RESOLUTIONS IN BOTH HOUSES.

National Law Makers Want Documents Concerning Deposits-Information as to the Sale of the Custom House Property in New York is Also Requested of the Secretary.

WASHINGTON, Jan. 5 .- The house session was brief, the only incident being the adoption of the Sulzer resolution, introduced Wednesday, calling on Secretary Gage for all information regarding the deposit of government funds in certain New York national banks. The resolution as adopted was made more general in its scope and an | is a composite expression of the views amendment was made to cover infor- of the republican senators, and that mation respecting the transactions re- Senators Platt, Davis and Louge and lating to the sale of the New York custom house site.

Secretary Gage's friends had been informed that he courted the fullest investigation and was prepared to submit all the facts to congress. Accordingly there was no friction over the passage of the resolution, which was unanimously adopted.

Payne, chairman of the committee on ways and means, presented the Sulzer resolution as modified by the committee for immediate consideration. The resolution as modified is as follows:

Resolved. That the secretary of the treasury be and he is hereby requested to furnish the house of representatives the following information:

with and the National City and the until Monday. Hanover National bank of the city of other relations or business transactions now existing or heretofore had case about one-half. between the government and said banks, or either of them.

2. The amount of public money, bonds or revenue deposited with said banks, or either of them, or with any national bank, by the government, apon what security, for what length committee on foreign relations today Colesberg Junction. His request for and then went on: of time and the reasons therefor, and ordered a favorable report or the bill whether said banks, or may of them, creating a territorial government 19: have paid the government any interest | Hawaii. A few modifications c' the on said deposits, and, if so, how much, original bill were made, the most im- It is probable that when Lord Roberts tling for a principle with which ali and all other information concerning portant being the validation of use the same or in any way relating there. | sale of lands since annexation and fix-

of the custom house property of the United States in New York city to said National City bank, the date of the execution of the deed thereto, the disposition of the proceeds of the said sale, and whether or not the government has paid any rents for the said property or any portion thereof, for any purpose since the day of sale, and, if so, to whom, and all facts relating to the said transaction.

Sulper arose after the presentation of the resolution and said he would ac- and confirmed." cept the amendments. Richardson, the minority leader, asked for five minutes, which he desired to rield to Levy democrat of New York. The request was complied with and Levy offered an amendment to the resolution, which included a request for the secretary's coasons for delaying the deposit in national banks.

secretary in September that a panic will be more than 7,000 American exwas impending. Had the secretary hibitors at the Paris exposition. Co heeded that warning and deposited this number five-sixths are classided as government funds in untional banks exhibitors in agriculture, mines, litin September or October instead of erature and periodicals, science and buying bonds the panic would have fine arts, religious, charitable and othpeep averted. Richardson was promptly ruled out

Mr. Payne was adopted.

FATHER M'GLYNN IS DYING.

Suffering From a Disease Which Baffles the Physicians.

NEWBURG, N. Y., Jan. 5 .- Rev. Dr. Edward McGlynn, pastor of St. Mary's Roman Catholic church in this city is still confined to his room by illness and his condition is such as to cause alarm among his friends. Six wocks ago he was taken ill, but there was every sign of an early recovery and the physicians said he would be himself again in ten days. But he contiaued to lose flesh and strength daily His once tall and robust frame is Low has just become public that he has a court of the United States to sup the system and robbing him of his vitality | Chicago canal. and strength. The doctors say ne is

Lentz for an Investigation. WASHINGTON, Jan. 5 .- Representative Lentz of Ohio has introduced resclutions citing published reports that the secretary of the treasury will turn over internal revenue re-cipts to the duced the following joint resolution: National City bank of New Yok and providing for the appointment of a gress are hereby tendered to Rear Adspecial non-partisan committee of 12 miral William T. Sampson and Commine the truth or faisity of the charg-

Senate Culun Committee Meets. WASHINGTON, Jan. 5-The senate committee on Cuba held its first meeting. No action was taken, but there was a general discussion of the atti- discussion grew out of an inquiry by tade of the United States toward the | Senator Pettigrew as to what the genisland. The prevailing opinion seem- eral had done to entitle him to such ed to be favorable to the Teller amend- distinction as had been conferred upon ment, promising independence to the him. The inquiry was responded to Cubans as soon as pacific conditions by Senators Hawley, Carte: and others

should be restored. There was some talk of having the thur's record had been uniformly good committee make a trip to Cuba for from the time of the civil war until the purpose of investigating conditions | and including the present campaign there, but no conclusion was reached, in the Philippines. After these explan-

New Measures Introduced. WASHINGTON, Jan. 5 .- Among the house measures introduced today were: Dy Daly of New Jersey, to protect the public against trusts, etc.

senate today were the following: per month to Annie E. Brumby, mother | towns principally affected are Guadaof Admiral Dewey's flag lieutenant.

riage and divorce laws.

By Hoar, extending the life of the

TO KEEP THE PHILIPPINES.

A Resolution Setting Forth the Government's Intentions.

WASHINGTON, Jan. 5 .- At the opening of today's session of the senate Beveridge of Indiana presented this resolution:

That the Philippine islands are territory belonging to the United States; that it is the intention of the United States to retain them as such and to establish and maintain such governmental control throughout the archipelago as the situation may demand. He asked that the resolution lie upon

the table until next Tuesday, when he will speak upon it.

It is known that Senator Bever irde's resolution on the Philippines, introduced today, was written by the senator in consultation with Senators Lodge, chairman of the Philippine committee; Davis, chairman of the foreign relations committee, and Allisor chairman of the committee on appropriations, the last named nually revising it to the form in which it was 12

It is understood that the resolution Beveridge were in favor of a more positive declaration; and the resolution as it stands is as fair an expression as is possible of the position of republican senators upon this question.

A message from the president was read, transmitting the testimony takia by the commission appointed to invistigate the conduct of the war by the war department.

A resolution was presented by Pot tigrew calling upon the secretary of the navy for the report of Admiral Dewey of April 13, 1898, in which the admiral said he could take Manila at any time. He asked immediate consideration, but Spooner objected and the resolution went over.

The consideration of Pettigrew's resolution concerning the advances te-1. Copies of all letters, agreements, ported to have been made by Aguinpapers or documents between the aldo through General Torres to Gen treasury department of the United eral Otis after the beginning of hostil-States, or any person connected there- litles in the Philippines was postponed

Hoar of Massachusetts offered a 1630-New York, or any person acting for lution, which was adopted, reducing them, or either of them, since the 4th | the mileage fees to be paid witnesses day of March. 1897, relating to the de- in cases before the senate to \$3 per day positing of public funds, bonds or rev- day while in attendance and actual enues in said bank, or banks, or any traveling expenses. This will reduce the amount for witnesses in the Clark

TERRITORIAL BILL FOR HAWAII.

Senate Committee Orders a Favorable Report on the Measure.

ing the tenure of the supreme court 2. And also the date of the sale judges at nine years. The provision for a delegate in congress remains in the

The amendment concerning the sale of public lands in the bill reported for the territorial government of tiawail is as follows:

"That all sales, grants, leases and other dispositions of the public domain or agreements concerting the same and franchises granted by the Hawaiian government in conformity with the laws of Hawaii prior to Saptember 11, 1899, are hereby ratified

Senator Cullom reported the bill to the senate with amendments.

AMERICAN EXHIBIT AT PARIS.

More Than Seven Thousand Yankee Ex-

CHICAGO, Jan. a.-According to sta-Richardson said he had warned the tistics collected by the Tribune there er associations, schools, colleges, etc.

The number of exhibitors in the of order and the resolution offered by purely commercial branches who had accepted space up to the first of the year was 1,110. Among the large : ities of the country New York had 224 exhibitors to its credit. Chicago is second, with 112.

Among the strongest numerical'y are the manufacturers of wines, who are going to show the French experts what America can do in the way of projucing champagne and all the other vintages in which France has so long held an easy supremacy.

TO SHUT UP CHICAGO CANAL.

Attorney-General of Missouri Preparing to Start Proceedings.

JEFFERSON CITY, Mo., Jan. E .emaciated and he is now scarcely re- Attorney General Crow is preparing ognizable even by close friends. It to institute proceedings in the supreme mysterious growth on the right hip people of Chicago from alleged poluand its appearance has baffled the phy- | tion of the waters of the Mississipo; sicians. It is eating its way into his | river by means of the sewerage of the

CHICAGO, Jan. 5 .- Trustees of the not in condition to undergo an opera- sanitary district say they have to fear of the plans of St. Louis to interfere through the courts with the use of the drainage canal.

> For Sampson and Schley. WASHINGTON, Jan. 5 .- Representative Bingham of Pennsylvania intro-

> Resolved, That the thanks of con-Santiago.

Discuss MacArthur's Promotion. WASHINGTON, Jan. 5 .-- In the executive session in the senate today there was a brief discussion of the promotion of General MacArthur. The who explained that General MacArations the nomination was confirmed without an opposing vote.

The Plague in Manile. VICTORIA, B. C., Jan. 5 .- Manila papers say that an epidemic-like plague By Wilson of Idaho, for a consti- is threatening Manila. The Manila tutional amendment authorizing mar- | Times states that in many instances "it has been learned from various author-Among the bills introduced in the ities that in many of our closely-settled nearby towns a serious epidemic, By Clay, granting a pension of \$50 bordering on plague, is prevailing. The loup, Kaloga, Pinda and Malabon, behide a number of others. The disease court of private land claims until is said to be due to eating flesh from animals which have died of disease

TWAS NOT A VICTORY

Report That Colesberg Was Taken From the Boers Was Premature.

TRANSVAAL FORCES STILL THERE.

British Occupied It Briefly, but Were Immediately Driven Out and Heavily Assailed-French Cannot Again Advance Upon Town Until He Obtains Reinforcements.

NEW YORK, Jan. 4.-A dispatch to the Tribune from London says: An unexpected development of the situation has occurred at Colesberg. Late advices are that the Boers returned with reinforcements during the night and occupied the position from which he continued. "I believe they will they were driven by General French on

There is a deepening sense of anxiety respecting Ladysmith, whence most disheartening reports of the prevalence of sickness are received. General White reported a list of nearly twenty deaths yesterday from enteric fever and dysentery and seventy-one serious cases in the hospital. Dr. Jameson has all the work he can do in that fever nest. It is evident that the garrison cannot hold out long and that Sir Redvers Buller will not allow many days to pass before striking a blow.

Transports with fresh battalions and batteries arrived at Durban yesterday and within forty-eight hours Sir Redvers ought to be in readiness for a supreme effort.

LONDON, Jan. 4.—The latest advices | principle. from the Colesberg district tend to modify the estimate of General French's success. The predicted occupation of Colesberg had not been accomplished last evening, while the Boers' guns, announced to have been silenced, were still active. The war office this afternoon issued a dispatch received from General French under yesterday's date, saying his position that with small reinforcements he involves dangers on every hand. If we could dislodge the Boers from Colesberg and in the meantime he continued maneuvering.

LONDON, Jan. 4.- There is a complete absence of anything new from the seat of war. The report of the Boer attack on Molteno is not yet confirmed. Apparently General French WASHINGTON, Jan. 5.- The senate | holds nothing within five miles of reinforcements dispels any present hope that he will be able to seize one of the crossings of the Orange river. arrives General French will be or- good Americans should be in sympadered to quit his unsupported position | thy.' and to concentrate his command at De Aar or Orange river. As the Daily Telegraph says, General French seems to be in the position of a man having "a tiger cat in a trap and unable to kill it for want of a stick." A dispatch from Dover farm announces that Lieutenant Colnel Pilcher has reached there safely from Douglass.

> Since Commendant General Joubert's return to the front the cannonade of Ladysmith by the Boers has been much livelier. Between December 18 and December 19 four shells killed one officer and thirteen men and wounded thirteen officers and eleven men.

The war office acknowledges the inefficiency of the regular artillery by authorizing the equipment of the new battery attached to the London volunteer corps with Vickers and Maxims, some of which the Boers use, and by ordering 100 of these 121/2pounder quick-firers built immediately. The officers and men of the new battery will be supplied from the Honorablye artillery company.

INDIANS TO ATTACK GUAYMAS.

Courier Reports Great Activity Among the Yaquis.

CHICAGO, Jan. 4.-A special to the Record from Austin, Tex., says: A dispatch from Ortis, state of Sonora, Mexico, says that a courier has the above described nature will be sent reached there from General Torres' to no fewer than 102 points in Colucamp, who says there is much activity rado and a proportionate number to in the Yaqui Indian camps and that points in Wyoming, Montana, Idaho, definite information has been received that the rebels are forming for an actack on the city of Guaymas.

There is a garrison of a few companies of government troops at Guaymas and several hundred able-bodied citizens in the town, who are capable of putting up a strong defense. Un less General Torres intercepts th. Yaquis, the Indian attack on the towa may be successful and they may b. able to get control of the Sonora railroad, thus preventing the government rushing reinforcements to the rescue.

FRANCE WISHES TO BE FAIR.

land's Embarassment.

PARIS, Jan. 4.-The opinion has representative of the Associated Press | the liberalism of the prisoners. that the modus vivendi between Great Britain and France regarding Newfoundland would be extended for another year. There seems to be no disposition upon the part of France to take adavantage of Great Britain's unin abeyance.

Soldiers' Homes Crowded. WASHINGTON, Jan. 4.- The secretary of war has sent to congress a re ed by unanimous vote. port from Major Knox, inspector general of the army, on the condition of the national soldiers' homes. It shows the homes in excellent condition; clean, modern and well policed. Some of them are crowded. The food is well cooked and served, but the bills of fare do not always indicate a diet suitable for feeble old men. The number of officers and members attending last year was 18,843. It is recommended that law be framed to admit veterans of the Spanish and Philippine wars to United Fruit company is dispatching the homes.

President Advances Newspaper Man. WASHINGTON, Jan. 4.- The president has nominated Archibald W. Butt of Georgia to be assistant quartermaster with rank of captain in the volunteer army. Mr. Butt is the Washington correspondent of the Atlanta Journal, Nashville Banner and Louisville Evening Post.

Choctaw-Chickasaw Agreement. WASHINGTON, Jan. 4.-The secre-Chickasaw nations.

CARNEGIE ON IMPERIALISM.

Has Not Promised to Give \$50,000 to

Campaign Fund. NEW YORK, Jan. 4.-Andrew Carnegie was interviewed by a World ra porter concerning the report that ha had promised to subscribe \$50,000 to the republican national campaign

fund. "There's not a word of truth in the report," he said. "I will not give a dollar to help the republicans if their platform is not sound-if it is not American. Not a cent for imperialism-not a cent to renegade Americanism.

"My position on those questions has been made clear. My mind is open, but my purse is closed. If the republican party is true to the principles that have made this country great, then I would subscribe. But not if the platform commits the party to a policy to which I stand unalterably and un-

compromisingly opposed. "I am in favor of securing all the West Indies islands, if we can do so," make desirable and proper acquisitions to our territory. That sort of expansion is on the right line. But mind you, it should not go beyond territory on this continent. We have no business either in morals or politics to take and keep the Philippines." "Do you mean we should annex Cu-

ba," was asked. "No. We pledged as to the action we are to take there. We have gived our word that Cuba shall be free. If the people show a disposition for an-

nexation, then that raises another

"The annexation of Cuba, would, however, in my opinion, kill the republican party. Its free iron, free cof fee and free sugar, the competition of its cheap labor with our labor would

Suppose the democratic party de clares against expansion and the republicans for it, would you contribute to the democratic fund?" "I would consider it. My mind 13

open, but my purse is closed, as I "I want to see the republican part " range itself on the side of true Amertme, no running off after the will o' shut the door in the Philippines we arouse Europe. If we open it we dostroy the very thing that imperialists give as their reason for taking the Philippines—commercial expansion. The latter course permits all nations to enjoy commercial privileges there on an equality with us."

Mr. Carnegie paused for a momeat "I am with the Boers in their fight They are fighting bravely to maintain their republic. Their stand is for republican institutions. They are bat-

FOR WESTERN CATTLEMEN.

Outlying Points to Have Telegraphie Notice of Storms.

FORT WORTH, Tex., Jan. 4.-The National Live Stock association, with the assistance of F. H. Brandenburg, resident director of the weather bureau at Denver, has just secured an order from Washington, which is of considerable importance to live stock men of the west. A letter received by the secretary to the association from Mr. Brandenburg says:

"Pursuant to our understanding I took up in the interest of the live I am pleased to say that Prof. Willis L. Moore, chief of the weather bureau, has issued instruction to the effect that emergency or special warnings be issued when prolonged spells of abnormally cold weather, high winds with snow, or heavy falls of snow are indicated for any section, and that special warnings also be issued when

rains are indicated for any section. "Heretofore these warnings have been restricted to a few settled points in each state. It is, therefore very gratifying to know that in the future telegrams conveying information of Utah, North and South Dakota, Nebraska, Kansas and Texas."

AGUINALDO ISSUES A DECREE.

Filipino Leader Orders the Liberation of Spanish Prisoners.

MADRID, Jan. 4.- The Spanish consul at Manila telegraphs to the foreign office that the steamer Uranus, fron: Panay, has arrived there, having on board the bishop of Vega, 117 priests, five officers and 115 civilians who had been restored to liberty.

The consul adds that Aguinaldo has promulgated a decree ordering the liberation of all Spanish prisoners with-No Desire to Take Advantage of Eng- | out distinction. The consul distrusts attitude of the Filipino chiefs, who, he been expressed in official circles to a believes, place difficulties in the way of

DAVENPORT TO HAVE LIBRARY.

Carnegie Donates \$50.000 for a Public Building.

DAVENPORT, Ia., Jan. 4.-Davencomfortable situation in the Transvaal port is now assured of a free public to force an unfair settlement of a mat- library, representing a cost of \$50,000, ter not regarded as vital. France is in through the generosity of Andrew Carthe position of being willing to sell its negie. His offer was to provide a sensible in the road. Aid was hastily the following day. members of the house for a "thorough | modore Winfield Scott Schley and the fishing rights, but considers it proper | building if the city would secure a summoned and the injured man was tigation to deter- officers and men under them for the for Great Britain to make the first site and provide for the maintenance destruction of the Spanish fleet at proposition. Thus the matter stands of the institution at an annual expense of \$4,000.

The mater was presented at the regular meeting of the city council tonight and the proposition was accept-

Fruit Companies Collapse. ports are now manifesting themselves. and the apprehensions of the colony in this respect are confirmed. Three local fruit companies have practically collapsed and the fruit industry already absorbed by the United Fruit company has reached its lowest ebb. The only two fruit steamers this week.

First White House Dinner. WASHINGTON, Jan. 4.- The first of the formal dinners of the social season at the White House was given by President and Mrs. McKinley tonight. wives being guests of honor.

of the senate and house and a few other persons. The east room and other public portions of the house were the senate the agreement recently ent- | sion. The Marine band furnished the ered into by the commission of the music. The list of guests was unusgovernment with the Choctaw and ually large, covers being laid for over seventy persons.

THE COURT STEPS IN

Langford Enjoined From Completing Copy of Legislative Enactments.

THE INJUNCTION IS PERMANENT.

State Printing Board's Award is Held to Be Illegal and that Body Will Now Readvertise for Bids-A Delegate Convention For March 19-Other Matters in Nebraska.

LINCOLN, Jan. 8 .- A permanent injunction was granted by the district court restraining J. H. Langford of North Platte from compiling the copy for the senate and house journals, for which a contract was let by the State Printing Board last week. The board assured authority to advertise for bids for the work and the contract was let to the lowest bidder. The court held that as the board assumed such authority it should have complied with the law requiring advertisements for bids to be published in three newspapers. As notice was given in only two newspapers the whole transaction was declared void. The Printing board met and decided to readvertise, so that chance to secure the contract.

Delegates to National Convention. LINCOLN, Neb., Jan. 8 .- The democratic state central committee decided that the delegate convention for the purpose of electing delegates to the strike a blow at a vital republican | national convention be held in Lincoln | long to the state. on March 19, next, the basis of representation to be the same as before.

The following resolution was passed

with one dissenting voice: "The state committee of the Nebraska democracy, voicing the sentiment of its authority, views with admiration the remarkable and so far happily successful efforts of the people of the Boer republics to repel the canism-no renegade Americanism for British forces, and to that brave people, struggling for the right to govwas the same as on the previous day. the wisp territorial aggrandizement. It ern themselves, and preserve their republic, we extend sincere sympathy."

Capital City Notes.

The Farmers' and Stockmen's Guarantee Company of Clay Center incorporated with a capital stock of \$25,-900. The company will do a drouth, hail and live stock insurance business and provision is made in the articles

The Supreme court will not meet again until January 23, adjournment having been taken to that time instead of January 16, the regular ses-

Edward M. Lipsey of this city has sued T. J. Thorp for \$10,000 damages for injuries alleged to have been sustained. He avers that Thorp, while riding a bicycle at a high rate of speed, ran into him and knocked him down, causing permanent disability.

No Abatement in Epidemic.

the issue of the special warnings and | was but eighteen years of age and ex- | their day in court. posed himself to the contagion conthree are now convalescent.

Monument After Many Years.

unseasonable or abnormally heavy town" company, was in the city with brief he gives voice to the following: the players of that troupe. She ordered a monument erected on ber faday and to the last insisted that he | the United States guarnatees it." was thrown under the train by a brakeman, but could not accurately describe his assailant, whose name he did not know. Neither would be tell the reason for the assault.

Forming a Military Company, COLUMBUS, Neb., Jan 8 .- Major J. in this city to take the place of old be known as company K, First regiment, Nebraska national guard. Major Killian says that the recruits are responding rapidly and that an armory master sergeant of the First Nebraska | to have the copy prepared. volunteers.

Probably Fatally Injured. SIDNEY, Neb., Jan. 8.- Nels Edner, a ranchman living about ten miles west of Sidney, was thrown from his wagon by his team running away, and probably fatally injured. He started home and when found was lying inbrought back to Sidney. An examination showed that he had several ribs broken and was also suffering from has reorganized and is ready for musconcussion of the brain.

Ladies Give Return Banquet.

NELSON, Neb., Jan. 8.-A year ago the Nelson gentlemen gave a banquet | for the various state institutions for to their lady friends and later on the the first quarter of the year. KINGSTON, Jamaica, Jan. 4.-The ladies to the number of about sixty effects of the recent storms on ex- returned the compliment with interest by entertaining their gentleman friends in the Columbia opera house. Games of all kinds amused both young | ney William O'Brien, was accidentally and older ones and the hours were shot and dangerously wounded by a enlivened by delightful orchestra mus- companion. The ball from a 22-cahic. At 10 o'clock the dining room | ber revolver entered just under the across the hall was thrown open. A right eye and lodged in the back part beautiful menu card was furnished of the head. It is said the boys were each gentleman as a souvenir of a very pleasant evening.

Beatrice is Interested.

BEATRICE, Neb., Jan. 8 .- The decision of Justice Harrison in the Foxworthy case, in which he declares certhe members of the cabinet and their tain acts invalid, led to an investigation by several Beatrice attorneys of Invited to meet them were members | the effect on the Beatrice city charter. It is held by some that the amended portion of the act in question is that which affects this city. If this tary of the interior has transmitted to appropriately decorated for the occa- be true Beatrice will have to return from six to four wards, thus reducing the number of its councilmen and the vote of the people at large.

HOLDS THE COMPANY MABLE.

Paid to Eugene Moore.

LINCOLN, Neb., Jan. 5 .- An opinion was handed down in the supreme Eden Eaptist Church at Stromsburg court by Chief Justice Harrison, holding the Home Insurance company of New York liable to the state for fees paid to Eugene Moore while auditor. This was a trial case to establish the liability of other insurance companies that paid fees to Moore. The opinion holds all liable, the amount involved being approximately \$23,000. Followoing is the syllabus of the opinion, writ-

ten by udge Harrison: "It is provided in the constitution of 1875 that all 'fees that may hereafter be payable by law for services performed by an officer provided for in this article of the constitution shall be paid in advance into the state

treasury.' "This so modified section 33, chapter xliii, Compiled Statutes, General Statutes 1873, chapter xxxiii, section 32, in relation to fees to be paid by insurance companies to the state auditor for services to be performed by him as to in effect prohibit the payment of the fees to him or their reception by him.

"The insurance company applied to the then state auditor to perform for it certain services in the issuance of certificates of authority to transact business in the state and some other all previous bidders will have another | matters of the requirements of the law in regard to such companies and paid the fees to the auditor, and did not pay them and has not paid them into the treasury. The payment to the auditor was wholly unauthorized and did not bind the state nor did the money thus paid into the auditor's office be-

> "The services having been obtained and the fees so paid the company became liable to the state auditor and such liability can be enforced by suit.

"A company which has obtained the performance of the services by the auditor in the issuance of certificates of authority to do business in the state: also his attention to other things for which they must apply to or call upon him, and has used and employed the results and benefits of said matters, will not be heard to urge against the recovery by the state of fees for such services which have action will be taken to have the denot been paid into the state treasury; that the certificates and documents issued to it by the auditor were voice for the reason that the fees had not been paid in advance and where required by the constitution.

"The fees were paid to Eugene of incorporation for establishing a Moore, then state auditor. He could and did not act as agent for the state in the reception of the fees. It was an act which was discountenanced or forbidden by the constitution.

"A state can only act through its officers and they only in matters assigned to them by law or in and about which they are authorized and empowered by law to perform.'

Another Hearing Asked For.

LINCOLN, Neb., Jan. 5 .- The supreme has been asked to grant another hearing of the case of the State COLUMBUS, Neb., Jan. 8.-There is of Nebraska against the German Savno abatement in the scarlet fever epi- ings Bank of Omaha, a case involving demic in this city, and the cases are the right of the receiver to dispose of taking a much more severe form than leal estate belonging to the bank, on was anticipated. The disease has an order of the court. Joel W. West claimed still another victim. David of Omaha, who filed the motion for a Aschler, who died at the home of his rehearing, represents the stockholders sister, Mrs. Thomas Noon. The young of the bank who are fighting the sale, man contracted the disease while as- and he claims that they are being desisting in the care of his sister's three prived of their property without due of his death. He had been a resident stock men the matter of a change in | children, who are down with it. He | process of law and without having | of Otoe county since 1857 and was one

The decree of the district court that trary to the advice of friends and rei- is appealed from was entered upon an state legislature of 1892 and worked atives. Mr. and Mrs. Noon lost one order for the stockholders to show child two weeks ago, but the other cause why the real estate should not | Morton to the United States senate. be sold. Mr. West contends that the code of civil procedure says this has no place in the laws of Nebraska, because | interred at Wyuka cemetery in this FREMONT, Neb., Jan. 8 .- Miss Mur- it affords no adequate protection of tha, an actress of the "Trip to China- property and property rights. In his

"Upon a correct solution of the question depends the safety of life, ther's grave. Christian Murtha's liberty and property in this state. No death here twenty-three years ago was | motive of expediency ought for a moa mysterious affair. He was run over ment stand in the way of a correct the last eleven years he had been a by a train on the Union Pacific and enunciation of the law as the constiterribly mangled. He lived nearly a tution of the state of Nebraska and of

> Senate and House Journals. LINCOLN, Neb., Jan. 5.-Injunction proceedings have been commenced in the district court to prevent R. H. Langford of North Platte from compil-

ing the copy of the senate and house journals. He was awarded the con-N. Killan is forming a militia company | tract for this work by the State Printing Board last week. The suit is company K. The new company will brought by J. H. Miller of this city, who alleges that the bidding was not according to law and that no legal notice was given by the board. He asserts that the law requires adverwill be built and a permanent organ- tisements for bids to be published in ization maintained. Among those who at least three newspapers. When the have already joined are John H. Brock, printing board voted to let the con-Major Killian's old first sergeant; John | tract Auditor Cornel protested on the Aguinaldo's motives, on account of the E. Ballou, his old quartermaster, and ground that the legislature alone, and Aibert L. Rollin, regimental quarter- not the printing board, had authority

> State Capital Notes. Sergeant Harry Hall of York has been authorized to recruit Company A | employment of that place for service in the new

First regiment.

Chief Justice Harrison relinquished his seat on the bench on the 4th and Judge-Elect Holcomb was sworn in George Lyon of Company H of the this city, was before the commission-First regiment has reported to Adju-

ter in the National guard. The State Board of Purchase and Supplies concluded a two days' session last week, buying enough supplies

tant General Barry that his company

Boy Accidentally Shot. COLUMBUS, Neb., Jan. 5 .- James, the 12-year-old son of County Attor-

playing "hold up" and the weapon was accidentally discharged. The wounded boy was taken to Omaha for treatment.

Takes Strychnine for Quinine. HUMBOLDT, Neb., Jan. 4.-Mrs. S B. Day a middle-aged woman residing in this city took a dose of strychnine by mistake, thinking it was quinine. Two physicians worked nearly all night before the victim was entirely free from the results of the mistake.

fifty miles north of here, bonfires and the number of its councilmen and the manner of electing them will be by a arrival of the B. & M. railroad at that point on the 4th.

HOLDS THE COMPANY LIABLE. Decision in Test Case Concerning Fees | BLOWN UP AND BURNED

Destroyed by Fire.

THE OUTCOME OF AN EXPLOSION

Death of Mr. Sinclaire, a Picneer of Otoe County-A Former Member of the Legislature-Trouble With the Swift Ice Company at Ashland-Other Matters in Nebraska.

STROMSBURG, Neb. Jan. 3.-Eden Baptist church, dedicated a year ago, burned to the ground about midnight. The fire resulted from the explosion of the ascetylene gas, which blew out the foundation and wrecked the windowse. A crowd was present to watch the New Year in.

The force of the explosion hurled the people in all dicerctions Rev. J. L. Hedbloom, the pastor, and Mr. Cowan, the janitor, were burned about the hands and face. Mrs. J. L. Johnson and her daughter, Pearl, were slightly injured.

The building was heated by a furnace situated in the basement as was also the gas plant. Loss about \$3,200; insurance \$1,800.

Question Legality of Divorce. CHADRON, Neb., Jan. 3.-When is a divorce not a divorce? That is the question now agitating the minds of a couple in Chadron who secured a supposed legal separation in the district court of Rushville recently. They were residents of Chadron and procured a decree in the court of Sheridan county contrary to the statute of divorce and alimony. The question of residence was not introduced in the testimony and the interested parties were not wiser of the illegality of the procedure until court had adjourned. They were Mr. and Mrs. H. L. Reincehl, formerly of Missouri Valley, and Mr. Reinoehl is an engineer on the Elkhorn and a property owner at this place. This case was only in court fifteen minutes. It is not learned what

Prosperity in Gage County.

cree confirmed.

BEATRICE, Neb., Jan. 3.-The year just closed shows an encouraging condition in the county, as is shown by the mortgage report furnished by Register of Deeds Charley Reed. The record for December was as follows: Farm mortgages filed, 32; amount, \$28,-637; released, 53; amount. \$49,537; city mortgages filed, 22; amount, \$12,-601; released, 14; amount, \$4,614. For the year the record is as follows: Farm mortgages filed, 577; amount, 783 648; released, 775; amount, \$949,-951; city mortgages filed, 190; amount, \$94,770; released, 260; amount, \$194,-048. Number of releases in excess of filings, 260; amount of releases in excess of filings, \$265,581, or over a quarter of a million dollars represented as indebtedness paid off.

Otoe County Pioneer Dead. NEBRASKA CITY, Neb., Jan. 3.-Word was received in this city from Burr, this county, of the death of Hon. Sinclair at his home in that place at the age of forty-four years. Bright's disease of the kidneys was the cause of its best and most highly respected citizens. He was a member of the hard for the election of J. Sterling A widow and two children mourn his untimely death. The remains will be

city on Monday. Buried in the Town He Founded. LOUP CITY, Neb., Jan. 3 .- The funeral of William Benochoter, who owned a homestead on the townsite of Loup City in 1872, was held here. For resident of Richardson county, living near Falls City, where he died. As it had always been his desire to have his last resting place here at the town he was instrumental in founding, his wish was carried out by the family. The bell which he gave to the Methodist church, when it was built, tolled seventy-six times as a requieum. The services were conducted by Rev. W. E.

Matthews of the Methodist church, as-

sisted by Rev. McCahan of the Pres-

byterian.

Ice Plant May Close. ASHLAND, Neb., Jan. 3 .- The prospects are now that Swift & Company's ice house north of this city, will not be operated this winter. The board of county commissioners at Wahoo this week instructed County Clerk Chapek to purchase the property for delinquent taxes for 1896 and 1897, amount ing to \$2,400. The company says this amount is more than its share of the taxation and refuses to pay the money. The closing down of the plant, which now seems probable, will throw many hundreds of Ashland laborers out of

H. C. Thompson Declared Insane. NEBRASKA CITY, Neb., Jan. 3 .-H. C. Thompson, the former Missouri Pacific agent at Talmage, who left and was found in Omaha and brought to ers on insanity and adjudged insane by them and will be taken to the

Police Find Bloody Clothing.

asylum at Lincoln.

SIOUX CITY, Ia., Jan. 3.-The Sioux City police have in their possession a suit of bloody clothes, which was found under a railway bridge and it may prove a valuable clue toward tne capture of the murderer of John Robson. It was found hid away in a hole by some children. The collar was spattered with blood and about the place were numerous rags used by th man to wipe his filthy hands. It is hoped they may lead to a capture. So far no arrests have been made.

Jefferson County Official Dead.

FAIRBURY, Neb., Jan. 3.-Herman Tietjen, one of the commissioners of Jefferson county, died at his home, three miles northeast of Plymouth, of consumption. The deceased was thirty-five years old and had served in his present official capacity two years. He was a well-to-do German farmer and had just completed a fine new residence upon his excellently im-SIDNEY, Neb., Jan. 5.-At Bayard. proved land. He leaves a wife and two children.

Superior finery ever seems to confer

superior breeding.