THE OMAHA DAILY BEE.

ESTABLISHED JUNE 19, 1871. OMAHA, WEDNESDAY MORNING, APRIL 10, 1901—TWELVE PAGES. SINGLE COPY FIVE CENTS.

LOGAN ON HIS HORSE

Grandson of Illustrious General Unveils the Simmons Statue.

NATION'S NOTABLES ARE WITNESSES

Executive Family, Mrs. Logan and Many Veterans Present.

PRESIDENT AND SENATOR DEPEW SPEAK

Former Touches a Responsive Chord in the Public Heart.

MONUMENT IS A MAGNIFICENT ONE

Stands Forty-five Feet Tall, Wrought in Inspiring Pose and Represents Seven Years' Labor.

WASHINGTON, April 9.—The heroic bronze equestrian statue of Major General John A. Logan, which rests on an imposing bronze pedestal in Iowa Circle, was unveiled today in the presence of the president, the cabinet, the widow and relatives of the gallant soldier, many of his comrades in arms and a vast multitude of people. The sculptor, Franklin Simmons, who was knighted by King Humbert of Italy, was also present.

Master George Tucker, a grandson of the honored warrior, pulled the unveiling cord at 2:45 o'clock. The folds of the large American flag fell away and the dashing figure of "Black Jack" Logan, seated on his charger, stood revealed. A roar of cheering echoed far down the intersecting streets and avenues.

The president and members of the cabinet had been escorted to the statue by a military parade under command of Colonel Francis L. Guenther of the Fourth United States artillery. The procession included detachments from the artillery and infantry arms of the regular army, a battalion of marines and a company of seamen from the navy yard, a provisional regiment of the District of Columbia militia, members of the societies of the Army of the Tennessee and of the Cumberland and members of the local veteran associations.

Mrs. Logan Present.

Mrs. John A. Logan and other relatives sat upon a platform at the base of the monument. Mrs. Logan has been quite ill with the grip recently, but was able to be present. She was escorted by Colonel Maxwell Woodhull, who was General Logan's adjutant general during the civil war. With her were also Thomas M. Logan of Murphysboro, Ill., a brother of General Logan; Miss M. E. Logan, a niece; S. K. Cunningham, Mrs. Logan's brother; Logan Tucker of Chicago, a grandson, and Mrs. Tucker, Mr. and Mrs. Richard S. Tuthill of Chicago, Mrs. George M. Pullman of Chicago, General F. A. Starring of New York, General and Mrs. Blackmar of Boston and the personal servant of Major John A. Logan, Jr., who was with the latter when he was killed in the Philippines.

The president and his cabinet and other distinguished guests occupied a flag-draped stand opposite this platform, while in another stand extending around the monument were other guests, including many of General Logan's old comrades; representatives of John A. Logan post, Grand Army of the Republic, of St. Louis; the Logan Republican club of Brooklyn and the Logan club of Philadelphia.

General Dodge Presides.

General Grenville M. Dodge, president of the Society of the Army of the Tennessee, who is the only living general represented in the group on the bronze pedestal showing General Logan in council of war with his commanding officers, presided over the ceremonies. He paid a high personal tribute to the dead chieftain and after the invocation had been offered by Rev. Frank Bristol, introduced the sculptor, Mr. Simmons, to the assemblage. The statue was then unveiled amid great applause, and the Fourth artillery band rendered "Columbia, Gem of the Ocean."

At the moment of the unveiling a section of the Fouth artillery fired a national salute on the White lot, south of the executive mansion.

President McKinley received an ovation as he was introduced and it was some time before he could begin in his remarks. He spoke as follows:

My Fellow Citizens: It is a good token when patriots are honored and patriotism exalted. Monuments which express the nation's gratitude for great deeds inspire great deeds. The statue unveiled today proclaims our country's appreciation of one of its heroic sons whose name is dear to the American people, the soldier of two wars, the eminent senator and commoner, General John A. Logan.

Logan's career was unique. His distinction does not rest upon his military achievements alone. His services in the legislature of his own state, in the national house of representatives and in the senate of the United States would have given him an equally conspicuous place in the annals of the country. He was great in the forum and in the field.

Some names instantly suggest a sentiment. That of Logan stands for exalted patriotism. This was the key of his success. Party politics was nothing to him when the nation was in danger. When the alternative came he was swift to dedicate his life and fortune to the party of Lincoln because it stood for the indivisibility of the nation. How much he did to create and increase the sentiment of loyalty and patriotism among the people of his own state and throughout the nation can never be told. He stood with Douglas holding up the cause of the union and offered his own life as a cheerful sacrifice, if need be, for its preservation.

An intense patriot, he was also an intense partisan. He was forceful in the senate as he was undaunted in battle. He had convictions and carried them to their conclusions at any cost. He was never a trimmer nor a laggard. He despised duplicity, was the soul of frankness and always at the front in every struggle, civil or military, during the years of his eventful life. He was a leader from boyhood, the recognized captain among his youthful associates. His integrity was pronounced and served him well, as integrity will serve every man who has and keeps it. His success was founded on good character, unfailing sincerity, high courage and unremitting industry.

Lover of Peaceful Pursuits.

He came out of the war with the highest military honors of the volunteer soldier. Brilliant in battle and strong in military council, his was also the true American spirit, for when the war was ended he was quick and eager to return to the peaceful pursuits of civil life.

While a strict disciplinarian, he was yet beloved by all his men. No duty was too hazardous for them to cheerfully undertake and no sacrifice was too great for them to undergo when he commanded. He was not only considerate and tender to the soldiers whom he led, but generous and courteous to his brother officers. It was significant of his generous spirit that under the tempting opportunity of a great command he declined it rather than injustice should be done and humiliation put upon a brother officer. No wonder that General Logan was the idol of the rank and file of the army. They loved him; he loved them.

In Washington, with most onerous and exacting senatorial duties resting upon him, he was devoted to the wants and necessities of his old comrades. His sympathy, his services and his limited purse were never denied them in their need. He was

(Continued on Second Page.)

LOUBET'S TRIBUTE TO DEAD

French President Lays Flowers on Grave of Statesman—Speech on Republic's Future.

NICE, April 9.—President Loubet, accompanied by the French ministers and others, placed a crown of flowers upon Gambetta's tomb today. He expressed the hope that the French Parliament would soon vote to transfer the remains to the Pantheon. It is hoped that this transfer may be accomplished by July 14 next, the French national holiday.

President Loubet subsequently repaired to the port of Nice, three-quarters of a mile away, where he was welcomed by the Chamber of Commerce and visited the hospitals. He was everywhere warmly greeted. At a banquet later, and replying to a toast to his health, President Loubet asserted that the principles of justice, solidarity and good will were the foundation of the republic and inseparable to France. He said the country needed unity and that the conflicts of interests and the country's increasing wants would end in compromising the future of the nation, unless steps were taken to ameliorate social conditions. Solidarity and civil peace could not be secured except by reciprocal sacrifices.

Continuing, President Loubet said that private interests should be subordinated to the greater interests of the nation. The republic had already shown in its legislation the necessities of the laboring democracy, but legislation alone would not suffice. The give-and-take principle must become part of the conscience of the nation. Thus could the country weld its unity and assure its moral grandeur and material prosperity.

President Loubet's speech was loudly applauded.

BOTH BRITON AND BOER WIN

General Plumer Occupies Pietersburg, but Dutch Surround and Capture Party of Seventy-Five.

LONDON, April 9.—Lord Kitchener, reporting to the War office under date of Pretoria, April 8, says:

"Plumer has occupied Pietersburg with slight opposition. He captured two locomotives and thirty-nine trucks."

The capture of Pietersburg is regarded here as important. The place is the terminus of the railway and has been the capital of the Boer government since the capitulation of Pretoria. The whole Northern railway is now in the hands of the British.

According to Lord Kitchener's dispatch, only one officer and one man were killed. The Boers evacuated the town during the night prior to Plumer's arrival after blowing up two trucks laden with ammunition.

Lord Kitchener further reports the capture of sixteen prisoners, fifty horses and the depot of war stores at Boshmanskop, Orange River Colony.

As an offset, the commander-in-chief reports that a detachment of 100 men of the Fifth Lancers and Imperial Yeomanry were attacked by 400 Boers to the northward of Aberdeen, Cape Colony, and that after several hours' fighting the British were surrounded and captured, with the exception of twenty-five who succeeded in making their escape.

"FORTUNE TELLER" WELCOMED

London Audience Receives Alice Nielsen and Her Company with Greatest Cordiality.

LONDON, April 10.—London gave an enthusiastic welcome to "The Fortune Teller," which was produced last evening at the Shaftesbury theater under the direction of Frank L. Perley by the Alice Nielsen Opera company. Every detail of the production received cordial approval from an overflowing audience. Miss Nielsen, whose first appearance in England it was, won an instantaneous triumph. Joseph Cawthorne, Eugene Cowles and Alex Clark made hits.

COMEDY PROVES SERIOUS

Flashlight Chemicals Explode in Lisbon Opera House and Injure a Clergyman.

LISBON, N. D., April 9.—An explosion of flashlight chemicals behind the scenes of the Lisbon opera house last night seriously injured Rev. J. B. McDonald. Two others, Mills E. Moore, city auditor, and Roy Severance, son of the county supervisor, were slightly injured. The comedy, "Turn of the Tide," was to have been presented by local people under the auspices of the Catholic church.

SAYS KRUGER COMES MAY 31

Paris Paper Dates Famous Boer's Departure and Promises Lecture in Tammany Hall.

PARIS, April 10.—Le Rappel, which has already published several remarkable statements as to the plans of Mr. Kruger, displays the following dispatch from The Hague this morning:

"Mr. Kruger's departure for the United States has been fixed for May 31. He will lecture in Tammany hall about June 8 as the guest of the democratic party."

French and Italians Salute.

TOULON, April 9.—The duke of Genoa, in command of the Italian fleet, repaid today Vice Admiral DeBeaumont's visit of yesterday. Both the French and the Italian war ships saluted while the duke was going ashore.

The duke, after reviewing the guard of honor of marines, proceeded to the prefecture through troop-lined streets. The meeting between Admiral Beaumont and the duke of Genoa was most cordial. The duke was re-escorted to his flagship, the Lepanto, with the same ceremonial. He everywhere met with the heartiest reception from the crowds.

Sultan Appeals for Aid.

TRIPOLI, Sunday, April 7.—Advices from Benghazi state that the sultan of Wadai, finding himself helpless against the rebellion now in progress, has invoked the assistance of the French, which has been promised him.

Premier on Road to Health.

PARIS, April 9.—M. Waldeck-Rousseau, the premier, passed a good night. His condition is excellent and his rapid recovery is anticipated.

GOTHENBURG PROMOTER BUSY

Olof Bargstrom Is in Louisville Trying to Launch Louisville & Port Royal Road.

LOUISVILLE, Ky., April 9.—Olof Bargstrom of Gothenburg, Neb., is in Louisville trying to organize a company to incorporate the Louisville & Port Royal railroad, which he says is backed by English capital. The road is to be built, according to the project, from Louisville to Walhalla, S. C. From the latter point to Port Royal, the promoters are said to own a railroad.

SUES HIS PERSECUTORS

John D. Sargent Returns to Wyoming to Regain His Reputation.

WANTS TWENTY-FIVE THOUSAND DAMAGES

Partner of Robert Ray Hamilton Works Two Years to Earn Money to Fight the Men Who Drove Him Away.

CHEYENNE, Wyo., April 9.—(Special Telegram.)—John D. Sargent, at one time a partner of Robert Ray Hamilton, the wealthy young clubman of New York who was drowned in a mysterious manner in Snake river, near his Marymere ranch in western Wyoming in 1891 and who was suspected of having had a hand in Hamilton's death, as well as having murdered his wife a few years later, but who was acquitted, today filed suit in the Uinta county court against D. C. Nowlin, William L. Simpson and James Lannagan, all prominent citizens of the Jackson's Hole country. Sargent asks for damages to the amount of $25,000 for alleged persecution and defamation of character.

Nowlin is the man who was justice of the peace at Jackson for a number of years and the other two are alleged to have taken a prominent part in the actions against Sargent. A few years after the drowning of Hamilton and after the New York Sun and citizens of New York had failed to fasten the responsibility of the clubman's disappearance upon Sargent, an Indian scare was worked up in the Jackson's Hole region. A regiment of cavalry was hurried to the scene and when the fake was exposed Sargent was charged by people of the Hole with having started the scare.

In 1897 a party of ranchmen headed by Simpson went to Marymere ranch, where Sargent made his home, to investigate alleged reports that had reached the settlement that Sargent had been beating his wife and committing crimes. It was alleged that the posse found the situation even than had been reported. Mrs. Sargent and the children were brought down to the settlement, where the woman died. The report was circulated that Mrs. Sargent made a dying statement, charging her husband with crimes. Sargent was forced to flee the country. Going to New York, he worked two years and earned money, with which he returned twice to face his accusers.

On his arrival here a year ago last fall he was arrested and indicted for wife murder and bound over to the Uinta county court. Just a year ago Sargent had his trial and as no evidence was introduced that would prove the charges he was acquitted.

As the matter has been before the public so many years, the outcome of the present suit will be watched with interest.

MACHINERY PLANTS TO MERGE

Charles Allis Seeks to Form Combine of Manufactories Valued at Fifty Million Dollars.

CHICAGO, April 9.—A special from Milwaukee, Wis., says: Charles Allis, representing the great plant of the E. P. Allis company, is in New York, in connection with a proposition to consolidate all the big machinery and stationary engine plants of the country. The trust will, if formed, have a capital of $50,000,000 and include over forty plants. They are located in Milwaukee, Fort Wayne, Canton, Wilkesbarre, Pittsburg, Youngstown, Cleveland, Pittston, Pa., Hamilton, O., New York, Philadelphia and Akron.

William Allis said today that the combination had been under consideration for some time, but that his company had never given an option on the plant. None of the other officers would confirm the report that the combination had been formed and that the Allis company was in it. However, from the attitude of some of them when approached on the subject, it is apparent that it is only a question of a short time when the organization will be formed.

CUBAN DELEGATES BALLOT

Majority Favors Reconsidering Vote Against Marching on Washington.

HAVANA, April 9.—The Cuban constitutional convention today formally considered the vote against sending a commission to Washington, the final vote standing twenty in favor of reconsidering to eight opposed. The program now is to appoint a commission of five who shall in the first instance wait on the governor general, discuss the situation with him and ask his advice.

A further extension of the mortgages which expire, according to the decree of Former Governor General Brooke, May 1, is being urged, but the movement is meeting with strong opposition from the owners of estates who have been deprived of their rights and income for four years. General Wood is considering the question of appointing a commission in each province with a view to bringing about some compromise between the tenants and owners.

DETAILS OF THE PURCHASE

Denver & Rio Grande to Buy the Stock of the Rio Grande Western.

CHICAGO, April 9.—The Post today gives the following details of the proposed consolidation of the Denver & Rio Grande and the Rio Grande Western: The plan is to buy the preferred and common stock of the Rio Grande Western, cancel the Denver & Rio Grande stock, in the treasury—$3,500,000 preferred and $7,000,000 common—reserved for acquiring the Rio Grande Western and the common, to increase the preferred from $23,650,000 to $44,400,000, and to issue for future capital requirements $5,900,000 consolidated mortgage bonds. Subject to authorization of the increase proposed, shareholders of record April 15 will be allowed to subscribe until 3 p. m. May 1, to $12,500,000 of the new preferred at 90 to the extent of one share of the new preferred for every five shares common or preferred of their present holdings. Payment of $20 a share must be made at the time of application and the remainder May 30.

FOR BREACH OF CONTRACT

John A. Creighton of Omaha Sues London Syndicate for Half a Million.

SOUTH BEND, Ind., April 8.—Suit for $500,000 was filed today against the Byrd syndicate, limited, of London by John A. Creighton of Omaha, a contractor. He alleges that he entered into a contract with James R. D. Graham, agent of the Byrd syndicate, by which the syndicate was to drill for oil and gas in Texas, to spend $100,000 within two years and $100,000 a year thereafter until the daily output reached 2,000 barrels. Creighton claims the syndicate did not carry out its part of the contract.

NO CONFIRMATION RECEIVED

Reported Rejection of Cuban Platt Amendment Not Communicated by General Wood.

WASHINGTON, April 9.—The cabinet meeting today lasted about an hour. Mr. Knox, the new attorney general, was presented to his colleagues and created a very favorable impression.

The cabinet gave some attention to the subject of indemnity to be required of China, it being brought forward by Secretary Hay, in connection with Mr. Rockhill's dispatches received since the last meeting. Great surprise was expressed at the enormous total of the claims, which, being all before the ministers at Pekin, approximate the vast sum of $500,000,000. Moreover, at least one of the powers insists on keeping the account open until it elects to withdraw entirely from Pekin at a remote date to be fixed at its own will, thereby leaving the total of its claim to be increased greatly hereafter. The opinion of the other cabinet officers completely accorded with that of Secretary Hay, as to the desirability of securing a reduction of the claims.

No official information has been received by the government of the reported rejection of the Platt amendment by the Cuban constitutional convention. The matter was discussed by the cabinet, and it was considered strange that General Wood had not communicated so important a fact if it were true.

NORTHWEST POSTAL CHANGES

Appointments in Iowa and Nebraska and a New Office in South Dakota.

WASHINGTON, April 9.—(Special Telegram.)—These Iowa postmasters have been appointed: Big Rock, Scott county, Sophia Eld; Langdon, Clay county, C. E. Fee.

Charles B. Frazier of Eldora, J. L. Whitney of Britt and Carl Garner of Bedford, Ia., were appointed railway mail clerks.

A postoffice was established at Cavite, Presho county, S. D., with S. Halvardsgaard as postmaster.

Sarah H. Sample, Wilbur W. Field and W. J. Palmer were appointed substitute clerks in the Keokuk (Ia.) postoffice; Arthur W. Schmidt at Muscatine, Ia., and Arthur E. Glass at Hastings, Neb.

The Hanover National bank of New York has been approved as reserve agent for the First National bank of West Point, Neb.

LEWIS, CLARK AND BUFFALO

They Are Grouped on New Ten-Dollar Notes with Highly Artistic Effect.

WASHINGTON, April 9.—The secretary of the treasury has approved a design for the new $10 legal tender United States note. Prominent in the center of the face of the note is the picture of an American buffalo, taken from a photograph of a fine mounted specimen in the National museum. On the right and left ends are the portraits of Lewis and Clark, the noted explorers of the far northwest. By the side of each is a youthful figure extending a palm over the pictures. The figures and letters denoting the denomination are quite large and conspicuous. The note is considered as artistic as any issued in many

KNOX ENTERS THE CABINET

New Attorney General Takes Official Oath Before Justice Shiras at the White House.

WASHINGTON, April 9.—Mr. Philander C. Knox of Pittsburg, who succeeds Attorney General Griggs at the head of the Department of Justice, was sworn in at 10:30 o'clock this morning in the cabinet room of the White House. There were present President McKinley, Philander Knox, jr., Mr. Knox's youngest son, and Justice Shiras of the supreme court, who administered the oath. Justice Shiras is an old friend of the new attorney general. Mr. Knox and his son had arrived in Washington from Pittsburg at 8:30 a. m. Mr. Knox was accompanied to the White House by C. O. L. Cooper, who was Attorney General Griggs' private secretary, and who may continue with Mr. Knox in a similar capacity. After taking the oath Mr. Knox remained with the president until the cabinet assembled.

FOR ADDITIONAL EQUIPMENT

Two Trust Companies File Papers for Obligation of Ten Millions.

WASHINGTON, April 9.—An agreement between the Standard Trust company of New York and the Baltimore & Ohio Trust company providing for equipment obligations to cover $10,000,000 of additional equipment was filed with the recorder of deeds today. The agreement is dated January 2 last. The obligations are for $10,000 each, with 4 per cent interest from January 1, 1901, payable semi-annually, and are to be in ten series, each of $1,000,000 in principal. The series mature respectively on December 31 of each year during the continuance of the lease. The obligations are named "the railroads equipment obligations, car trust of 1901."

The additional equipment contemplates 100 locomotives, 2,500 box cars, 2,000 steel hopper cars and 500 flat cars.

GIGANTIC LINEN TRUST

Spinners of Austria, Germany and Belgium Said to Be Forming Combine.

WASHINGTON, April 9.—Information concerning the formation of what amounts to a gigantic trust embracing every linen spinning concern on the continent of Europe has reached the State department in a report from United States Consul Mahin at Reichenberg, Austria. For some time, says the consul, it has been understood that the Austrian, German and Belgian spinners of linen there had decided to unite in a reduction of product. From Paris has come the news that the French spinners are also to join in reducing the output of the mills. The object is believed to be to steady and possibly to enhance the price of linen yarn. Makers of linen cloth have, during the fall and winter, suffered from the high price of yarn, and this enormous combination will make conditions still worse, says the consul.

TEN THOUSAND HARVESTERS

Implement Dealers' Association to Ask Rates for Them Over Western Association Lines.

WICHITA, Kan., April 9.—D. W. Blaine, a director of the Southwestern Kansas and Oklahoma Implement Dealers' association, consulted Secretary Dillon today with reference to going before the Western Passenger association to ask for a special rate for at least 10,000 harvest hands to take care of the small grain in the wheat belt in June. They will ask a rate of 1 cent a mile from the Mississippi river. The estimate of 10,000 hands is made from a canvass of farmers by school districts. The crop in the wheat belt will be 25 per cent heavier than that of last year.

NINE COMMISSIONERS NAMED

Supreme Court Judges Announce Their Choice of Coadjutors.

THREE FROM LINCOLN, TWO FROM OMAHA

Statement Is Authorized that Politics Has No Influence in the Selection—Fusionists Get the Lion's Share.

LINCOLN, April 9.—(Special.)—After a week of deliberation the judges of the supreme court at 2:30 this afternoon arrived at an agreement on the appointments for the supreme court commission. The nine men selected were immediately notified by wire of their appointment and all were asked to meet with the judges at the capitol at 10 o'clock tomorrow morning to organize and confer relative to a plan to be followed in discharging the duties of their offices.

The men chosen are: I. L. Albert of Columbus, populist; John H. Ames of Lincoln, gold democrat; George A. Day of Omaha, republican; E. R. Duffie of Omaha, democrat; W. G. Hastings of Wilber, democrat; J. S. Kirkpatrick of Lincoln, populist; W. D. Oldham of Kearney, democrat; Roscoe Pound of Lincoln, republican, and S. H. Sedgwick of York, republican. The appointments were made by unanimous vote of the three judges.

The fusionists received the lion's share of the appointments, five being the actual number. The republicans were given three appointments and the gold democrats one. Three of the commissioners live in Lincoln, two in Omaha and the others in Columbus, Wilber, Kearney and York.

Politics Has No Influence.

In directing the publication of the names the court authorized Clerk Herdman to say to the press that politics had no influence in the selection, but that the men were chosen according to their ability and not because they happened to be affiliated with some political party.

John H. Ames has for fifteen years been a prominent attorney in this city and until the split on the money question was one of the democratic leaders of the vicinity. He was a member of the First district congressional committee when W. J. Bryan was named for congress, but afterward left the party because of his opposition to the silver standard idea. He was several years a member of the law firm of Harwood, Ames & Kelley. The death of the senior member terminated the existence of the firm and Mr. Ames then formed a partnership with his son. This partnership has since been maintained.

I. L. Albert of Columbus served on the district court bench in his resident district under an appointment by Silas A. Holcomb, then governor of the state.

Son of Iowa Justice.

George A. Day of Omaha is a son of former Justice Day of the supreme court of Iowa. He served two years as deputy under Attorney General Churchill.

E. R. Duffie of Omaha was formerly a practicing attorney in Iowa. He has served on the district court bench in Harrison county by appointment from the governor of the Seventh judicial district for twelve years, two of which were served under gubernatorial appointment.

J. S. Kirkpatrick of this city was formerly associated with Judge Holcomb in the law business at Broken Bow. He opened a law office in this city four years ago.

W. D. Oldham of Kearney was deputy attorney general during the last two years of the fusion administration.

Roscoe Pound of Lincoln is a young attorney, a graduate of the University of Nebraska and Cornell Law college.

S. H. Sedgwick of York was district judge at York for eight years, his last term expiring one year ago.

Who the Omaha Members Are.

The only public office ever held by George A. Day was that of deputy attorney general of Nebraska under Attorney General Churchill from 1895 to 1897. At the expiration of his term Mr. Day returned to Omaha and resumed his legal practice. Judge James G. Day, for fifteen years a justice of the Iowa supreme court, is the father of the new commissioner. Other members of the family have also achieved distinction in the legal profession.

Mr. Day is in his forty-first year and has been a resident of Omaha for the last eighteen years. He graduated from Tabor (Ia.) college in 1881 and from the law school of the University of Iowa in 1883. Coming to this city that fall, he entered the law firm of Stow, Hammond & Day, which was dissolved in 1886 by the death of Mr. Stow, who died the next day after being nominated for district judge.

Mr. Day was then alone for a year, when the partnership of Gregory, Day & Day, composed of Judge Gregory, Mr. Day's brother and himself, was formed. This firm was dissolved in 1898.

Judge Duffie's Record.

Judge Duffie came to Omaha in 1887 and has practiced his profession here ever since. He served on the bench of the district court for about two years, having been appointed by Governor Crounse to fill the unexpired terms of Judges Davis and Walton.

Edward R. Duffie was born in Lewis county, New York, in 1846, and was reared in that state. He attended Lawville and Carthage academies and finished his school days at the State Normal school in Albany. Mr. Duffie came west when he was 20 years of age and settled in Iowa, where he took up the study of law. Being admitted to the bar in 1867, it was but a few years later when he attained prominence in his profession and enjoyed a large practice in northwestern Iowa. He lived at Sac City for twenty years and for eight years he was judge of the district court at that place.

MAKES CHARGES OF PERJURY

Mary A. Davis Files Petition to Contest Administrators of Former Husband's Estate.

CHICAGO, April 9.—Notice of the filing of a petition to set aside the letters of administration issued by the probate court in the estate of Edward A. Davis has been served on the attorneys of the administrator, Charles G. Davis in Chicago and Administrator John E. Davis in Butte, Mont., by Mary A. Davis, who claims dower rights as the divorced wife of Edward A. Davis.

In this petition charges of conspiracy and perjury are made. The hearing of the petition will, it is said, bring before the probate court a part of the contest over the $6,000,000 estate of Judge Andrew J. Davis of Butte, which occupied the courts of Montana for years.

Edward A. Davis was Judge Davis' nephew and the son of John A. Davis, brother of the wealthy jurist and chief beneficiary under his will. The petitioner asks that the resident administrator be held to the grand jury to answer charges of perjury and conspiracy in connection with the handling of the estate.

CONDITION OF THE WEATHER

Forecast for Nebraska—Rain Wednesday; Thursday Generally Fair and Probably Warmer; Westerly Winds, Becoming Variable.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	45	1 p. m.	53
6 a. m.	44	2 p. m.	55
7 a. m.	44	3 p. m.	55
8 a. m.	44	4 p. m.	57
9 a. m.	46	5 p. m.	56
10 a. m.	49	6 p. m.	54
11 a. m.	51	7 p. m.	52
12 m.	53	8 p. m.	50
		9 p. m.	49

ALL IS WELL IN WHEAT FIELDS

Condition of the Cereal is Excellent, the Average Surpassing Any in Last Ten Years.

NEW YORK, April 9.—The forthcoming number of the American Agriculturist Weekly will say:

Local reports from the American Agriculturist's corps of county observers, carefully consolidated into state averages, show a condition of wheat higher than has been noted at this time in the last ten years, with the exception of 1891. The general average, as reported for the whole belt, is 95.5, a figure which represents a practically perfect prospect over the greater part of the winter wheat area.

At the date at which correspondents of the American Agriculturist made the observance there had been no period of warm, growing weather sufficient to induce spring growth, demonstrating absolutely the extent to which the Hessian fly is present. The returns, therefore, must be qualified with the statement that the discount shown from a perfect condition may not entirely represent the actual damage from this cause. With the exception of a few counties in Kentucky, Tennessee and Ohio, no winter killing is reported. Since March 1 there has been an abundance of moisture in all sections.

GIRL AND GUN JUST IN TIME

Fredericka Ramsaier of Chicago Frightens Robbers from Her Father's Prostrate Form.

CHICAGO, April 9.—Flourishing a shotgun, Fredericka Ramsar, an 18-year-old girl, pursued two robbers tonight in this and saved her father from being robbed.

She was reading in the library of her home when she heard her father cry for help. Seizing the shotgun she burst through the front door in time to see a masked man kneeling on her father's chest, while a second robber was searching the victim's pockets. Miss Ramsaier was raising the gun when one of the robbers looked up.

"Look out, Bill, she's going to shoot," he cried in warning to his comrade and dropping the watch he had just taken from Mr. Ramsaier, vaulted the fence into the street. The second robber followed him. Miss Ramsaier started in pursuit, but the men escaped. Christopher Ramsaier, the father of the girl, is a well known contractor.

OMAHA RAILROAD SHARES

Wall Street Writer Announces Right to Be Considered in Investment Class.

NEW YORK, April 9.—(Special Telegram.)—The Evening Post says: Omaha shares have reached prices which place them in the so-called investment class. Preferred, paying 7 per cent dividend, is quoted at 200, yielding at that price 3½ per cent income; common shares, paying 5 per cent, yield hardly any more than preferred shares. The dividend record of these shares has not been particularly extensive nor steady. At the opening of 1897 Omaha common shares were selling below 50 and preferred around 135. Of these, advances of 90 points and 65 points respectively, 20 to 25 points have been recorded in last year.

It is interesting to observe that this enhancement in market values has occurred despite the decreasing gross and net income and with a surplus of but $182,420 carried into the new account.

APPEAL FROM PORTO RICANS

Petition Addressed to McKinley Pleads that Many Islanders Are Suffering from Hunger.

NEW YORK, April 9.—Senor Santiago Eglesias, delegate of the Federation of Labor of Porto Rico, who arrived on the steamer Ponce, from San Juan, is the bearer of a petition from the workingmen of Porto Rico to President McKinley. In this petition, which bears 6,000 signatures, the Porto Ricans say:

"Misery, with all its horrid consequences, is spreading in our homes with wonderful rapidity. It has already reached such an extreme that many workers are starving to death, while others that have not the courage to see their mothers, wives, sisters and children perish by hunger, commit suicide by drowning themselves in the rivers or hanging themselves from branches of trees."

AVALANCHE BURIES FAMILY

Father, Mother and Four Children Crushed in the Ruins of Their Colorado Home.

CRIPPLE CREEK, Colo., April 9.—Mr. and Mrs. James Smith and their four children were buried in their home tonight by the sliding of the huge dump of the Granite mine. The Smith dwelling was just below the base of the dump. The recent snows had softened the dump so that the top suddenly slid down, crushing the house and burying its inmates. Hundreds of men are digging away the dirt and rock, but it is not thought possible any of the victims will be found alive.

HILL SURE OF BURLINGTON

Great Northern's President Says Negotiations for Consolidation of Interests Are Practically Ended.

NEW YORK, April 9.—The Evening Post says: "President J. J. Hill of the Great Northern railway will leave this city tomorrow with his negotiations for the Burlington railway successfully concluded."

According to the Evening Post, Mr. Hill would not make any personal statement, but informed his close associates that the Burlington negotiations had been concluded and that when he left New York tomorrow he would leave only minor points unsettled.

MORRISON TRIAL POSTPONED

Eldorado Girl Will Be Held in Suspense Until September Term of Court.

ELDORADO, Kan., April 9.—It was announced today that the Jessie Morrison murder case will not be tried until September. The attorneys on both sides desired the postponement. The case had been set for the June term of court.

SHOT BY MARSHAL

Dave O. Luse Instantly Killed at Ainsworth by Fred M. Hans.

OFFICER SERVES WARRANT ON DESPERADO

Prisoner Asks Permission to Change His Clothing for Journey.

GRABS GUN AND AIMS AT DETECTIVE

Hammer Falls on Empty Shell and It's the Other's Turn.

TWO QUICK BULLETS IN VILLAIN'S HEART

North Brown County Glad to Be Rid of Terror Who Admitted Murder, Arson, Robberies and the Slaughter of Stock.

AINSWORTH, Neb., April 9.—(Special Telegram.)—Dave O. Luse, a notorious character of North Brown county, was shot and instantly killed this morning at 7 o'clock at his home near the Niobrara river by Deputy United States Marshal Fred M. Hans while resisting arrest.

About one year ago seventeen horses belonging to Jones & Sellers and being herded on the ranch of F. D. Hedrick in the north part of the county were mysteriously shot. A reward of $100 was offered for the arrest and conviction of the guilty party. United States Marshal Hans, who is also chief of detectives of the Elkhorn road, was appealed to to ferret out the perpetrators. Detective Hans assigned one of his men, William H. Duquette, known as the tramp detective, to work up the case. At various times Duquette was in the county looking up the facts in the case.

On March 18 he appeared at Luse's ranch and by ways known to his profession so worked the fellow that he gained his complete confidence and at the end of three days had gained evidence sufficient not only to prove Luse the man who killed the herd of horses, but also saw him kill a horse belonging to a rancher near by. On March 30 he also secured evidence to prove Luse the perpetrator of crimes of murder, arson and robberies sufficient to condemn him to the gallows or penitentiary for life, and connected with men in various localities capable of the worst of crimes.

With such evidence before him Marshal Hans procured and served the paper on Luse this morning.

Detective Off His Guard.

Luse threw the detective off his guard by apparent willingness to submit to arrest. He only asked permission to change his clothing and prepare for the journey, but at the first opportunity he grabbed a Winchester from its place of concealment and drew a bead on Hans.

The fact that an empty shell was in place of a loaded one saved the life of the detective. Hans followed the first bullet with a second, causing instant death.

villain's heart.

Luse, by his own confession, belonged for years to a band of outlaws and road agents in Wyoming, claiming to have helped kill Big Ed, a United States marshal, and bury his body in the grounds belonging to the first hotel built in Laramie City, besides participating in numerous other murders. Luse also tried to hire parties to murder John Sullivan, a resident of this city, and M. I. Mead, a rancher living near him, against whom he had grievances. For years he had been a terror to the people of his neighborhood and his death comes as a relief to the law-abiding people of Brown and neighboring counties. Luse leaves a divorced wife and four children.

WOMAN VOTER IN THE TOILS

Mrs. Mary Ratcliffe of Denver Arrested for Wilfully Balloting in Wrong Precinct.

DENVER, April 9.—A warrant has been issued for the arrest of Mrs. Mary Ratcliffe on the charge of having wilfully, knowingly and unlawfully voted in the wrong precinct at the late city election. She is 36 years of age and has two children. She was an active democratic worker during the campaign preceding the city election. It is said that she is the first woman arrested for an election fraud in this country.

R. L. Meyers, a deputy internal revenue collector, was arrested today on a warrant charging him with having paid Ernest Beamstein $1 for his vote. The three judges who accepted Beamstein's vote one minute after the polls had closed were also arrested. They furnished bonds in the sum of $500 each.

The Tax Reform league decided today to increase its fund for the prosecution of election frauds from $10,000 to $20,000. Committees representing both the republican and democratic parties are co-operating with the league in the work.

FROM KAW TOWN TO PACIFIC

President Stilwell Says Kansas City, Mexico & Orient Line Opens June, 1902.

KANSAS CITY, April 9.—President A. E. Stilwell of the projected Kansas City, Mexico & Orient railroad today confirmed a dispatch from Chihuahua, Mexico, stating that a contract had been let for the construction of the road between that city and San Angelo, Tex., a distance of probably 500 miles. The road will cross the Rio Grande at Presidio del Norte, where a bridge connecting the two countries will have to be built.

Mr. Stilwell added: "The railway will be finished and in operation between Kansas City and its terminus on the Pacific ocean a year from next June."

The distance of 200 miles between Kansas City and Wichita, Kan., will be built this summer, the contract having been taken by a Chicago firm.

ABSORBING FUEL COMPANY

American Steel and Wire May Gain Control of Colorado Concern.

CHICAGO, April 9.—A meeting was held in the offices of the American Steel and Wire company today of men interested in that corporation and the Colorado Fuel and Iron company. It was stated that the conference was held for the purpose of completing the details of arrangements whereby the coal and iron interests affiliated with the Colorado Fuel and Iron company will pass under the control of the American Steel and Wire company, the plans contemplating immediate and extensive improvements and enlargements of the big Pueblo plant and other interests. Chairman John W. Gates of the American Steel and Wire company refused to discuss the objects of the meeting.