

# NO ROOM FOR ROBERTS.

Mormon Representative-Elect Not Permitted to Take His Seat.

## EXCLUDED BY VOTE OF 278 TO 50

Minority Report to Seat and Then Expel. Lost by a Vote of 81 to 244—Party Lines Not Drawn on the Decision—Overwhelming Sentiment Against Seating a Polygamist in Congress.

WASHINGTON, Jan. 26.—The case of B. H. Roberts, the Mormon representative-elect from Utah, which has occupied so much of the attention of the house since the assembling of congress, was decided today by the vote of 278 to 50. The exact language of the resolution was as follows:

"That under the facts and circumstances of the case Brigham H. Roberts, representative-elect from the state of Utah, ought not to have or hold a seat in the house of representatives and that the seat to which he was elected is hereby declared vacant."

The amendment to expel Roberts without seating him, offered by Lacey, was ruled out on a point of order and the house only voted on the resolutions of the majority and minority of the committee.

The latter to seat and then expel Roberts was defeated by 81 to 244. An analysis of the vote shows that 179 republicans, seventy-two democrats and two populists voted against it and twenty-one democrats, six republicans, two populists and two silver republicans for it.

The majority resolutions, to exclude Roberts and declare the seat vacant, were adopted 268 to 50. The affirmative vote was divided as follows: Republicans, 168; democrats, 96; populists, 4; and the negative vote: Democrats, 47; silver republicans, 2; populists, 1.

There were over a score of speakers today and the closing speeches on each side were particularly able. Latham of Texas closed for the majority, and Le Armond of Missouri for the minority.

When Latham concluded, Lacey, republican of Iowa, offered an amendment to the majority resolutions providing for the expulsion of Roberts.

To this Taylor made the point of order that the amendment was not germane. The speaker sustained the point of order on the ground that the original proposition only required a majority vote, while if the amendment were added it would require a two-thirds vote. The republicans applauded the speaker's ruling.

Lacey appealed from the decision of the chair. Taylor moved to lay that motion upon the table. While the vote on the latter motion was being taken, it being apparent that it would carry by a large majority, Lacey withdrew the appeal.

The first vote was then taken on the proposition of the minority question to seat and then expel Roberts. At the conclusion of the roll call, Tawney, republican of Minnesota, the republican whip, announced that on account of the nonpartisan character of the vote he had made no effort to pair the absent republicans. Underwood, democrat of Alabama, made a similar announcement concerning the democratic absentees.

Roberts was present throughout the day and only left the hall after the result of the last vote had been announced. As he did so he gave out a statement justifying his retention of his plural wives on the ground that his moral obligation was more binding upon his conscience than technical obedience to statutory law and saying that there was little excuse for the extraordinary efforts to crush a system already abandoned and practically dead. He said he was a martyr to "a spasm of prejudice."

He would not, he said, attempt to run for congress again, although he would go back home with a light heart, confident of the future.

**Funeral of Gen. Stanton.**  
WASHINGTON, Jan. 26.—Arrangements for the funeral of General Stanton, which will take place at Arlington cemetery Saturday, are being made by the war department in conjunction with General Hawley, chairman of the military affairs committee of the senate. A delegation from the military affairs committee of the house and senate will attend the funeral.

**German Court in Mourning.**  
MERLIN, Jan. 26.—In consequence of the death of the dowager duchess, Frederick of Schleswig-Holstein, mother of the empress of Germany, at Dresden, today's court reception and all ceremonies in connection with the empress's birthday have been postponed.

**Were Not Murdered.**  
VICTORIA, B. C., Jan. 26.—Fred Clayton and Olson, the two missing miners who were reported to have been murdered for robbery on the Yukon trail, are at latest reports among the stampers to a new strike on Big Salmon.

**German Naval Bill Passed.**  
BERLIN, Jan. 26.—The Bundersrath today adopted the naval bill. The measure provides for the doubling of the present number of battleships and the construction of six large and seven small additional cruisers. The expenditures will be annually provided for in the estimates.

The preamble anticipates that the scheme will be completed by 1916, at an annual increase of the expenditure of 11,000,000 marks, which sum is to be raised by loans without any fresh taxation.

**Watson's Body at Indianapolis.**  
WASHINGTON, Jan. 26.—The two Indiana senators and several of the representatives in the house from that state called upon Secretary Root to request that a change be made in the program arranged for the Lawson funeral ceremonies, so as to admit of the remains of the general lying in state at Indianapolis one day. Secretary Root telegraphed General Shafter at San Francisco to amend the itinerary arranged by him. The remains are expected to arrive at San Francisco on the transport Thomas today.

# MAKE A NIGHT ATTACK.

General Warren's Troops Succeeded in Occupying Spionkop.

SPEARMAN'S FARM, Jan. 23. 10 a. m.—(New York World Cablegram.)—Following is a general description of the recent operations of General Buller: Having seized the heights commanding Potgietersdrift he occupied a virtual bridge head. Crossing the Tugela river he found the enemy in a strong horseshoe position closing the débouchures of the bridge head. He sent Warren to turn the Boer right, routing on Spionkop.

On the 17th Warren's right, marching to Springfield, threw two bridges across the Tugela at Triegardsdrift, where the enemy was extended to the front. He renewed the attack on their position, running two lines along the edge and crest of a lofty plateau strongly fortified, but approachable by long depressions in the ground and dongas sloping gradually from the river.

On January 18 Warren crawled forward two miles. Lord Dundonald's cavalry moved eastward, threatening the Boer right. The Boers endeavored to prevent the turning movement, but were ambuscaded and roughly handled in a brilliant attack with squadrons of the Natal Carbineers, Imperial Horse and South African Light Horse, losing forty-two, besides the wounded, who were removed to our camp. Consequently the Boers were driven to the greatly strengthened and extended his right, weakening the center.

On Jan. 19 the British demonstrated at Potgietersdrift, bombarding heavily, and Warren crept forward, also shelling. The cavalry held the ground during the Boer right and, promising one line caused it to retreat to the Free State.

On the 20th Warren began a series of actions called the battle of Spionkop. He advanced, covered by guns firing 3,000 shells, his men fighting gloriously and affected a dislodgment of the Boers at several points along the edge of the plateau. Warren's men were entrenched at nightfall. Lord Dundonald's cavalry on the British left demonstrated against the hills. Child's squadron of South African light horse actually seizing a conspicuous vantage point, heretofore held by the Boers. This gallant officer was killed by a shell while holding a captured position. In the evening the infantry reinforcements took charge of the day's advance by Dundonald, firing all night.

On the 21st Warren's left moved up to prevent the capture of the whole of the edge of the plateau, occupying the first line of the Boer trenches and finding many dead, about 200 from shell fire.

The main Boer position is still intact, but the troops have now gained vantage points from whence a decisive blow can be delivered.

## ASHES OF THE HEROIC DEAD.

Remains of Gallant Volunteers Who Fell in Far Away Philippines.

SAN FRANCISCO, Jan. 26.—The transport Peking yesterday brought 159 bodies of soldiers who have lost their lives in the Philippines. Tonight the ambulances are taking the caskets from the ship to the Presidio, where the bodies will remain until ordered to be buried along by relatives in the east. Among the dead fourteen states are represented. Following are the dead from Nebraska and South Dakota:

**FIRST NEBRASKA.**  
Company A—Privates Frank S. Glover, George F. Hansen, Elmer B. Wempler, Charles Hallinger.

Company C—Privates Frank K. Knouse, Earl W. Osterhouse.

Company E—Private Ira E. Griffin.

Company F—Arthur S. Sims, Horace S. Faulkner, William R. Philpot.

Company G—Private Walter A. Hagar.

Company H—Private Albert Burd.

Company I—Privates Alfred J. Risner, Alfred Piegler.

Company K—Lieutenant Lester E. Sisson.

Company L—Privates George H. Soren, Fred Taylor, R. W. Kells, Charles Hallinger.

**FIRST SOUTH DAKOTA.**  
First Lieutenant and Regimental Adjutant Jonas Lien, killed in action.

Company D—Privates Askel, Erdness and Fred Grensli.

Company F—Second Lieutenant Sidney E. Morrison, killed in action; Munro, Irvin J. Willett, Muscien J. Berg.

Company G—Private John A. Smith.

Company H—First Lieutenant Frank H. Adams, killed in action; Private Orvis J. McCracken, killed in action.

Company I—Privates James E. Lenk, Fred E. Green, William G. Lowes.

Company K—Privates James M. Clarke and John J. Maloney.

Company M—Sergeant William B. Smith.

**China to Have a New Emperor.**  
LONDON, Jan. 26.—According to a special dispatch from Shanghai it is reported there that Emperor Kwangsu has committed suicide.

SHANGHAI, Jan. 26.—The North China Daily News publishes an edict signed last night by Emperor Kwangsu, appointing as emperor in his place Pu Chun, the 9-year-old son of Prince Tuan.

The emperor will ascend the throne on January 31.

**Favor Cable Line to Cuba.**  
WASHINGTON, Jan. 26.—The first business which came before the National Board of Trade convention today was a report from the committee regarding a national cable service to Cuba, presented by E. G. Preston of Boston. He stated that the service was now exclusively in the hands of the Western Union and additional facilities were needed and reported a resolution urging upon congress the passage of legislation which will allow the laying of a competing line between Cuba and the United States. The report was adopted.

**Endorse Bryan's Candidacy.**  
HARRISBURG, Jan. 26.—The state democratic committee set the pace for the democracy of the other states today by making W. J. Bryan its choice for the presidency in 1900.

This action was taken by the committee while Bryan was on his way to Harrisburg from New York to attend the meeting and confer with the party leaders. This is probably the first time in the party's history that the democrats of Pennsylvania have indicated their choice for president in advance of the state convention.

# LANDIS WINS LAURELS

Young Indiana Orator Distinguishes Himself in Speech Against Roberts.

## EXCORIATION OF THE MORMONS

Makes a Sarcastic Speech on the Plurality of Wives—Record of Apostles of the Mormon Church Taken Up and Exposed to Public Gaze.

WASHINGTON, Jan. 25.—The second day's debate in the house upon the Roberts case was less dramatic than that of Tuesday. The galleries were almost as crowded, but the women were less demonstrative. The president's pastor, Rev. Dr. Bristol, was in the executive gallery the greater portion of the afternoon, listening to the arguments. Roberts was not present during the day. Had he been he would have heard the most scathing exhortation of the Mormons ever delivered upon the floor of the house.

Landis of Indiana, the young orator who distinguished himself during the last congress in an oratorical duel with Johnson of his state, won new laurels. He charged that Utah had been admitted to the union as a result of a Mormon conspiracy and reviewed the history of the apostles of the church, whom he charged with living in open and flagrant violation of the law against polygamy, to show that they had basely broken their solemn pledge to the government.

There had been, said Mr. Landis, universal rejoicing in the land in 1896, when Utah had been admitted into the Union. The people of the United States thought that the birth of the state worked the death of the system of polygamy. Yet they were startled to learn in 1898 that Utah had elected as its sole representative in the house a polygamist and that he was now in Washington with a plurality of wives and a multiplicity of children.

Landis went over the record of the apostles of the Mormon church to show that most of them were guilty of continued polygamous practices. Some of his statements were sensational. He scored the church for its alleged faith, crossing the frontiers of the law by his scathing denunciation. At times he convulsed the house with his sarcasm.

Of the fifteen apostles of the church, he said, eleven were open violators of the law and three had undoubtedly taken plural wives since it was promulgated.

Landis said he believed, and that Roberts had denied, that Margaret C. Shipp had become his plural wife since Utah was admitted in 1896. He paid a high tribute to the Christian missionaries who had worked among the people of Utah. Roberts, he said, had boasted that he had received the votes of the Gentiles of his district.

That, Landis said, was because he ran as a democrat as well as a Mormon and because his opponent "had been a Danite who had killed his man."

Landis expressed his pity for the poor women who ministered to the rotten and lustful notions of the Mormon priesthood. He ridiculed the proposition to admit Roberts and then turn him out of the country, for the constitution in statutory law would get down of their pedestals and laugh at such a procedure. It would be a burlesque on law and precedent and an outrage on common sense. Not only should Roberts be turned back, but also Utah, whose people, he said, had solemnly lied to the congress of the United States in 1896.

In his peroration Landis protested against Roberts' admission in the name of the motherhood of the land and of the pitiful innocents doomed to the shame of illegitimacy. He got a whirlwind of applause when he sat down. The speech created a sensation.

Toward the close of his speech Landis said:

"In 1896 Roberts was a candidate for congress and the church disciplined and defeated him because the time was not then ripe for a polygamist to come to the American congress. He became a candidate in 1898 and the man who placed himself before the convention stated that he ran by permission of the church. In 1898 we were engaged in a war with a foreign foe. American manhood was away from home or all absorbed in the country. Valor was at war and virtue was at prayer. The north and the south were under one flag. The people in this generous condition of magnanimity to come back, and it was then this perjured cheat attempted to crawl in. Sir, it came by itself, but it will be aurd back boldly and in the open day by the outraged indignation of the American people. (Applause.) And cross your forehead with the red letters large enough to be read from the national capitol to the Mormon temple: 'No polygamist shall ever enter as a member of the American congress.'" (Applause.)

## BRILLIANT EVENT FOR SCHLEY.

American Residents in Buenos Ayres Honor the Admiral.

Buenos Ayres, Jan. 25.—The American residents gave a brilliant entertainment last night in honor of Rear Admiral Schley at St. George hall. Many British and Argentine residents were present.

The American charge-affaires has invited President Poca to dine with Rear Admiral Schley on board the cruiser Chicago tomorrow.

**Makes It a Capital Offense.**  
DES MOINES, Ia., Jan. 25.—Senator McIntyre of Ottumwa today introduced in the upper house of the legislature a bill fixing penalties for the crime of holding up or robbing trains. It provides that any person who takes part in holding up or stopping a train to rob the passengers, express or mail cars shall be, on conviction, sentenced to either the death penalty or to imprisonment for life.

**Pension for Mrs. Stotsenberg.**  
Washington, Jan. 25.—Senator Allen reported favorably his bill granting a pension of \$50 per month to Mrs. Mary L. Stotsenberg, widow of the late Colonel J. M. Stotsenberg of the first Nebraska. The report states that Mrs. Stotsenberg is in poor health and that she is unable to properly educate her two small daughters; that she has a widowed mother and sister in a measure dependent upon her and that, in consequence, it would be no more than right to give \$50 per month to the widow of so gallant an officer as Colonel Stotsenberg.

**In Aid of Southern Pensioners.**  
WASHINGTON, Jan. 25.—The house committee on pensions today ordered a favorable report on the bill making service in the Spanish-American war sufficient to remove the disabilities against those who aided or abetted the rebellion in the matter of drawing pensions. At present the inhibition applies to widows, children, heirs and other dependents of pensioners, who, by assisting the confederacy and the removal of this inhibition is more particularly designed to apply to parents of soldiers serving in the war with Spain.

# ENGLAND IN GREAT SUSPENSE.

No News, or at Least None that is Satisfactory.

## IS POWERLESS TO ACT

No Money to Spend to Check Ravages of Small Pox.

## A PATIENT IN PAWNEE COUNTY

Application Made to the Board of Health Without Favorable Results—James Hammons of Platte County Wants \$1,000 for Being Slandered—Miscellaneous Nebraska News Here and There.

LONDON, Jan. 25.—Up to 2:30 this morning, a little more than twenty hours after the arrival of General Buller's notification that he intended to make a night attack, no news of the result of that movement had reached unofficial England. Whether the officials at the war office have received any intelligence or not, and there are reasons for believing that they have, nothing has been made public.

There is a deep-seated impression that General Buller has been at least checked, but that the fighting continues, and the war office is waiting and hoping to receive better news before taking the people into its confidence. As is only natural, countless rumors have been circulated in the absence of trustworthy intelligence.

Tales of a British victory and a decisive Boer defeat were coupled in the same breath almost with stories of Buller having been repulsed by the Boers and the British being in retreat. The London newspapers, he it said to their credit, took no notice of these wild rumors, not one of them appearing in print.

Two days in London during the whole progress of the war has been quite like yesterday. The news contained in Buller's message that he intended assault upon Spionkop on Tuesday night was enough of itself to keep all minds on the rack of anxiety and feverish excitement.

From evening vague rumors were abroad, such as are usually the fruit of a period of suspense, when a chance utterance is magnified into an authoritative statement and surmise is mistaken for a certainty. Among the other things said were that the attack itself had failed; that Buller's statement was intended as a blind, and that his real intention was wholly a different, and that he would never have said so much unless he was practically sure of success.

From early morning until midnight the war office was thronged with visitors. To make matters worse, there is not a single item of official intelligence from the front to appease the widespread and breathless anxiety. At midnight the announcement was made at the war office that the authorities had nothing to communicate to the public, which at once suggested the idea that they had received something intended only for private information.

## REVOLUTIONARY WAR WIDOWS.

Statement by Commissioner Evans Shows Four Still Living.

WASHINGTON, Jan. 25.—Responding to an inquiry from Senator Gallinger, Commissioner of pensions Evans has sent him a statement giving the number of pensioners borne on the rolls of the office on account of each of the wars of the United States and giving a brief review of the laws under which they were granted. The statement is as follows:

War of 1812, one survivor, 1,998 widows.  
Indian wars, 1832 to 1842, 1,656 survivors, 3.89 widows.  
Mexican war, 9,204 survivors, 8,174 widows.

Granted since 1861 under general other dependents. Under law of 1890: Invalids, 420,912; widows and dependents, 139,200.

## WELCOMES THE UNITED STATES.

Chinese Official Pleased at Growing Influence in the Orient.

SAN FRANCISCO, Jan. 25.—Ho Yow, the Chinese consul at this port, was among the speakers at the banquet given at the Palace hotel to ex-Park Commissioner Metson. In the course of his remarks he said: "I am glad to realize that the United States is becoming more and more of a factor in the Orient. The Chinese are coming to the Americans are not trying to seize part of their territory. The open door policy is what this country wants and should have. I do say that you should throw down your barriers and set in our cheap labor. It would be to your advantage to allow other Chinese free access into the United States. Permit me also to say that a city that can build a war ship like Oregon is just the place for China to come to for its new war vessels and trade steamers."

**Nebraskans Call on Dewey.**  
Washington, Jan. 25.—Congressmen Burket and Stark called upon Admiral Dewey today to extend to him an invitation to be present at the Beatrice chautauque, July 4, and incidentally to visit Lincoln en route. They are enthusiastic over the reception accorded them by the hero of Manila bay, although their visit was not productive of much satisfaction. Admiral Dewey stated that he fully appreciated the honor extended him and that there was no state that he would rather visit, but engagements in St. Louis and Chicago about July 4 made it impossible for him to accept.

He is daily Admiral Dewey paid a glowing tribute to the first Nebraska, stating that it was one of the first regiments in the Philippines and he patriotically recalled the fact that Mrs. Stotsenberg, together with a number of other women, were his guests on board the Olympia on the day that Colonel Stotsenberg met his death, leading his regiment in action near Quingua.

**To Restore Capital Punishment.**  
TOPEKA, Kan., Jan. 25.—Governor Stanley is quoted as declaring he will recommend to the next legislature that the crimes act, fixing the punishment for murder, be amended so that the jury shall decide that question, and the judge's only duty shall be to execute its judgment. This would restore capital punishment for murder, which the present law practically abolishes. The recent double lynching at Fort Scott is believed to have influenced the governor.

**Falls from Overland Flyer.**  
KIMBALL, Neb., Jan. 26.—A young man named Arnold Krotwich fell from the overland flyer, No. 6, while stealing a ride. He was picked up nearby and is in a critical condition. His home is at Bloomfield.

**Small Pox at Guide Rock.**  
SUPERIOR, Neb., Jan. 26.—Smallpox has appeared at Guide Rock. H. N. Viers, a barber, brought it in from Oklahoma and one other case has resulted. Schools have been dismissed and the town quarantined.

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# LIVE STOCK AND PRODUCE.

Omaha, Chicago and New York Market Quotations.

**SOUTH OMAHA LIVE STOCK.**  
SOUTH OMAHA, Jan. 26.—CATTLE—Good feeders of good weights were all being sold at steady prices. On the other hand, medium weight stuff, especially such as was lacking in quality, moved easily and buyers seemed to have about all of that kind of cattle that they cared for. Beef steers, \$2.25 to \$2.50; cows, \$2.00 to \$2.25; calves, \$1.50 to \$2.00; bulls, \$2.00 to \$2.50; stockers and feeders, \$3.00 to \$3.50.  
HORSE—A large percentage of all the hogs here sold at \$4.50, while yesterday \$4.75 to \$5.00 bought the most of them. Choice heavy sows sold at \$4.50 to \$5.00. SHEEP—The receipts were larger, but apparently none too large, as buyers were out early and the yards were soon cleared. Lambs were in active demand at prices that were 10 to 15c higher than yesterday's market. One bunch of the same kind of lambs that were here Saturday and sold for \$6.12, brought \$6.25. Other western lambs sold at \$6.00 to \$6.25. Sheep and yearlings were also in good demand and the market was strong.

**CHICAGO LIVE STOCK MARKET.**  
CHICAGO, Jan. 26.—CATTLE—Native steers slow; Texans active, average 50 head; cow market strong; canning and milk ready; feeders quiet; hogs in demand, \$5.25 to \$5.50; pork to medium, \$4.00 to \$4.50; mixed stockers, \$3.25 to \$3.50; calves, \$2.25 to \$2.50; pigs, \$3.00 to \$3.50.  
SHEEP—In strong demand; lambs, 10 to 15c higher; good clearance; native wethers, \$4.50 to \$5.00; lambs, \$5.00 to \$5.50.  
KANSAS CITY LIVE STOCK.  
KANSAS CITY, Jan. 26.—CATTLE—Receipts, 4,900; desirable native steers, \$3.00 to \$3.50; lights, \$2.50 to \$3.00; stockers and feeders, \$2.50 to \$3.00; butchers cows and heifers, \$2.50 to \$3.00; mixed stockers, \$2.50 to \$3.00; calves, \$2.00 to \$2.50; pigs, \$3.00 to \$3.50.  
SHEEP—Receipts, 1,500; 50 lb. higher; heavy, \$4.00 to \$4.50; mixed, \$3.50 to \$4.00; lights, \$3.00 to \$3.50; pigs, \$3.50 to \$4.00.  
NEW YORK PRODUCE.  
NEW YORK, Jan. 26.—WHEAT—No. 2 red, 75c; No. 1, 76c; No. 2, 74c; No. 3, 73c; No. 4, 72c; No. 5, 71c; No. 6, 70c; No. 7, 69c; No. 8, 68c; No. 9, 67c; No. 10, 66c; No. 11, 65c; No. 12, 64c; No. 13, 63c; No. 14, 62c; No. 15, 61c; No. 16, 60c; No. 17, 59c; No. 18, 58c; No. 19, 57c; No. 20, 56c; No. 21, 55c; No. 22, 54c; No. 23, 53c; No. 24, 52c; No. 25, 51c; No. 26, 50c; No. 27, 49c; No. 28, 48c; No. 29, 47c; No. 30, 46c; No. 31, 45c; No. 32, 44c; No. 33, 43c; No. 34, 42c; No. 35, 41c; No. 36, 40c; No. 37, 39c; No. 38, 38c; No. 39, 37c; No. 40, 36c; No. 41, 35c; No. 42, 34c; No. 43, 33c; No. 44, 32c; No. 45, 31c; No. 46, 30c; No. 47, 29c; No. 48, 28c; No. 49, 27c; No. 50, 26c; No. 51, 25c; No. 52, 24c; No. 53, 23c; No. 54, 22c; No. 55, 21c; No. 56, 20c; No. 57, 19c; No. 58, 18c; No. 59, 17c; No. 60, 16c; No. 61, 15c; No. 62, 14c; No. 63, 13c; No. 64, 12c; No. 65, 11c; No