FIFTY FOR A CHOICE

Hinahaw's Idea of the Number of Votes Needed for Nomination.

HE DOES NOT OPPOSE GOING INTO CAUCUS

Makes a Plain Statement of His Position Concerning the Matter.

HAINER IS THE ONLY ONE HOLDING BACK listed men asked for by the secretary-5,000

All but One Recognized Candidate Are Now Willing to Take a Chance.

QUESTION APPROACHES A SETTLEMENT

Conferences of the Aspirants Bring Them Nearer to Agreement on the Terms for the Final Test of Strength.

LINCOLN, Jan. 10 .- (Special.) - The preliminaries to a joint senatorial caucus have been going along without very serious ob- provided for at the last moment, but this presses. struction in a series of conferences between the principal candidates interested. the company are to be given a hearing torecognized candidates have participated, O'Neill, Maville, Bradford and Naval Conexcept Mr. Hainer, who declined an invita- structor Woodward, which strongly option to join, giving as his reason that he poses the authorization of further boasts of did not think any good could come out of this type. Eight of these bonts were authe conference. It is well known that the thorized by the last naval appropriation Hainer men are adverse to any caucus at bill. The conclusion of the board is as folthis time, so the other candidates have lows; continued without Mr. Hainer. This morning Mr. Hanaw, not feeling well enough to attend, was represented by Judge Letton.

That some progress has been made toward an agreement is found in acquiescence of all in an open roll-call vote. Difference

of all in an open roll-call vote. Difference of opinion still exists on the question of majority and the manner of voting. Although the conference last night dispersed without definite conclusion and to meet again in the morning, the Lincoln Journal came out with the announcement that all had agreed on a 43 majority, leaving other rules to be fixed by a majority of the

caucus. This bald, false statement was evidently fabricated to boost the caucus paper started by the Lancaster men embodying those provisions .

An unofficial conference was held tonight attended by twenty-nine members, chiefly Thompson's supporters, who had signed the "forty-three" petition. They organized with Senator Harlan in the chair and discussed means for getting a full caucus on the terms that they had signed, but came to no definite agreement except to meet again tomorrow afternoon. The conference is regarded as a move designed to enable the Thompson men to dictate the caucus

Mr. Hinshaw's Position.

Mr. Hinshaw, whose position had been misstated in several quarters, explains his there was danger in the imitation of builter attitude as follows in an interview; 'I notice in yesterday's paper the state-

ment that I am opposed to a caucus. This is wholly untrue. I am and always have been in favor of a caucus, but I desire a caucus that will result in a fair expression of the oleomargarine business would injure of the will of republican members of the legislature. The caucus should be com- farmers will find it profitable to keep and posed of at least sixty-seven members and fifty votes should be required to nominate. Two years ago a caucus was agreed upon wherein fifty votes were necessary to nomi-At that time there was but one senator to elect. The conditions were such that it was much harder then for one man to get fifty votes than it is now when two senators are to be elected, and it is possible for two men, each with about one-third of rine and that to make certain of getting the republican members of the legislature, the real article he had butter for his own by combination to elect both men. Many table shipped direct from a creamery in are in favor of a larger number than ffty. Iowa. I think fifty would be a fair compromis arrangement. The people of the state during the late campaign took a deep interest in the senatorial question. They had then, and I think still have, strong convictions on the subject. For many years the republicans have been in a minority in this state, partially because of national issues but more largely because of certain misfor tunes of former republican state adminis trations. The republican party is now on probation. Its continued ascendency can only be assured by the selection of two men for senator whose election will not allenate any considerable portion of the party strength. This, I believe, under the peculiar circumstances of the present contest can best be accomplished by a caucus of fifty to nominate, an open ballot, and that both should be nominated and elected simultaneously.'

A caucus paper in conformity with Mr Hinshaw's views was also prepared and set in circulation operating as a decided counterweight to the indefinite forty-three paper also out. None of these papers have yet been signed by the Douglas county representatives.

Douglas County Contests.

In the Douglas county contest cases the committee in both houses have found that there was fraud-even the fusion members of the senate committee signing a report to that effect-but that, except in the case of Carsten Rohwer, it was not proved that the fraud was sufficient to overturn the result. As to Rohwer that his right to his seat has been fully established is conceded by all impartial observers and the matter will be brought before the house itself to be settled there by vote of the members. While it was given out that senatorial politics were to be excluded from the contest cases, the fact that the contestants are known to favor Mr. Rosewater for senator unquestionably operated against them with representatives who grounds for seating were ample.

Ransom's Ranting.

Ransom's pyrotechnics in the senate to day in his tirade against Mr. Rosewater made lots of noise, but struck a decidedly unsympathetic chord with his associates and audience. He was severely rebuked by several senators for bringing in his spiteful personalities without any occasion for them, as Mr. Rosew-ter has carefully avoided any personal participation way in the contest cases, either at Omaha. where the testimony was taken, or here

at Lincoln before the committee. I haven't time to pay attention to such vile slanderers," said Mr. Rosewater, "All Ransom and his fellows want is to divert me from other work I have in hand. Nobody who knows Ransom will be misled by sul, pending the arrival of his exequatur. his outpourings."

Ex-Governor Thayer Out.

Ex-Governor Thayer was a conspicuous figure around the senatorial headquarters teday. The venerable ex-governor is enjoying good health and looking well, the

(Continued on Third Page.)

Meers and Engineers Discourmmittee from Ordering - Holland Boats.

it will not be in shape. ', aske public until tomorrow or Saturday. "ne question of the

ncrease of the navy, which usually entails

the largest contest, was easily settled this

year by the acceptance of the recommenda-

tion of the secretary of navy for two bat-

tleships and two cruisers. The committee

also decided to give the full increase of en-

men instead of 3,000 men, as tentatively

senior class immediately upon their gradu-

duty. As the senate has twice declined

There is a possibility that in addition to

is bardly probable. The representatives of

ation the price is not excessive

WILSON SIDES WITH THE COW

Secretary of Agriculture Addresses

Senate Committee in Support of

Oleomargarine Bill.

WASHINGTON, Jan. 10 .- Secretary Wil-

son made an argument before the separt

committee on agriculture today in support

the measure was intended to protect the

become a law. Speaking of the consump-

tion of butter and of oleomargarine, Mr.

Wilson said that the amount of butter dis-

posed of annually is about eighteen pounds

Judge Sprirger that he considered this dan-

would result in driving renovated butter

fatten their own beeves. Incidentally,

expressed the opinion that farmers of the

south would get far more in the way of re-

turns by raising cattle and the crops neces-

sary to that end than they would out of

the sale of a few thousand barrels of cot-

tonseed oil to the oleomargarine makers.

He said that more than half the substance

used in Washington for butter is oleomarga-

Alexander of Servia. WASHING 4 e, 10. The house committee on nava. today practically completed the nave griation bill, but

griation bill, but

HE IS A VICTIM OF DOMESTIC INFELICITY

No Longer Holds the Upper Hand, Either in His Kingdom or in His Own Household-Repents His Mesalliance.

(Copyright, 1901, by Press Publishing Co.) VIENNA, Jan. 10 .- (New York World Caagreed upon yesterday. The bill also will blegram-Special Telegram.)-The romance carry a provision to commission two classes has been knocked out of the life of King from the naval academy now on their Alexander of Servia. The announcement cruises; also to commission the present from Belgrade that he is to honor his wife by having a new regiment named after her ation in June. The action was taken to shows that he is not only a victim of doprovide the additional officers, of which the mestic infelicity, but also that he has no lepartment is greatly in need. It will longer the upper hand in his kingdom or in K. Prince, married Kennedy on December make about 150 new officers available for his own household.

The money necessary to find the horses to accept the house proposition to shorten for this new regiment is to be drawn from willing party to the contract. The father the naval academy course from six to four the purse recently subscribed by his sub- and brother of the bride accompanied the years, the committee did not insert it in the jects as a birthday offering to the king. The queen of Servia in having a regiment named after her will thus be accorded an annul his marriage with Miss Prince. He the increase of the navy a number of sub- honor which is usually reserved to highly alleged in his petition that he was forced marine boats of the Holland type will be popular and public-spirited queens and em- into the marriage by threats to take his

has imposed this line of conduct on her brother of the young woman, but by her The first meeting Tuesday night adjourned morrow, but the committee has a confi- husband, for King Alexander, far from be- also. The petition said that he had never to Wednesday night and another adjourned dential report of the board of bureau chiefs ing eager to show her honor before the lived with her as his wife. meeting was held this morning. All the of the Navy department signed by Admirals world, is so disappointed in her and so seriously meditating abdication.

> But the consequences of abdication terrify him. If he should give up the throne his mother, the beautiful ex-queen Natalle, would suffer, not only in her dignity, but emnity to her former husband, the ex-King Milan. King Alexander loves his mother and has always shown a disposition to be guided by her, save when he married her maid of honor, Mmc. Draga Maschin, the present queen.

are considered a sufficient number to ex-periment with.

As regards the cost of the present boats— namely, \$170,000 cach—the board is of the opinion that if the cost of construction with a reasonable profit to the contractors is alone considered, it is a very high price, but if the expenses of the company in developing the boat is taken into consider-This latter in one of the few women in history, who, like Mme. Recamier, without UNION PACIFIC MINERAL RIGHTS exceptional beauty and even no longer in the prime of life, have the gift of fas- Right of the Company to Transfer cinating strong men and leading them to

Mme. Draga Maschin won an ascendancy over the heart of the tall, dark, callow-lookwas less than half a year ago.

of the Grout oleomargarine bill. He said ing out of the window.

Throws Chamberlain Out Bodily. per capita and of oleomargarine something over one pound, and he said in response to for himself. But the royal lady soon be taken to the supreme court. brought him to his senses by revealing that of coloring matter and thought she was already in control of state influthat in time the use of improved methods ences which he had never suspected; that any false move on his part would lead to the out of existence. The secretary said he did return to power of his father, Milan, and not accept the opinion that the regulation that she had hope in any event of remaining queen, for if she aided in the restorathe beef cattle business, and said that tion of Milan the latter would arrange to marry her. Ex-King Milan, as a matter of fact, while gaily pretending that his recent visit to Paris was with a view to marrying a wealthy American girl, really went there to discuss with some bankeres of a speculating turn the question of their furnishing him with funds to further his prospects of

regaining the throne of Servia. So King Alexander, on the advice of his mother ate humble pie. Queen Draga Maschin has grown more imperious and domineering than ever and the traditions of domestic trouble in the royal house of Servia bid fair to be perpetuated.

French Minister of Foreign Affairs

Says Rights in Newfoundland

Are Not Contested.

ter of foreign affairs, M. Delcasse, inquir-

ing about the truth of the rumors of a pos-

the Newfoundland shore. M. Delcasse re-

nothing to prevent their being exercised."

Irish Parliamentary Leader Hopes for

British Financial and Military

of the United Irish league this evening.

John Redmond, leader of the Irish parlia-

mentary party, spoke most hopefully while

Africa. He said: "I hope to God the

government will be overwhelmed with mil-

Mr Redmond, "with a program for re-

Snowbound Passengers Rescued.

from five trains which have been snow-

men is clearing the tracks to Odessa.

Cotton Cargo Damaged.

LONDON, Jan. 10.-The British steamer

Cervera's Case Hopeless.

ODESSA, Jan. 10.-The police, firemen

forms, including land purchases."

fire and 300 by water.

"Ireland has at last a united and inde

Disaster at Capetown

this statement.

REDMOND'S GOOD

INDICATIONS OF ACTIVITY GIVES GARRAU HIS ANSWER

Showing Made by the German Year Book-Iron Industry Growing.

WASHINGTON, Jan. 10 .- The year book of the German Maritime union for 1901, quoted by Consul Hossfeld at Trieste in a report to the States department, regards the consumption of coal and iron as the most reliable measure of industrial activity sible abandonment of the French rights on in Germany. The consumption of coal rose from 4,747 pounds per capita in 1896 to plied; 5,185 pounds in 1898, and of iron from 271 pounds per capita in 1896 to 309 pounds in 1898. The revenue derived by the kingdom of Prussia in 1898 from the produce of its forests amounted to \$19,278,000, an increase of nearly \$3,000,000 as compared with 1896. The growing consumption of meat, sugar and beer is also mentioned as an additional sign of economic prosperity. Consul Hossfeld says that while the average person in Germany contented himself with 123 quarters of beer in 1896, he increased his allowance to 131 quarters in 1898. freer use of animal food is shown by the larger revenue derived from the meat tax, the increase being estimated at fully 15 per cent in the space of two years.

Amendments to Ship Subsidy Bill. WASHINGTON, Jan. 10.-The senate com mittee on commerce today agreed to make several amendments to the ship subsidy bill. One of these extends the benefit of the bill to ships engaged both in the foreign and coastwise trade, such as those of the Pan-America railroad line. This Irish cause. amendment grants subsidy to the extent

that the cargo is foreign. Another amendment permits a majority of the owners of a steamship to sign a contract with the secretary of the treusury would rather stretch a point than give a and in lieu of a bond the secretary is auinstead of requiring all the owners signing thorized to retain 25 per cent of carned itary and financial disasters at Capetown." compensation as security for the performance of the contract.

Nicaraguan Consul Recalled.

WASHINGTON, Jan. 10.-The State department has been advised of the recall of General Carlos A. Lacayo, Nicaraguan consul at San Fransico, and the designation of Luis Filepe Bastrato, as his successor. General Lacayo is highly connected in his country, belonging to the same party with greatest sufferings. A force of 4,000 work-President Zelaya. His official administration has been entirely satisfactory, although Four days' mail has been stalled up. the press of that country has of late given some prominence to affairs of a personal character relating to the official. The minister from Nicaragua, Mr. Corea, has asked for the recognition of the new con-

President Greatly Improved. WASHINGTON, Jan. 10 .- At 10 o'clock

this morning Secretary Cortelyou said that the president had had a good night and was distinctly better. No complication of any kind have developed and everything grown worse and that his recovery is aiis progressing satisfactorily. most hopeless.

SUBMARINES NOT FAVORED QUEEN SWEEPS THE DECK KILLED INSTANTLY BY WIFE WANTS BONI TO PAY HIS DEBTS

Philip H. Kennedy of Kansas City Shot Four Times by Woman He Knocks Romance Out of the Life of King Was Forced to Marry.

> KANSAS CITY, Jan. 10 .- Philip H. Kensedy, agent for the Merchanis' Dispatch Transportation company, was shot four times and killed by his wife, Lulu K. Kennedy, at his office in the New Ridge building, in the heart of the city, late this after-

At 5:30 this afternoon Mrs. Kennedy ap peared at the entrance of the office of the Merchants' Dispatch Transportation company and seeing her husband, Philip H. Kennedy, inside, requested him to step into the hall. He had barely passed through the door into the hall when his wife opened fire on him with a revolver, shooting him four times and killing him instantly. The woman kicked the lifeless body of her husband as she exclaimed: "Now you will never seduce another woman."

Mrs. Kennedy, who was formerly Lulu 4, 1900, and the greem's action during the couple during the marriage ceremony. Last Tuesday Kennedy brought suit to

There is no doubt that the queen herself were made not only by the father and

The girl's family claims that she and Consequences of Abdication Terrify, love with her. He broke the engagement edges the receipt of goods ordered by him also in her pride and in her unplacable affair. Miss Bessie Phillips, the girl to several letters the count pleads the Spanish-Grand Rapids, Mich.

fessional whistler.

Them is Questioned in Wyoming Court.

CHEYENNE, Wyo., Jan. 10 .- (Special ng youth who is king of Servia and is Telegram.)-At Laramie today a suit intwelve years her junior. He married her, volving the right of the Union Pacific to though she was a woman with a past. This transfer the mineral rights when selling lands given the company by the govern-Recently the young king heard rumors of ment was brought by J. W. Starkweather his spouse's indiscretions. Entering her and others of Denver. Starkweather purapartments unexpectedly he found her in chased a piece of land from the Union Pacompany with the court chamberlain, Major cific, on which is located the Copper King Blaza Mirkovitch, a handseme, dashing officer 32 years old, who forms a striking con- developed the mine and claims the proptrast to the somber, studious young king. A crty by virtue of squatter's rights. Refarmer and the public at large and should lady-in-waiting present was discreetly gaz- cently Haverland and his wife drove Starkweather and a number of his companions away from the Copper King mine at the Alexander summoned his servants and the point of Winchesters. Haverland has been chamberlain was thrown bodily from the restrained from working the mine until palace without his hat or overcoat. The the title is cleared. The matter, which is king in his excitement talked of exile or being watched by hundreds who have purimprisonment for the queen and abdication chased Union Pacific lands, will probably

REACHES THE GAME COUNTRY

Hunting Trip-Meets Goff at Meeker.

COLORADO SPRINGS, Colo., Jan. 10 .by Mr. Philip B. Stewart and Dr. Gerald B. are not from the collections to which they Webb, boarded the Colorado Midland train were alleged to belong when he bought on which he continued his journey west- them from Mr. Wertheimer." ward to the hunting grounds, where he will | Colonel James, one of the Gould trustees, to Meeker, Colo., where the well known he should not oppose it. guide, John Goff, awaits them with horses, hounds, guns, ammunition, provisions and cooking utensils. A crowd was assembled at the Midland depot to witness the departure of the hunters and it made a noisy lemenstration in honor of the vice president-elect. Several cameras were pointed at Colonel Roosevelt as he alighted from his carriage.

PARIS, Jan. 10 .- Senator Garrau, who de-PUNISHMENT OF KIDNAPING fends the interests of the Breton fishermen in Parliament, recently wrote to the minis-

Bill introduced in Illinois House to Fix Fine and Length of Imprisonment.

"I can only repeat what I said two years ago in the chamber-our rights in New. was one for the punishment of kidnaping, Colonel James opposed the motion to con foundland are not contested and there is naping is imprisonment in the penitentiary be continued legally. Mr. James said: not exceeding twenty-five years, or a fine M. Delcasse concluded: "I do not believe that any indication of a possible abandonnot exceeding \$5,000, or both. The bill con- bric-a-brac in London. As has been stated, ment of our rights can be extracted from Senator Garran, in view of this satisfacory assurance, has renounced his intention to interpellate the government on the subsuch child by order of a court of competent jurisdiction."

WISHES JUDGE YATES HAS HIS WAY

Customary Ball Following Inaugural Ceremonies at Springfield Will Be Omitted.

SPRINGFIELD, III., Jan. 10.-Owing to DUBLIN, Jan. 10 .- Addressing a meeting requests from Governor-elect Yates, supplemented by the expressed wishes of Mrs. Yates, there will be no ball at the close of the inaugural ceremonies here next Monappealing for funds of the prospects of the day. A public reception in the evening at the state house will take its place. The The liberal party, he said, had gone to matter was finally decided at a meeting of pieces, because a large proportion of its joint committees today. Judge Yates remembers had been false to Ireland. The quested that no ball be given this year beconservative contingent was engaged in cause he considered that it would entail perilous movements in China and South a considerable and useless expense,

CHANDLER BADLY BEATEN pendent parliamentary party," exclaimed Republican Caucus of New Hampshire

Legislature Chooses Judge Burnham for Senator.

CONCORD, N. H., Jan. 10.-Judge Henry E. Burnham of Manchester won the nomiand physicians have rescued 470 passengers nation of the republican members of the legislature for United States senator over bound for several days, after enduring the William 3. Chandler and other candidates. Burnham won on the first ballot. Chandler received 47 votes, Burnham, 198; Congressman Sulloway, 23; Henry B. Quinby 2, and H. V. Blair, 1.

Missouri River Telephone Combine Tanagra, Captain Marsters, which arrived ST. JOSEPH. Mo., Jan. 10.—(Special Tele-gram.)—The Missouri River Telephone as-sociation, composed of the toil line and local exchanges in northwest Missouri, southern lowa and eastern Kansas, sas organized at a meeting in the Citizens' Telephone company's office in this city this afternoon. Twenty exchanges were repre-sented. The officers of the association are: H. E. Raiston of Maryville, president; G. A. Haynie of Savannah, vice president; I. N. Bremen, yesterday from Savannah and Norfolk, via Falmouth, with fire in her cotion cargo, reports 300 bales damaged by MADRID, Jan. 10 .- A dispatch from Hayrie of Savannah, vice president; L. Fry of Grant City, secretary and treasur. The executive committee consists of the officers and F. S. Trayis of Tarki Puerto Real, near Cadiz, where Admiral Cervera is lying ill, says his condition has mmittee consists of these Travis of Tarkio and J. T Norman of Stanberry.

Assignee of London Bric-a-Brac Dealer Pushing Claim in New York Court.

ENJOIN GOULDS FROM HELPING COUNTESS

Big Batch of Letters Introduced in Court Wherein Castellane Gives Many Varied Excuses for Failure to Settle.

NEW YORK, Jan. 10 .- The suit brought by Anton J. Dittmar, a New York lawyer, as assignee of Asher Wertheimer, a London bric-a-brac dealer, to enjoin the trustees of the estate of the late Jay Gould from paying over to the Countess De Castellane any portion of the income of her share of his estate was called in supreme court today in an application to continue, pending the trial of the action, a temporary injunction issued by Justice Fitzgerald preventing the ceremony indicated that he was not a Goulds from sending any money to their

sister By an agreement between counsel, the Goulds have been permitted to send over to the countess \$19,800 a month for the last two months.

Mr. Untemeyer, counsel for Dittmar. presented an affidavit today from life if he refused, and that the threats Wetrtheimer giving a detailed account of all the articles sold by him to the Castellanes and alleging that they were worth all that was charged for them. Annexed to his affidavit Mr. Wertheimer has disgusted with life that he has of late been Kennedy were engaged to be married, when between himself and Count De Casteliane. placed much of the correspondence passing he met another young woman and fell in In the early letters the count acknowlwith Mirs Prince, they say, and the cards and agrees to settle as alleged by Mr. were out announcing his marriage with the Wertheimer in his affidavit. Interest, says other young woman, when the father and the count, on all credit purchases, is to be brother of Miss Prince took a hand in the reckoned at 4 per cent per annum. In whom Kennedy was engaged, now lives in American war as an excuse for not meeting his obligations to Mr. Wertheimer Kennedy was about 30 years old, and his He says his income is delayed by the war. wife is 20 and prepossessing. Mrs. Ken- In one letter the count assures Mr. nedy is a sister of Burt Prince, the pro- Werthelmer that his income will soon ar

In a letter dated in London on April 6 1899, the count writes that he has made an arrangement with his brother-in-law by which Mr. Wertheimer's bill, which is due, will be paid in eight days. In a let ter written in January, 1990, the count asks gathering at strategic points. The tran-Wertheimer to discontinue legal proceedings; that he was about to visit America to realize on certain securities for the benefit of his credit.

Historical Bric-a-Brac.

Mr. Untermayer argued on the technical objections raised by the Goulds and then passed to the merits of the case. The acceptances given by the Countess and Count de Castellane, he said, were given for historical bric-a-brac and valuable paintings. chiefly obtained from sales at Chrystie's in London. "Some of it." counsel continued, "has

been sold by Count de Castellane, and some debtedness be paid, the Goulds come in and place for the ministers elsewhere, Roosevelt Arrives in Colorado on His make this shameless defense. In this transaction Count de Castellane shows himself as mean and thorough a scamp as can be well conceived.

"He does not see fit to give us back our Colonel Theodore Roosevelt arrived in this furniture, which we have expressed our city on the Rock Island train at 7:35 o'clock willingness to take, but sells it. He then this morning and at 11 o'clock, accompanied has the audacity to say that five pictures

The party will leave the train at Rifle, new affidavits an amended complaint and Colo., tonight, and tomorrow they will ride he would ask for time to consider whether

Want Countess' Bid Cut Down.

"The only difference between the amended complaint and the original." retorted Mr. Untermayer, "is that, having since we brought our action, learned that the Countess de Castellane's debis amount to over \$4,000,000, we ask that her allowance be cut down to \$190,000 a year, instead of the \$250,000 which we were satisfied she should receive. If this is done the cred itors can see a little daylight as to whether they will ever get anything."

Mr. Untermayer then dealt with the legal aspect of the case and cited authorities to show that the action could be carried on here and that the trustees should be en-SPRINGFIELD, Ill., Jan. 16.-The second joined from paying over a greater sum to bill introduced in the house this session their sister than the court would permit. submitted today. The penalty fixed for kid- tinue the injunction and held it could not "One Asher Wertheimer is a dealer in tains the proviso that this punishment Miss Anna Gould married Count Castelshall "not extend to a parent taking his or lane and with him went to Paris to live her minor child unless such parent is de- and became a citizen of that country. Mr. prived of the right to have the custody of Wertheimer became acquainted with the couple shortly after their arrival and during the years 1895 and 1896 and afterward sold them paintings and old furniture. To gain an idea of some of the transactions will show you two. One was the sale of a wardrobe for \$125,000 and \$9,000 for a commode, on representation that they were made by old artists.

"We deny that Dittmar is the real party in interest. We hold that this court is without jurisdiction over the person of the Countess de Castellane and is without power to determine what part of her income is necessary for the support of herself and children. This is an attempt to ollect a debt that has not been estabants interpose the honesty of that debt is questioned. Even though the court had jurisdiction, the will of the late Mr. Gould would prevent the maintenance or collecwill Mr. Gould expressly provided that no beneficiary under the will should have power Miller, one of the founders. o encumber the share to which he or she

was entitled." Colonel James then quoted a number of authorities to show that it was lawful and | h. just for a person so to place his estate in the hands of trustees and so to provide that his heirs should not be allowed to contract debts in anticipation of their income. Colonel James asked the court to dismiss

the injunction and let Wertheimer have his redress in the French court to which both of the defendants are subject.

VICE PRESIDENT STREIGHT

League of Commission Merchants Gives Omaha Dealer Title at Cleveland Convention.

CLEVELAND, Jan. 10 .- At today's session of the National League of Commission Merchants the following officers were elected for the year: President, D. W. Longfellow, Minneapolia; vice president, H. G. Streight, Omaha: secretary, A. Warren Patch, Boston; treasurer, C. W. Noakes, Cleveland.

orecast for Nebruska-Fair and Warme Today; Variable Winds, Becoming South Saturday Probabi

Temperature at Omnha Yesterday: Hour. Hour, Deg. 5 a. m. . . . 16 Hoar, Deg. 6 n. m..... 15 2 p. m...... 7 n. m..... 15 4 p. m..... 21 5 p. m.... 21 6 p. m.... 21 7 p. m.... 21 9 a. m 10 n. m..... 16 11 a. m..... 16 12 m...... 18 8 p. m..... 21 9 p. m..... 21

BOER FORCES ARE ACTIVE

Attack the British All Along the Line of Lorenzo Marquez

Railroad. LONDON, Jan. 10. General Kitchener sends news of a serious simultaneous attack on the night of January 7 by the republicans on the British positions between coints sixty miles apart, along the line o the Pretoria & Lourenzo Marquez railway. The losses on both sides were heavy According to reports the Boers were beaten off after prolonged fighting.

Following is the text of the dispatch from General Kitchener:

PRETORIA, Wednesday Jan 2.—On the night of January 7 the Beers made simultaneous attacks upon all of our posts at Belfast, Wonderfontein, Nooitzedacht ame Wildyoutein, Intense tog prevailed an taking advantage of the cover it afforded the Borrs were able to creep up close to our position. A heavy fire continued unit 3:40 a.m., when the Boers were driven of One officer was killed and three were wounded, while twenty men were killed and One officer was killed and three were wounded, while twenty men were killed and fifty-nine wounded. The loss of the Roers was heavy, twenty-four dead being counted. A convoy taking supplies to Gordon's brigade, north of Krugersdorp was attacked by Beyer's commando yesterday (Tuesday). The Baers were driven off, leaving elevendend on the field. Our casualties were four slightly wounded. CAPETOWN, Jan. 10.—The refugees are

approaching the military authorities to obtain permission to form a corps for the protection of Johannnesburg and the cities only, as they wish to be on the Rand to assist in the defense of their property. The Chamber of Mines has adopted a similar attitude On the Picquetberg road the Boers are oc-

upying Celvinia and Sutherland, consisting of two columns, one advancing in the direction of Clanwilliam and the other towards Worcester, or in this direction. All passes in front of Worcester have been occupied by seasoned troops which are quil Dutch openly disapprove of the raid. many even sending horses to the British

WANTS TO PARLEY FURTHER

Chinese Court Instructs Viceroys and Commissioners to Seek Modification of Note.

SHANGHAI, Jan. 10 .- A dispatch from Sian Fu (where the Chinese court is located) to a native newspaper mays: Some of the clauses of the conditions

for peace are impossible of acceptance, consequently the emperor and empress and of it has been bought by George Gould, his court have telegraphed to Liu Kan Yi, the brother-in-law, and other defendants here viceroy of Nankin, and Chang Chih Tung. at prices in advance of those charged to the viceroy of Hankow, to proceed to Pekin kin and open the way to a final adjustfacts, one of the defendants swears on in- commissioners and the Chinese commisformation and belief that parts of this sioners, with the idea of securing a modificlaim are fraudulent. Mr. Wertheimer has cation of the conditions. They have been to carry these acceptances at a high rate instructed, if they are unable to proceed what powers did not look with favor upon of interest and when he asks that his in- to Pekin, to propose a suitable meeting

HEIR APPARENT CHASTISED

Sen We Pao Given Two Score Strokes with Bumboo Stick for Disrepect to Emperor.

SHANGHAI, Jan. 10 .- Liu Kan Yi, viceby of Nankin, has memoralized Emperor Kwang Su to abolish the distinction between Manchus and Chinese. Sen We Pao, heir apparent, was given seek spoil with mountain lions and bear, said Mr. Untermayer had attached to his forty bamboo strokes for not paying due respect to the emperor. The empress dow-

DECLARE JOINT NOTE SIGNED

ager acquiesed in the punishment

Paris Hears that Chinese Commissioners at Pekin Have Attached Their Signatures. PARIS, Jan. 10 .- As a result of inquiries

a authoritative quarters the Associated Press is given the following statement in regard to the Chinese situation The Chinese plenipotentiaries signed the joint note yesterday, thus concluding the

preliminary stage of the negotiations. HE STILL LOVES MR. BRYAN Senator Tillman, Back in Washing-

ton, Denies Quarrel at Omnha. WASHINGTON, Jan. 10 .- Senator Tillman

of South Carolina, who today returned from Omaha, where he attended the Jacksonian banquet in company with Mr. Bryan, took occasion to deny the report of a disagreement between himself and the recent prestdential candidate.

"The statement is without any foundation whatever," he said. "There is no disagreement between Mr. Bryan and myself. We are agreed as to the future policy of the democratic party and there has not been the slightest break in our relations."

AFTER BIG ENDOWMENT FUND Chautauqua Assembly Will Try to

Raise \$250,000, Miss Helen Gould Giving \$25,000. CLEVELAND, O., Jan. 10 .- At the meet-

ing of the board of trustees of the Chautaulished. By the answer which the defend- re-elected and reports on the last year's Shanghai is the most important trade cention of the claim, for in a codicil to his It was also voted to crect a memorial at hai, Berlin or Paris are more likely to

KANSAS CITY, Jan. 16—The condition of Kirk B. Armour, sephew of the late Philip D. Armour, who is it with pneumonia, with improved today and his physician expressed the belief that he is out of danger.

At New York-Arrived-Germanic, from Bremen and Liverpool. Sailed-La Bre-tagne, for Havre; Prinz Regent Luitpoid.

CONDITION OF THE WEATHER UNITY FIRST OF ALL

United States Will Not Press Proposition to Peparate Chinese Negotiations.

DIPLOMATIC AGENTS ARE SO INSTRUCTED

Action Taken on Account of Opposition of Several Foreign Powers.

BERLIN SAID TO HAVE BEEN CHIEF OBJECTOR

Plan Advanced in Hope of Breaking Deadlock at Pekin.

MINISTER CONGER CABLES TO RUSH THINGS

Matter of Indemnity and Revision of Commercial Treaties Will Be Considered in Connection with Other Paragraphs of Note.

WASHINGTON, Jan. 10 .- The proposition ubmitted by the president to transfer the negotiation of the questions of indemnity and revision of commercial treaties to some other place than Pekin was designed to facilitate the conclusion of the Chinese negotiations as a whole by separating those still requiring considerable deliberation from those already determined. As some of the powers do not look with favor upon the separation and others hesitate to decide the question, the president has deemed it advisable to direct the diplomatic representatives of the United States to cease to press the proposition.

At the same time, desiring above all else to avoid delay in the progress of the negotiations, the president has directed Mr. Conger to urge forward their completion at Pekin. The other government have also been urgently requested to avoid all unnecessary delay in completing the settlement of the Chinese question.

The foregoing gives in authoritative form the important action determined upon and carried out today. As specifically stated, the action was brought about because some of the powers did not look with favor upon the proposal, while others held back in glying their decision. Under these circumstances it was manifest to the officials here that unity of action was impossible, and as long as even one power declined to accept the proposition, there could be no effective agreement for removing these two subjects of negotiation from Pekin. It is understood that the action just taken does not involve the slightest feeling of disfavor toward those powers which viewed the matter unfavorably or held back in giving their decision. Both the president and Secretary Hay acted on the suggestion of Mr. Conger in the hope that this might offer a means ment. Now that this phase of the negotheir plan and they decline to confirm the current speculation to the effect that considerable of the opposition has come from Berlin. The instructions to Mr. Conger to urge forward the completion of the negotiations at Pekin were forwarded late in the day. Mr. Conger was not heard from during the day.

POWERS WILL DECLINE OFFER

Invitation to Transfer Indemnity Negotiation from Pekin to Washington Will Be Rejected.

PARIS, Jan. 10 .- The correspondent of the Associated Press learns on good authority that the suggestion of the government of the United States to change the seat of the Chinese negotiations from Pekin to Washington will be declined by the powers. It was added that this point was insignificant as compared with the difficulties to be met with between the powers theniselves, whose clashing interests will have full play in the coming discussions. The United States' proposal to shift the seat of the aegotiations finds no favor in the European chancellories. The reasons given

for this opposition are: First-It is considered a great mistake to transfer the acgotiations from China, where all the information is at hand respecting the situation and the feeling among the Chinese themselves, and more especially regarding the conditions of trade and commerce, with which the negotiations will be

chiefly concerned. Second-The United States' commerce with China is comparatively small when compared with that of several other countries. Therefore the United States is not entitled to expect the negotiations to be carried on at Washington.

Third-The European powers have not felt sufficient confidence that the United States government might not find itself influenced in the negotiations at Washington by the pressure of interests, having an eye to the exploitation of China. The attitude of some of the powers, moreover, is swayed by other motives in opposing the United States proposal. Great Britain, for example, which seems to be the most strongly antagonistic, has probably taken into consideration the United States atti-

tude toward the Clayton-Bulwer treaty.

Shangbai is Favored. The feeling here favors Shanghai, if any qua assembly tonight the old officers were change is made, as it is pointed out that work were submitted. It was decided to ter in China and, moreover, that the southmake an effort to raise a quarter of a mil- ern viceroys, who are favorable to ferlion dollars, the endowment fund started eighers and anxious to further trade, could by Miss Helen Gould with a gift of \$25,996, make their influence felt. Failing Shangthe assembly grounds to the late Lewis be chosen. The enermous British interests are in favor of the choice of London, but it is improbable that the other powers will agree to this.

There is no reason to suppose that Russia will withdraw from the joint negotiaions. The treaty she has concluded with China concerns here special interest in re-Movements of Ocean Vessels Jan. 10. | glons contiguous to her territories, but she has great political interests to defend and further in the joint conference, which will bristle with obstacles to a speedy settle-Greenlock-Arrived-Livonian, from ment. Bussia aims chiefly at a wide ex-Portland
At Hamburg - Arrived - Pennsylvania, from New York, via Plymouth; Beigaria, from New York, via Plymouth; Beigaria, from New York, at Queenstown-Salied-Rhynland, for Philadelphia, from Liverpool; Majestic, for New York, from Liverpool.
At Liverpool-Arrived-Teutonic, from New York, Georgian, from New York, Salied-Iberia, for New York, At the Lizard-Passed, Jon, 11—La Gancogne, from New York, for Havre, At Glasgrow-Arrived-Anchoria, from New York, York.

At Glasgrow-Arrived-Anchoria, from New York, York, Salied-Anchoria, from New York, for Havre, At Glasgrow-Arrived-Anchoria, from New York, Salied-Anchoria, from New York, for Havre, At Glasgrow-Arrived-Anchoria, from New York, Salied-Anchoria, from New York, for Havre, At Glasgrow-Arrived-Anchoria, from New York, Salied-Anchoria, from New York, Salied-Bertal Salied-Salied nansion of her political influence. Great few York. At Philadelphia-Arrived-Waesland from will be bitter and, in any case, will prestly struggle between these conflicting designs Livernool.
At Napless-Arrived-Aller, from New York, for Genoa.
At Bremen-Arrived-Kalser Wilhelm ler Grosse, from New York, via Hamburg.
At Rotterdam-Arrived-Amsterdam, from New York, via Hamburg.
At Rotterdam-Arrived-Amsterdam, from foreigners acquiring landed interests. foreigners acquiring landed interests.