cattlefeeding trust. The decision," he continued, "is one of the ablest opinions

ever delivered by the supreme court of this state. In no uncertain language it sounds the death knell of trusts in this state forever. In every point on which I made a

reorganization committee, regarded the decision as a victory. "We have been anxiously waiting for this decision," he said, "and are highly pleased that it has come and come in the way of an affirmance. It removes all obstacles from the way of the reorganization committee and makes a reorganization now a matter of but a few days. Attorney Gen-eral Moloney has done most excellent work. We were associated with him in the prepara-tion of the information and took part in the early stages of the arguments before Judge Tulley. We saw in the proceeding the only opportunity at the time of getting rid of the management of the officers in power. The effect of the decision is to deprive the company of the right to continue business. The press provision for just such a case as this It provides in language that the corporation shall continue its corporate capacity during the term of two years for the purpose of collecting the debts and claims due the cor-poration and selling and conveying the prop-erty and effects thereof. The law also provides that the corporation shall have the right to use its corporate name for the above purpose and that it shall be capable of prose-cuting and defending all suits at law or in Receiver McNulta has the right to temporarily continue the business until an advantageous sale can be made of the property. The supreme court decision makes a of the property which is now in the hands of the federal court receiver inevita-ble. It is this sale for which the reorganization committee has been striving with might and main ever since Mr, Greenhut was re-moved from the receivership. There can now be no successful filibustering or obstacles interposed to the sale of the property. while our petition is and has been ready for several weeks we know nothing which more satisfactorily facilitates the purposes of th reorganization committee than the decision just announced by the supreme court. The is the greatest triumph thus far of the com

FITS THE PULLMAN CASE. Attorney General Moloncy in discu sing the decision of the supreme court in the Whisky trust case said: "It is plain also, from th language used by the supreme court in this case, that the Pullman Palace Car company case, that the Pullman Panace the hands of will meet with the same fate at the hands of this court that the Whisky trust has met this court that the Whisky trust has expressly dewith. The supreme court has expressly de-cided that corporations organized under the laws of this state have only such express powers as are granted to them, and that their powers must be sirictly construed, and all that is not given to them in express lan-

by implication denied. The defendant is authorized to own such property as is necessary for carrying on its distillery business and no more. Its powers to acquire and hold prop-erty are limited to that purpose."

GREENHUT IS WELL PLEASED. PEORIA, June 13.-J. B. Greenhut, ex-PEORIA, June 13.—J. B. Greenhut, expresident of the Distilling and Cattlefeeding company, seemed to be very well pleased this morning with the decision in the quo warranto case. He said it was only what had been expected, and that legal proceedings would be commenced by owners of the property leased to the trust to gain possession of same. He contends that all leases executed to the trust are by decision null and void, and should the Stockholders seek to retain possession of the property, suits in ejectment will be brought against them. Leases were for twenty-five years, and were Leases were for twenty-five years, and were assigned by the old trust to the Distilling and Cattlefeeding company. There is no The effect of this decision will be to break up distilleries, and on that the fight will be

mation can for a moment doubt that it was by the receiver. Mr. Greenbut says the reby the receiver. Mr. Greenhut says the re-organization committee now has nothing to reorganize. He says the control of the plants will pass to the former owners, and litigation will the up other property. Mr. Greenhut says independent houses are doing all the business, or nearly all of it, and products so as to stifle compelition and to be all the business, or nearly all of it, and are in shape to hold on to the trade in face of keenest competition. Only two distilling

belongs to.

TROUBLE IS EXPECTED. criticago, June 13.—Receiver McNuita spens the day in making warlike preparations that indicated that serious trouble was expected from the former owners of the trust's distilleries. A large extra force of deputy marshals was sworn in during the afternoon and distributed among the various plants. The receiver also received a stock of sky rockets and supplied the deput es with them as signals to be used in case the telethem as signals to be used in case the telephone wires should be cut at night. The receiver refused to talk of probabilities of trouble further than to say that he intended to hold the distilleries at any cost and wished to be prepared for emergencies.

The receiver and we do not know of any ground merits and we do not know of any ground merits and we do not know of any ground the received merits and we do not know of any ground them. The receiver the expenditure of public money in their support could be Justified.

"We are, therefore, compelled to respectfully state to your excellency in council, that we cannot accept the responsibility of carrying into effect the terms of the remedial received.

trust distilleries to repossess themselves of the property would be useless. Despits this however, a force of thirly deputy marshals was held at the United States marchal's office in readiness to prevent any such action. The old Shufeldt distillery was the plant at which trouble was expected, as proach to even our present several standard Thomas Lynch, jr., one of the former owners, was reported to have expressed the determination to regain control of the property. PEORIA, June 13.—Fifteen more deputies; all Peoria men, were sworn in this morning and will go on duty this afternoon at the distilleries, making a force of thirty altogether now engaged in guarding the Peoria distilleries. Edward S. Easton, one of the company that leased the Manhattan to the trust, says Mr. Greenhut speaks for himself and not for other Peorians whose property passed into the possession of the trust. Mr. Easton is content with present arrangements and says litigation will be matter for future

The Willow Springs distillery of this city the manner and for the purpose is one of the institutions affected by the decision and the news of the defeat of the misused and abused the powers by its charter, but has usurped and faction by the local officials of the company. exercised powers not implied by it, and The first news of the decision was received by Mr. P. E. fler through The Bee and he was evidently much pleased with the an-nouncement. He held a brief consultation with his attorney, and said that the decision would make no difference with his immediate dans. He was holding the property now as he agent of the receivers and as the establishment was closed at present there was nothing to be gained by attempting to take forcible possession. He would wait for the regular procedure of the court and thought that the tangle would eventually be straightened out satisfactorily.

> H. M. BENEDICT NOT ALARMED Defaulter Taylor's Companion Thinks III

Liberty is Not Jopardized. SIOUX FALLS, S. D., June 13 .- (Special. -H. M. Benedict of Chicago, W. W. Tay or's brother-in-law, was yesterday surren dered to the United States court authorities His attorneys went before Judge Edgertor to argue the writ of habeas corpus return able today to show cause why Benedic should not be discharged, claiming that he was illegally brought from fillinois, and was therefore illegally held. On account of the ill health of Judge Edgerton, the attor neys agreed to let the matter go over until July 9, when Judge Williams of Little Rock, Ark., will be helding court here. In an interview, Benedict stated that he knew nothing of the negotiations going on re garding the surrender of the defaulting exstate treasurer. He claimed to have done nothing in the Taylor matter which should jeopardize his rights or the property which he holds in this state. He declared there was no truth in the statement that he went with Taylor on the first part of his trip, and further that he has heard nothing from Taylor during the latter's wanderings. He said he was in Chicago three weeks before his arrest and made no effort to conceal him self. He thinks he is not being treated right in this matter. His bond was approved to day and he has returned to Pierre.

Killed His tather-in-Law. DEADWOOD, June 13 .- (Special Tele gram.)-Charles H. Benson, one of the bes known farmers in the Black Hills country, was shot and killed this afternoon by hi on-in-law, Frank Manihan. The trouble was of a family nature. Benson, who was an ag gressive old man, had always been in trouble with his son-in-law and other relatives. Manhan, after doing the shooting, left for the orth on horseback, and is being followed closely by a sheriff's poise.

Did Not Want to Be Married. SIOUX FALLS, S. D., June 13 .- (Special.) -Agent Gibbs of the Milwaukee depot here has received an undated fetter from H. J Erickson, the billing clerk who recently disappeared. Erickson practically admits that the reason he skipped out was because he did not want to get married the following Wednesday, as he was billed to do, and he did not have nerve enough to go and tell his fiance of his desire to cancel the plighted

E. S. Crocker Admitted to Bail CHEYENNE, June 13 .- E. S. Crocker charged with the murder of Harvey Booth. his business partner, was today admitted to bail in the sum of \$20,000.

Czar Received the Armenians.

LONDON, June 13 .- A St. Petersburg dis patch to the Times says that the cear and czarina received the Armenian Catholics yes terday with great ceremony at the palace and accepted their petition for the redress of

Kentucky Lunatic in London

LONDON, June 13 .- It transpires that Lo renzo Dow Covington, the American who has been proncuced a dangerous lunstic and confined in an asylum for threatening to throw vitrol over Cardinal Vaughan, is a

Japs Rapidly Taxing Poisession. HONG KONG, June 13 .- The Japanes: have made a peaceful occupation of Tam-Sui and The words of the supreme court are: "It reported that grants of power in trade is resumed. No further trouble is expressed that the directors of the Bank of England trade is resumed. No further trouble is expressed that the directors of the Bank of England to bushels to the acre, where at least twenty bushels had been looked for. Tai-Po-Ho-Fu in the island of Formosa.

Answer of Manitoba on the School Question Introduced in the Legislature.

PRESENT SCHOOL SYSTEM SATISFACTORY

Debate on the Resolution Will Be Commenced Monday-Greenway Government Has the Votes to Pass It.

WINNIPEG, Man., June 13 .- In the Manitoba legislature this afternoon, Attorney General Sixton gave notice of a motion setting forth Manitoba's reply to the Dominion her may prove unfounded, as there is only irgovernment's demands that separate schools should again be established in Manitoba. It None of the Peoria distillers are interested in the reorganization of the trust, says Mr. Is a direct refusel of the demand. The reply is in the reorganization of the trust, says Mr. Is in the form of a memorial addressed to his excellency, the governor general of Canby the receiver. Mr. Greenhut says the receiver.

tion can be shown consistent with an intention to allow the business to run in its normal channels, to give competition its legitimate operation and to allow both production and prices to be controlled by the natural intention of the results of the policy thereographics and cattlefeding company is informated in the hands of the court, and it will protect it, and prevent any one from taking possession of it until it determines who it be inefficient. As conducted under the Roman Catholic schools (now sought to be restored) had existed for upward of nine-teen years. The said schools were found to be inefficient. As conducted under the Roman Catholic section of the Board of Edu-TROUBLE IS EXPECTED. cation they did not possess the attributes of cation they did

> of affairs with very grave apprehension. We have no hesitation in saying that there cannot be suggested any measure which, to our minds, would more seriously imperil the de-velopment of our province. COUNCIL POORLY INFORMED.

"We do not believe that when the remedial order was made there was then available

"Being impressed with this view, we re-spectfully submit that it is not yet too late warded by Secretary Carilsle. dopted we shall cheerfully assist in offering he most complete information available. 'It is urged most strongly that upon aportant a matter, involving as it does the eligious feelings and convictions of different classes of the people in Canada, and the edu-cational interests of a province which is experted to become one of the most important in the Dominion, no hasty action should be aken, but that, on the contrary, the greatest care and deliberation should be exercised and a full and thorough investigation made "As to the legislative grant, we hold that it is entirely within the control of the legishature of the province, and that no part of the public funds of the province could be made available for the support of separate schools without the voluntary action of the provincial legislature. If this be the case. nothing could be more unfortunate from the standpoint of the Roman Catholic people themselves than any hasty or peremptory action on the part of the Parliament of Canada, because such action would probably pro-duce strained relations and in the end precent the possibility of restoring harmony. "We understand it has been suggested ately that private funds of the Roman Catholic church and people have been invested in school buildings and lands that are now ppropriated for public school purposes. vidence of such fact has ever been laid beore us, so far as we can ascertain, but we profess ourselves willing, if any such injustice an be established, to make full and fair

mpensation therefor. "In conclusion, we beg respectfully to place on record our continued loyalty to her gra-cious majesty and to the laws which the Parliament of Great Britain has in its wistom each fit to enact for the good govern-

nent of Canada." The house then adjourned till tomorrow It is not expected that debate on the question up till Monday, when Premier Greenway reaches the city from Ottawa,

BLACK FLAGS ARE WARLIKE ingland Sends a Gunboat to Chinese

Waters to Protect British Interests. LONDON. June 13.-A special dispatch from Shanghai says that a remnant of the

famous Black Flag is entrenched at Chung Wa, on the island of Formosa, and these Chinese warriors are expected to make a deermined stand against the Japanese who are taking possession of that island according to the terms of the treaty of peace. The sp. cial dispatch also says that a British gunboat has been ordered to the Yangtse Kiang The dispatch of the British gunboat to the Yangtse Kiang is said to be due to the probability that trouble will ensue there. In con-clusion the Shanghai dispatch says that the Chinese ministers at Peking hold the offi-cials of Cheng Tu responsible for a part of the outrages against the foreign missions

OTTAWA, Ont., June 13.-Major McLennan, conservative, asked the House of Commons to pass a bill preventing the letting of contracts to aliens. He thought it a crying shaine that United States contractors annually should take hundreds of thousands of dollars out of the Dominion. The United States laws, he said, made it practically impossible for Canadians to get contracts in he United States.

LONDON, June 13 .- The Chinese loan is quoted at 214 per cent premium on the Paris bourse. It is taken by four Russian banks. From a political point of view the loan forms a dangerous precedent, as it gives Russia a nancial hold over China which it will be

difficult to break off. Closed the Mariaburg Asylum. BERLIN, June 13 .- The government has closed the Mariaburg asylum, which was the scene of the scandals brought out by the trial the two lay brothers who are accused or responsibility for the abuse of the inmates.

Reducing the Discount Rate LONDON, June 13 .- The financial article

MUCH LIKE THE ABABAMA CASE BARRETT SCOTT CASE IS ON

Action of the Steamer Childs May Render This Government Limble. WASHINGTON, June 18 .- The steamer George Childs, carrying the fillbustering expedition from Key West, has landed at is Too Expensive. Jamaica. Definite information to this effect has been received here. It was due in a large measure to the sailing of this expedi- STATE WANTS ANOTHER CONTINUANCE ion last week that the administration de ermined on energetic steps to prevent violation of the neutrality law and that President Cleveland issued his proclamation last night. The information from Tampa states only that the steamer has landed, but does not add details as to whether the filibusters are still on board or were landed at some point in Cuba. The fact that the informa-tion from Jamaica gives only the arrival of the Childs, without mention of the filibus-ters, leads to the impression in some quarters that the suspicions directed against

order and then submits the following:

"These privileges, which by sa'd order we are commanded to restore to our Roman Catholic fellow citizens, are substantially the same privileges which they enjoyed previously to the year 1899. Compliance with the terms of the order would restore Catholic sengrate schools with no dearning of the Childs expedition started in this country. It was said that our government was duly advised of the intended restore Catholic sengrate schools with no the prices at which the same should be sold, and cattle-feeding houses are now being operate a virtual monopoly in manufacture in the sale of products of that character.

"No rational purpose for such an organization can be shown consistent with an intention can be shown consistent with an intention of the case of the case of the residue of the case of treaty of Washington, the United States bound Great Britain and itself to the doctrine that a nation is bound to use "due diligence" to prevent the departure of armed expeditions against a friendly nation. This raises the point whether the United States can be held to have exercised due diligence in the matter.

STOPPEND PAYMENT ON THE CHECKS.

STOPPED PAYMENT ON THE CHECKS Creek Council Requests the Government to

Hold Gut Its Cash. WASHINGTON, June 13 .- A dispatch was received at the Treasury department yesterapproves his action. Secretary Carlisle im-mediately referred the matter to the Interior Butte to attend the trial.

ads as follows: The principal chief of the treek nation has been suspended by the nato your excellency in council full and accurate information as to the working of our former system of schools. We also believe there was lacking the means of forming a correct judgment as to the effect upon the province of the changes indicated in the creek nation, until further instructed. In the Creek nation, until further instructed in the creek nation, until further instructed. shall advise you further as soon as possible."
Mr. Wilson's reply will be at once for

to make a full and deliberate investigation of the whole subject. Should such a course be GIVES SETTLERS AN EXTENSION

WASHINGTON, June 13 .- Secretary Hoke Smith has rendered a decision on appeal that will be of interest to many western homesteaders. The case in question was that of A. Wells of the Alliance land district, Nebraska, who requested an extension of ime for making payment on his pre-emption claim. The land office refused the requeston the ground that such extension could be granted only in cases where inability to pay arose by reason of failure of crops. In his decision, Secretary Smith reversed this ruling and called attention to a recent act of nent for one year in cases where the entry man is unable to make payment on account of any cause which he is unable to control This law was passed in view of the financial listress prevailing throughout the country

Western Land Ca es. WASHINGTON, June 13 .- (Special Tele

gram.)-Secretary Smith today rendered a cases: Nebraska-In re Jerry A. Wells, Alliance district, decision reversed. Extension of time in which to pay for land al-

South Dakota-Torkela Lund versus Herbert S. Masses, Watertown district, de-cision affirmed. Masses' entry to be cancelled. Elizabeth Zauker against United States, Aber-deen district, decision affirmed, payment of fees and commissions denied. F. T. Day of decision affirmed. Fogg awarded land.

Western Pest masters Appointed WASHINGTON, June 13 .- (Special Telegram.)-Postmasters were appointed today as follows: Nebraska-Hubbell, Thayer county Clinton Leedom, vice A. J. Elder, removed Iowa—Dunbar, Marshall county, J. M. Wilson, Jr., vice A. G. Medhus, resigned; Modale, Harrison county, Thomas Carey, vice W. M. Sharpnack, resigned. South Dakota-Tur-on, Spink county, C. H. Draper, vice J. T. Weir, resigned.

William H. Deegan was today commis-sioned postmaster at Lindsey, Neb., John C. Baker, at Ollie, Ia., and Charles B. Parnelee, at Arlington, South Dakota.

WASHINGTON, June 13 .- President Cleveand today signed an order prepared by the civil service commission whereby about 2,500 persons in the government printing office are put under the classified civil service. The positions included are all in the office with the possible exception of about 100, which

embrace charwom*n, coal heavers and others. Today's addition will bring the total number of positions coming under the civil service in this country to approximately 55,000. Civil Service Boards Appointed. WASHINGTON, June 13 .- The boards to examine applicants for places in the internal revenue service, recently brought within the civil service rules, have been

within the civil service rules, have been appointed by the civil service commission. The boards are located in Burlington, Ia.; Knoxville, Tenn.; Lexington, Ky.; Portsmouth, N. H.; Scranton, Pa.; Terre Haute, Ind.; Albany, N. Y.; New York City, and Camden, N. J. Two Appointments by the President. WASHINGTON, June 13 .- The president has made the following appointments: Allen Thomas, consul general, to be United States minister at Venezuela; Emory Best of the District of Columbia, to he assistant com-missioner of the general land office.

Nebraska Man's Appointment. WASHINGTON, June 13 .- (Special Telegram.)-Dr. W. F. Conwell was today appointed an examining surgeon for the pension bureau at Neligh, Neb.

New Wheat Comes High at 84. Louis. ST. LOUIS, June 13 .- One dollar was paid for cash wheat in the St. Louis market today. It consisted of a carload of the first new wheat of the 1895 crop raised in Missouri and grades as No. 2 red. While this wheat was of such excellent quality, it is understood the yield when threshed was only

partment of the Platte in this city, will be

Attorney General Churchill Asks the Court to Postpone the Trial Until Next Fall and is Reproved for His Dilatory Tactics.

BUTTE, Neb., June 13 .- (Special Telegram.)-The case of the state of Nebraska against the alleged lynchers of Berrett Scott, the defaulting treasurer of Holt county, who was killed on the 31st of December last year, was called in district court in this (Boyd) county, this morning. Attorney General Churchill, who was requested by the legislature to take charge of the case, filed a motion for a continuance until next fall, This action on the part of the attorney general created no little surprise, as it has been given out repeatedly that the state was ready for trial. The defense is ready and anxious to proceed. The court expressed itself in indignant terms over the dilatory practices on the part of the prosecution and informed the attorney general that strong reasons must be presented before a further con-tinuance would be granted. He gave the attor-ney general until noon to present affidavits in support of the motion for a continuance. It is stated that the present cause for the delay is the absence of Dr. Gilligan and James Dibble, two witnesses for the state.

A committee of citizens waited upon the

the governor and both branches of the legis-lature and had no choice but to go shead with

It is thought that the work of securing a jury will consume several weeks. FORCED THE STATE TO TRIAL.

day from G. H. Small, assistant treasurer of the United States at St. Louis, stating he had been requested by Acting Chief Bullett of the Creek nation not to honor any further of the Creek against the Creek funds about 4 o'clock this afternoon the attorney general appeared in court with a showing for a continuance until next term of court. The affidavit set forth that J. P. Gilligan of O'Neill, whose testimony at the preliminary checks against the Creek funds about 4 o'clock this afternoon the attorney general appeared in court with a showing for a continuance until next term of court. The trouble further than to say that he intended to hold the distilleries at any cost and wished to be prepared for emergencies.

The representatives of the reorganization committee and the receiver declared that any attempt on the part of former owners of trust distilleries to reposess themselves of the property would be useless. Despits this however, a force of thirty deputy marshals was held at the United States marchal's office in readiness to prevent any such action. The old Shufeldt distillery was the No checks drawn by Grayson have presented for payment since May 16 witnesses. Dibble is in Iowa, and the last scen of Smith he was on his way to O'Neill from Lynch with the intention of coming to

department, and a dispatch asking for in-formation was sent by the Indian office to D. M. Wilson, agent to the five civilized matter could be easily disposed of and read the following, which created a decided sensa "The defendants hereby waive in writing their constitutional right to be confronted

with the witnesses, Gilligan and Dibble, and consent that the evidence of these witnesses before the preliminary evamination before the preliminary examination may be read in evidence to the jury."

Immediately following the reading, the court stated that in view of the waiver the state could not be allowed the continuance and overruled the motion. The attorney general then said the state was ready for trial

Harrington asked that a venire be ued at once in order to have some talesmen here in the forenoon, so that the work of empanelling a jury could be crowded. After court adjourned for the day the attorneys for the state came to the conclusion that the defendants could not waive a constitutional right and decided to present an argument to Judge Kinkaid in the morning on the matter.

LEFT THE UNITED BRETHREN OUT Lutheran Synod Selects Fraternal Delegates to Corresponding Bodies.

HAGERSTOWN, Md., June 13 .- The first report submitted at the General Lutheran synod today was that of the Board of Sunday Schools. It showed 12,335 schools, 21,-590 officers and teachers and 170,708 scholars. The collection for the past year was \$146,-082.24, the amount of benevolences being \$38,837.48.
The following delegates were chosen

corresponding bodies; United synod of the south, Rev. Luther Kuhlman; general Presbyterian assembly, Rev. D. H. Bausline, D. D.; general assembly, United Presbyter-ian church, Rev. M. W. Hamma, D. D. Reformed Church in America, Rev. Tonner, D. D.; Reformed Church in the United States, Rev. S. F. Breckinridge; United Nor regian synod, Rev. S. B. Barnitz, D. D. A motion to strike out the appointment

the delegate to the United Brethren general conference on account of a rebuke adminis-ered to the Lutherans at a conference in Altoona, Pa., some years ago, was carried.
"Questione of aiding the German Theolog al seminary at Chicago and its removal t

Atchison Kan., or Omaha, Neb., were re-erred for action by the board. A delegate to he United Brethren general assambly conerence was chosen, reversing the action of he morning. The new catecism was adopted. The time

selected for the next meeting is Wednesday vening, succeeding Whitsuntide, 1897. The onvention adjourned at midnight.

REFORMED PRESBYTERIANS.

synod Finishes Its Labors at Denver at Goes Sightseeing.

DENVER, June 13 .- The synod of Reformed Preabyterlans adjourned at midnight and most of the delegates have gone on a trip to Pike's peak. The refusal of the New York Presbytery to organize a Reform Pres bytery in Cambridge, Mass., in response to a petition froom a congregation in that place was overruled and the petition of the Cambridge people granted.

liquors and tobacco and the report was adopted unanimously. The government of the United States was condemned for countenancing the liquor traffic and the sale of The synod decided to enlarge its work

among the Indians in Oklahoma and will endeavor to unite the small congregations and supply them with preachers. The report of the committee on Sabbath of servance, as submitted by Rev. J. R. Wylie was accepted and commented on most favor ably. He condemned Sunday mails, trans-portation, newspapers, street cars and all

kinds of work, also the tendency to turn the day into an occasion for merry-making. The appropriations adopted footed up about \$60,

LONDON, June 14.—The Times announces that at St. George, London, on Wednesday John Francis Harris, son of the late G. S. Harris of Nebraska, was married to Ger-trude, daughter of H. P. Upham of St. Paul, Minn. Maurier Completes a New Novel. LONDON, June 13 .- The Daily News this norning announces that George du Maurier

has finished a new novel.

Movements of Ocean Steamers June 13 At New York-Arrived-Salier, from Bremen: Persia, from Hamburg.
At Southampton—Arrive: —Columbia, from Ne wYork, for Hamburg, and proceeded; steamer Kaiser Wilhelm II for Bremen; Havel, from New York, for Bremen

MAJ. HALFORD GOES TO DENVER KILLED AN UNARMED BOY

Orders from Washington Transfer a Popular Paymaster to Another Station. According to the following dispatch, which was received by The Bee from Washington last night. Major Halford, who for almost two years has been paymaster for the De-

transferred to Denver: "Major Elijah W. Halford, paymaster, has been relieved from duty at Omaha and assigned to duty at Denver, headquarters of the Department of the Colorado."

Major Halford stated last night to a reporter that he had no doubt that the telegram was true. He said that some time ago he received unofficial notification that he was to be transferred to some other station, but the name of the city to which he was to be sent was not mentioned. He had expected it, too, because of the this place, was premeditated and clod-blooded changes that have already been made in in the extreme. So says the coroner's jury, and the corps. There are three paymasters in Porter is being held without bail. The parties this department, and there is not enough reside on Spring creek. Porter, the murwork to keep them busy. Major Halford was probably chosen as the one to be transferred, as the other two paymasters out- tice of the peace, and a member of Springrank him in the length of their terms of view post No. 212, Grand Army of the Re-

President Harrison's term of office, during which he was Mr. Harrison's private sechas taken a very active interest in all kinds of religious work, and he has been especially identified with the work of the Young Men's Christian association. He has served one term as president of that institution, and last month was re-elected. During his con-nection with it he has given remarkable impetus to the work of the association, and much of the success that it has attained during the last two years can be largely as-signed to his own personal efforts. He has spent the larger part of the time that was not devoted to his official duties in

pushing it forward in every way.
"I regret very much to leave the city," said Major Halford. "During the two years that I have been here I have been treated very kindly and have formed many pleasant acquaintances. I understand that about six weeks ago a number of letters were sent to Washington asking that I be re-tained here, and I appreciate much this

While he has no knowledge of the matter as he has not received official notification of his transfer, Major Halford thinks that he will be sent to Denver some time during the latter part of this month, in order to be there when the monthly disbursement takes place on July 1.

Major Halford lives at 602 South Twentyeinth street, his family consisting of an only daughter.

LINDSAY FOLLOWS CARLISLE'S LEAD Junior Senator from Kentucky Takes the Stump Against Free Silver.

FRANKFORT, Ky., June 13.-Sepator Lindsay spoke to a crowded house here tonight. In opening he said: "Appeals being the question of coinage under the conditions of 1895 so as to avenge or right the supposed 'crime' of 1873, ought to receive no consideration. This is a case in which the dead should bury its dead. The discontinuance of silver coinage by the world at large in the years between 1870 and 1874 may or may not have been a crime. I am one of those who incline to the belief that the demonstration general then said the state was ready for trial conditions would be better today if Germany and Attorney Harrington stated that the defense was also ready. The court instructed the clerk to isue a venire for fifty talesmen, but the attorney general thought the case was not passed surreptitiously as is now so come into town, and the end is not yet. persistently claimed. It may be true that many members of congress did not understand the effect of that legislation, and the president who approved that bill was not advised of the fact that it discontinued the coinage of the

legal tender silver dollars."

Continuing, he dealt sledge hammer blows at the doctrines of the free silver cham-pions in this state, and then replied to the plan of Senator Jones to raise immediately the value of all the siver of the world 100 per cent, but should it be done, he held that the 423,000,000 legal tender silver dollars in circulation and owned by our people would not have a cent added to their money value, but if, by the magical influence of an act of congress, the mercantile value of silver can be increased from 67 cents to \$1.29 per ounce, then we may double the value of thousands of millions of silver in India, Mexico and other countries. No American would share the benefits of the miraculous increase except the mine owner and the speculator. Senator Lindsay's speech was o we hours duration and was enthusiasticall received. During the course of his remarks, he paid a glowing tribute to Secretary Car-lisle's efforts in the cause of honest money.

CLEVELAND DID NOT FISH SUNDAY Private Fecretary Thurber Makes an Em-

phatic Denial of the Charge. WILMINGTON, Del., June 13 .- In an ad dress before the Scott Literary society of the Wilmington Conference academy at Dover Tuesday night Rev. Dr. Morritt Hulbert, pastor of Grace Methodist Episcopal church, this city, gave utterance to the newspaper charge that President Cleveland had gone fishing on Sunday last. The editor of the Dover Index wired Private Secretary Thurthe truth of the charge ber an inquiry as and received the following answer: "In answer to your telegram, I beg to state that if Rev. Hulbert said the president

fished on Sunday he told an absolute false-hood. HENRY THURBER, "Private Secretary. On being shown this telegram today Dr. Hulbert said: "I read the reference to the president in a newspaper while coming from Pittsburg. I did not make the statement definitely, nor with animus. If it had been a matter of previous thought it would not have been said. I am not given to speaking evil

of a magistrate and dignitaries on anybody's MPRINLEY TO SPEAK AT CLEVELAND

a Special Train. CLEVELAND, June 13 .- Chairman Morris of the local executive committee of the National Republican league announced today The committee on temperance reported very strong resolutions against the sale or use of that the committee has succeeded in making an arrangement whereby Governor McKin ley will keep his engagement to address the Chautauqua assembly at Ottawa, Kan., on the 20th inst., and be present at the con-vention of the National Republican league on

he 21st. The governor will start east im nediately after his address in Ottawa, prob

ably traveling on a special train as far as Chicago, arriving in Cleveland on Friday in

ime to deliver an address at the closing ses

Will Keep Two Appointments by Means of

Japanese Torpedo Boat Founders.

SAN FRANCISCO, June 13.-A private leter received from a seaman of the cruiser Charleston reports the foundering at sea on the morning of May 19 of torpedo boat No. 16 of the Japanese navy, off Pang-Hui island in the Pescadores. All the vessel's crew except one man were drowned. Among the lost were two English and Two American seamen. The latter's names are reported to be Alfred Lawson, formerly of Hartford, Conn. and James Brauson, a Californian. Fourteen men comprised the crew. Captain Ozko was a graduate of the French naval academy and one of the officers in command of the torpedo flotilla which did such damage to the Chinese fleet at Wei-Hai-Wei. The torpedo boat sank haif a mile from shore and within view of a number of Chinese fishermen, who refused rewards offered by Japanese soldiers on shore to rescue their drowning countrymen. harleston reports the foundering at sea or

Rebets Maving on Puerto Principe. MADRIID. June 13 .- Advices have reached here that two bodies of rebels of 500 each, erick Pate, colored, of this city, was killed made an attempt to capture Maron and

Serious Charge Against G. A. Porter of Springview, Neb.

ATTACKED A WOMAN AND HER CHILDREN

Quarrel Over a Horse Worth Probably Three Dollars Provokes a Tragedy -Some Talk of Lynching the Prisoner.

SPRINGVIEW, Neb., June 13,-(Special Telegram.)-The murder committed by G. A. Porter yesterday, twelve miles northeast of derer, is an old settler of this county, a juspublic. The Woodforks, murdered, are a Major Halford was appointed to the pay family of newcomers, negroes, from Kansas epartment of the army at the expiration of City or St. Joe, consisting of father, mother and ten children, the children being all weak minded, and the whole family very much diretary. His first duty was in Paris, where he was placed in the disbursing office of lapidated. Woodfork about three weeks ago, the Bering Sea commission. From there he took their team, two old ponies, wagon and came directly to this city, two years ago harness and left his family, going to parts next August. During his residence here he unknown. Some time ago Woodfork bought an old horse and got Porter to sign the note with him. When Woodfork left his family Porter came and got the horse and swore in the presence of some neighbors that he would

kill the whole family. Yesterday Mrs. Woodfork went to where Porter's boy was herding cattle, got the old horse, worth about \$3, brought it home and locked it up in the stable.

Porter was soon after seen coming across lots with a double-barreled shot gun, when the Woodfork family, thinking it a bluff, ran out to the barn or near by to keep Porter from removing the horse. A quarrel ensued and Porter knocked Mrs. Woodfork down with his gun, inflicting probably a fatal

wound over the right eye KILLED AN UNARMED BOY.

He then turned his attention to the eldest cy, who by this time was on the run over the sand hills and out of range of Porter's gun. A younger boy, standing by the side of his prostrate mother, said;

"Why, you have killed my mother." Then Porter leveled his gun on the unarmed boy

"Yes, and I'll kill you, too," and fired. The whole load of buckshot passed through the boy's chest about four inches below the chin, making a hole that a good sized man could run his arm through, killing the boy in-

Porter then got onto a horse, threw his gun on his back and came to town and gave himself up. The Bee reporter has done made to the American people to so regulate his best to get a statement from Porter. He says he knocked the woman down and killed the boy, but did it in self-defense. There is talk of lynching Porter, but it it thought that better judgment will pre-

Porter's hearing before the county judge as just closed, and he pleaded not guilty. It came out in evidence that, besides knockof 1873 was a grave mistake, and that the conditions would be better today if Germany and the Latin Union and the United States and the Latin Union and the United States was saved. Since the killing Porter has was saved. Since the killing Porter has

TATAL CONCLUSION OF A FEUD

Frank Hazelett. YORK, Neb., June 13 .- (Special Telegram.) As a result of a feud, which has been in xistence for years, George Kingen lies dying t the home of John P. Widdup, and Frank Hazelett has been arrested as his murderer, The murder took place about twenty-five niles southwest of York, near Cordova, to-

iay. Kingen and George Boslough were driving from Cordova. They passed the farm of Victor Hazelett. Frank Hazelett, his son, was repairing a fence when they passed. As alleged by young Hazelett, Kingen, as soon as he saw him, jerked his hand toward his hip pocket as though to draw a revolver, whereupon Hazelett opened fire upon him with a double-barreled shotgun, which was lying near, loaded with buckshot. The main wound is in the back of the head, yet his back was farly punctured by bullets. Bos-lough escaped without injury, although

Hazelett in firing was several yards away when he shot at Kingen. This tragedy recalls to the mind the feud which has existed between the Hazelett's and Wildup and Kingen. About five years ago Kingen resided in York together with his family. As a result of some domestic jar, Mrs. Kingen left him and went to her father's, Victor Hazelett's home. This was the starting of the trouble. Kingen circu-lated reports that one James McMullen was criminally intimate with his wife. For an assault on him McMullen sued Kingen for damages and was awarded same in the dis-trict court of York county. Some time after this Victor Hazelett, Mrs. Kingen and James McMullen were driving home from York one evening and when about a mile from the home of Widdup, Kingen, who was hiding in a clump of trees near by, slipped out and at the point of a revolver forced them to stop. McMullen in trying to escape was shot

at and barely escaped being killed For this Kingen was arrested and sen enced to the penitentiary for two years. In March, brough the efforts of John P. Widdup, Kingen was paroled by Governor Holcomb, and since that time has been residing with Widdup. During the last few days it seems that Kingen has boasted that as soon as his sentence run out he would massacre a few

iozen of these who were is strumental in send-ing him to the penitentiary. The latest reports from Cordova show that Kingen is dying. As soon as he was taken home he requested that a prostitute of this city be sent for. She left immediately for the home of Wildup. Frank Hazelett came in tonight and gave himself up. He was acmpanied by several persons, who expressed belief that Hazelett was justified in killing Kingen. Though laboring under excitement. he alleges that he thought what he had done was in self-defense. The community of Cor-

dova is greatly excited over the affair.

CHICAGO, June 13.-With the adjourn-ment of the legislature, without having called up the Humphrey bill, passed away
the last chance of horse racing in Illinois,
with a betting attachment, during the next
two years. Owners of Hawthorne and
Harlem, who were practically conducting
the fight for protective legislation, hoped
up to the last day that the Humphrey bill
would be taken out of the committee and
rushed through. There can be but one outcome of the situation. All the big stakes
at Harlem will be declared off at once, including the \$20,000 Derby and the \$10,000
Garden City handicap. called up the Humphrey bill, passed away

Situation at Coner d'Aiena Unchanged. SPOKANE, Wash., June 13.- There is no hange in the labor situation in the Couer d'Alene mines. The Bunker Hill and Bullid'Alene mines. The Bunker Hill and Sulli-van mines are preparing to resume work on a basis of \$3 a day for miners and \$2.59 for carmen and shovelers, a requisite number of citizens having signed a petition pledging them support. What the result will be on resumption is a matter of conjecture. The Miners' union says there will be no lawless-ness, but that the company will not be able to secure men at the cut wages. Men well informed respecting the situation, however, look for trouble and violence.

BATTLE CREEK, Mich., June 13 .- Fredwhile making a balloon ascension yesterday at Marcellus.