Railroads Do Not Escape Entirely Unscathed in Court

SYLLABUS IN THE CASE

Decision Rendered by Chief Justice Holtomb is a Lengthy One-Earnings and Stock Values are Elements Showing Real Value

The supreme court of Nebraska has handed down its decision in the mandamus suit brought to compel the state board of equalization to as sess the franchises, etc., of the railroads.

As Judge Holcomb once occupied a position on the state board of equalization, he was supposed to be more familiar with the subject than any other member of the bench.

"We cannot escape the conclusion," says the court, "that both the tangible and intangible property of the railroad companies were in fact assessed as one property or one unit." Earnings, franchises, stocks and bonds are designated as property to be considered.

The two principal questions considered by the court were as follows: Has the board failed to assess property which under the law it is its duty to Second, in making the assessment has the board acted fraudulently in valuing such properties for assessment and for that reason rendered vold the action taken. In effect the court finds that franchises and all intangible property must be and were assessed by the board; that the transjudicial powers as to the valuation of such property and when it has acted on sufficient information and expressed an honest judgment as to such value, its judgment cannot be controlled by the writ of mandamus. The following is the syllabus of the

1. Pleadings construed and held to the manner of making the assessment

complained of 2. It is the duty of the state board of equalization to value and assess for an officer or assessing body values purposes of taxation, all railroad and telegraph properties of all kinds within the state, with the exceptions menioned in sections 39 and 40 of the

evenue act. 3. In assessing property for taxation the dominant idea of the organic taxation shall pay taxes in proportion erty was assessed.

to the value of the property owned. 5. The word "property" as used in he constitution is a generic term and cludes all property of whatsoever eription whether tangible or in-

While the revenue act provides the assessment for tax purposes of property at its fair cash value, the t will take judicial notice of the t that for general revenue purposes is far below the actual

of the property assessed. rule of uniformity, property which escapes taxes altogether can not be taken into account in determining the standard of valuation of property actually listed, returned or assessed, on which taxes are levied.

7. The state board of equalization, in the assessment of railroad and telegraph properties should include in its assessment the value of the franchises with the tangible property assessed.

8. In the assessment of railroad and telegraph property, the state board of equalization may consider not only the returns required to be made by sections 39 and 40, but also other information of a reliable character obtainable which may tend to establish the true value of the property as-

9. The provisions of section 32, of the revenue act, requiring the assessment of the capital stock of the corporations named therein, at its actual value, after deducting therefrom the value of the real estate and other personal property of such corporation assessed as such, are not applicable to the assessment made by the state board of equalization, of the properties of railroad and telegraph companies.

10. Sections 39 and 40 of the revenue act embrace the legislative plan and method of assessing railroad and telegraph property which are complete within themselves and capable of enforcement independent of the provisions of section 32.

11. In assessing railroad and telegraph property, it is the duty of the state board of equalization to secure all reasonable and necessary reliable information relative to the value of the entire property of each corporation assessed and assess such property as a unit or as one property.

12. In determining the value of the property assessed, it is the duty of the board to consider all factors having the elements of property, whether tangible or intangible, which enhance the value of the corporate estate, and value such property for assessment purposes so that the valuation placed thereon shall harmonize with the constitutional rule of uniformity.

13. Where railroad and telegraph properties are situated in more than one state, it is necessary to consider and determine the value of the whole

Grand Duke Sails for Home Grand Duke Boris of Russia sailed on the French liner La Lorraine, boarding the steamer from a privte yacht at quarantine in order to escape interviewers. The royal traveler has reserved seven suits de iuxe for himself

Bones Found in Ruins The Seminole hotel, at Winter Park, Fia., was destroyed by fire Wednesday. The bones of one charred body were found in the ruins today. The loss is 259,000.

PARTIAL VICTORY property wherever situated as an entirety and then determine what proportion of the whole property is situated. ed and used in this state and subject to taxation therein, the relation such part bears to the whole property as to its value being the basis on which the assessment is to be made.

14. The market value of the stocks and bonds of a railroad corporation is an important factor with other pertinent information by which to determine the fair cash value of the property assessed which is represented by

such stocks and bonds. 15. The earnings of a railroad company is evidence of a most important character in determining the true value of the property from which the earnings accrue and is one of the chief elements which give value to the property and should be considered in determining the value for assessment purposes of the entire corporate prop-

erty which is assessed. 16. Where the property of a railroad corporation is assessed by the state board of equalization as a unit and in fixing the value thereof the board takes into consideration the fact that the property is being used for effecuating the objects of the corporation; is earning an income in the transportation of passengers, and carrying of freight for hire, and that such corporation is exercising the rights, powers and privileges of corporations organized for the purpose of engaging in business as common carriers, such assessment so made would include and cover the intangible as well as the tangible property of the corporation and would be an assessment of its franchise.

17. Evidence examined in the case at bar and held that in the assessment of the properties of the railroad and telegraph companies by respondents the franchises of such corporation were valued and assessed in the assessment of the physical properties of such cor-

porations. 18. The state board of equalization is by law constitute a special tribunal for the purpose of assessing railroad action was not tainted with fraud; and telegraph properties and in the that the board is clothed with quasi valuation and assessment of such property for taxation purposes they are given exclusive jurisdiction.

19. In assessing property for taxation purposes, the board is clothed with quasi judicial powers as to valuation of such property and when it has once acted on sufficient information and expressed an honest judgment as to such value, its judgment can not be conpresent an issue of fraud in regard to trolled by the writ of mandamus. The writ of mandamus is not a writ to correct errors but to compel action.

20. The presumption is that when property for assessment purposes, that he acts fairly and impartially in fixing such valuation.

21. Held in the case at bar under the evidence the inference is not warrantable that the respondents acted from impropr motives and fraudulently taw, is that needful revenues shall be in making the assessment complained raised by levying a tax on property of with the wrongful intention of disby valuation, in such manner that criminating in favor of the railroad every owner of property subject to and telegraph companies whose prop-

22. Where an assessing officer or board disregards well known rules for the valuation of property assessed and has refused to consider reliable and pertinent information regarding such values and arbitrarily assesses property at a grossly inadequate sum, such assessment may be treated as fraudulent and as in law no assessment.

23. Where in the assessment of property for municipal purposes in he standard of value generally prevail- cities of the metropolitan and first lass different standards of valuation prevail than in the assessment of 6. In observing the constitutional property generally throughout the state for general purposes, and the state board of equalization van not assess property in harmony with such different standards of valuation, it is the duty to observe the rule of uniformity of valuation of property assessed generally for revenue purposes rather than the standard prevailing in the cities of the classes mentioned when property therein is assessed for municipal purposes.

24. The constitution requires that in the assessment of taxes for municipal purposes, such taxes shall be uniform with respect to persons and property within the jurisdiction of the body imposing the same.

25. Whether the provisions of law requiring the valuation of railroad and telegraph property for assessment purposes, made by the state board of equalization shall be taken and accepted as a correct assessed valuation of such property for municipal purposes in cities of the metropolitan and first class when a different standard of valuation prevails as to the assessment of all other property in such cities violates the constitutional provision requiring taxes to be uniform throughout such municipality as an independent taxing jurisdiction. Quaere.

26. The power of the state board of equalization to value and assess for tax purposes sleeping and dining cars operated on the railroads in this state is derived from the statute, it being within the province of the legislature to select a method by which all such properties shall be valued and assessed which is exclusive when no constitutional rule is violated

27. It assessing sleeping and dining cars under the provisions of sections 40a and 40b, the board can not value and assess the franchises or other intangible property of the corporations owning such cars as independent species of property. In estimating the value of such property for assessment purposes the assessing board in determining the value thereof is not confined alone to the cost of construction but may consider the value of the prop erty assessed as a means of earning income, the profitableness of the use to which it is put, and ascertain and fix its true value for assessment purposes with reference to the value it has as used and by reason of its use.

Bryan in a Wreck A train bearing Bryan from Cincinnati O., to Greencastle, Ind., ran into a switch engine at Indianapolis Thursday afternoon. Bryan and the other passengers were badly shaken up. One engine was derailed. No one was seriously hurt.

Frank Ford, under arrest in Indianapolis, has been identified as William Dockery, who, with four other desperate criminals, escaped from the Sioux Fails penitentiary in April, 1900. Dockery was a member of the famous Dockery gang in Minneapolis.

THEY KILLED HIM

Officers Shoot Down Olsen, the Omaha Murdere

DIDN'T TAKE ANY CHANCES

When Fugitive Pulled Gun the Officers Fired a Volley, Bringing Him Down -Identified by a Citzen-He

Murdered His Sweetheart

A Bancroft, Neb., Sept. 22, dispatch says: Peter Olsen, of Omaha, who shot and killed his sweetheart, Mary Petersen, at her home on the evening of September 8, resisted capture near this place and was killed by the offi-His body was brought to town cers. and identified by Peter Johnson, who had known him. Constable Copple and

a posse did the shooting. The fugitive arrived at Bancroft on Saturday night and remained over night at the Park hotel. Sunday morning he went to a barber shop to get shaved, and while near the postoffice was seen by L. R. Fletcher, ir., who had seen him a year ago at the home of Peter Johnson. Pletcher drove to Johnson's home and told him of Olsen's presence in Bancroft. Mr. Johnson came to town and imparted the information to Constable Comie, who organized a posse to search for the

In the meantime the fugitive had left town on foot. He was reported on the way to Pender. The officers followed and overtook him three miles from Bancroft. They halted, concealed themselves, and demanded Olsen's surrender. The man was then about seventy-five yards away.

Instead of obeying the order to throw up his hands, he pulled out a revolver. Several shots rang out and Olsen fell with a bullet through the body. Only one ball struck him. It entered near the navel and passed through the body. When the officers came up to him his hand still clutched the revolver. The weapon had only one cartridge in it, which had been snapped several times. Only 15 cents was found on his person. The body was brought to this place and identified by Peter Johnson. It answered the description sent out from Omaha even to the clothes, a scar on the face and a sear on the body caused by a surgical operation for appendicitis.

GROWTH OF KANSAS BANKS

Nearly a Million Dollars Increase in Capitalization

A Topeka, Kan., Sept. 21, dispatch says: The reports showing the condition of the state and private banks of Kansas at the close of business September 2, 1902, have been compiled by the bank commissioner. These are the reports that will be used in the forthcoming biennial report of the commissioner. They show the following totals:

Capitaliation, \$7,415,100; surplus and profit account, \$3,287,178,28; the surplus and profits less the expense are equal to 40 per cent of the capital invested; eash and sight exchange, \$16,-815,452.88; this is almost 42 per cent of the deposits, which at that date ag-gregate \$40,059,290.97; the total loans for the year were \$30,961,095,70.

A comparison of these figures with the totals from the Kansas bank reports September 1, 1900, is interesting. Then the total capitalization was \$6, 613,000, the total surplus and profits \$2,387,596.95, the total deposits \$31,608,-632.29, the total cash and sight exchange, \$16,108,595.07, the total loans, \$21,812,835.56.

On September 1, 1900, there were 388 banks reporting, while on September 2 of this year there were 462. Since September 1, 1900, eleven private banks have incorporated: three banks. Dexter, La Cygne and Wathens, have been closed by this department; fifteen state and private banks have nationalized, ten state and private banks have liquidated voluntarily. One hundred and fifteen banks have been instituted by the department since September 1, 1900. Since the last call, June 16, 1902, there has been an increase in the deposits of the state and private banks of almost one and one-half million dollars.

Accidentally Kills His Brother

The little nine-year-old son of Frank Javorsky, living four and one-half miles southwest of Wilber, Neb., accidentally killed his eleven-year-old brother, hid the gun and vows now that he will shoot himself.

When the trigger was pulled, the little fellow with the chickens about him, chanced to be in direct range The entire load of shot struck him in the abdoment and he was less than thirty feet distant. He died instantly.

Conductor Killed

W. R. Huber, conductor on the Burlington Holdrege-Cheyenne run, was run over in the yards at Curtis, Neb. and died from the effects of his injuries. He had been for a dozen years on this line and was well known. He leaves a wife and three children, living at Holyoke, Col.

Wireless Message Sent

A wireless message from Poldhu, Cornwall, to the Italian cruiser Carlo Alberto, in Spezia harbor, is printed. It consists of thirty-eight words and is a greeting to the king on the occasion of sending the first wireless message from England to Italy.

Annual Convention

The annual convocation of the Episcopal church of the diocese of Nebraska will be held in Falls City. Neb., from October 7 to 10, inclusive. Clergy from all parts of the state will be in attendance.

Richardson's Valuation County Clerk Tanner of Richardson county. Nebraska, has turned the tax books for 1902 over to the county treasurer. The assessed valuation of the county is \$3,461,645 and the total tax levied is \$165,152.35.

FREE HIGH SCHOOLS

State Superintendent Fowler Approves

List of Twenty-Six The free high school or adjunct district law has carried in eight counties in the state and as a result State Superintendent W. K. Fowler has approved twenty-six high schools as nceting the requirements of the law. In June, 1891, the proposition to establish adjunct districts was submitted to the legal voters of the various districts. The proposition was not gencrally understood and it was defeated in every county in the state with the exception of Douglas. Last June seven other counties adopted the provisions of the law. The law provides for the submission of a proposition to constitute all of the territory of each county outside the high school districts as an independent taxing district, to be known as the adjunct district of the county. The adjunct district would be organized solely that a tax not to exceed two mills on the dollar of assessed valuation might be legally levied and collected, for the purpose of paying the tuition of the graduates of the rural or common schools at the nearest approved high school in the county. The adjunct district has no officers; it builds ni schoolhouses; it votes no bonds.

In the counties where the adjunct district has been established, the following high schools have been approved by the state superintendent as meeting the requirements of the law: Antelope county: Neligh. Oakdale, Elgin.

Cass: Plattsmouth, Weeping Water, Elmwood, Louisville, Cherry: Valentine.

Omaha, South Omaha, Douglas: Florence, Waterloo, Valley, Elkhorn. Jefferson: Fairbury.

Knox: Creighton, Bloomfield, Wausa, Niobrara, Verdigree. Madison: Norfolk Madison, Tilden, Battle Creek, Newman Grove, Scotts Bluff: Gering.

KEEPS ISTHMUS OPEN

American Troopa Go Alone at Colon Colombia, to Act

A Colon, Colombia, Sept. 21, dispatch says: Several hundred government troops were brought out this morning. and it was the intention of the authorities to have them take a train for Panama. The railroad company declined to entrain the soldiers on the 8 o'clock passenger train, but subsequently placed a special train at their disposal.

Shortly after 8 o'clock eighty blue jackets from the United States cruiser Cincinnati, together with two quick firing Cold guns, were landed in Colon.

This action is believed to be due to the receipt of creditable information that a representative of the insurgent general, Herrera, is at San Pablo, a station on the railroad. Union these circumstances the government decided not entrain the troops for Panama. They will remain at Colon.

In the meantime the railroad dispatched a special train with definite instructions from Commander McLean of the Cincinnati to General Herrera's representative at San Pablo, saying that insurgent troops would not be permitted to stop trains over the isthmus, or board them, as American marines were maintaining the traffic from sea to sea.

A large force of insurgents is said to be quite close to San Pablo. If

ing at any moment. The return of the special from San Pablo will bring further news of the

Pioneer Citizen of Lincoln Found Dead in His Bed

situation.

Sleeping as peacefully as though in the bloom of youth, S. J. Dobson, for thirty-one years a citizen of Lincoln, Neb., was found in his bed by Mrs. Dobson, cold in death. He had been lifeless for seven or eight hours, carried away by heart failure.

Mr. Dobson had been ailing for some time. Several months ago he consulted a physician, complaining of shortness of breath. He was an inveterate cigar smoker and the doctor told him he must ease off this luxury He quit at once, and entirely, and this may have had something to do with his serious condition.

He had been considerably worse for the past few days, but Friday seemed much improved. When he retired he was feeling better than at any time in the last half year, and his sudden demise was that much more of a shock to his family, relatives and friends.

Mr. Dobson was sixty-one years of ige, and a veteran of the civil war having served in a Wisconsin regiment. For a number of years previous to his death he was a dealer in hides at 920 R street.

Dream Didn't Come True An Aberdeen, O., dispatch says:

Having failed to receive any manifestations that the account of this wicked world was to come up for final settlement Miss Nettie Campbell of this place has had her faith in dreams rudely shattered, though the shattering process did not jar her nearly so much as would have been the case had her dreams come true. On Friday night. January 3d. Miss Campbell dreamed that the world would be entirely consumed by fire September 20. Miss Campbell at that time did not think much of the dream, but she dreamed the same thing over again on the succeeding Saturday, Sunday and Monday nights, the repetition caused no little comment and the passing of the day without dire catastrophe resulted in a feeling of relief in some circles and particularly among the colored population.

Buggy Company Fails

The Rhoades-Carmine Buggy company, Marshalltown, Ia., one of the largest carriage concerns in the west, has made an assignment. A. A. Moore and C. C. Price of Marshalltown were appointed assignees. There are about 100 creditors, including many eastern firms and Chicago banks and brokers. Assets, \$266,568; liabilities, \$212,263. The largest creditor is the Marshalltown State bank, whose claim is \$40,-

When poverty looks in at the window

love vacates the roost.

AFTER THE MOROS FALLS UNDER THE WHEELS

Captain Pershing Finds Forts of Rebelious Filipinos

MEETS SLIGHT RESISTANCE

Marches Right Into Heart of Rebel Country-Seven Strongholds Captured and Twenty-five of Enemy Killed-Other News

A Manila, Sept. 22, dispatch says: Up to Sunday the force commanded by Capt. John Pershing of the Fifteenth infantry, operating against the Moros in the island of Mindanao, had met with slight resistance in the Macin country and had captured seven forts, killed twenty-five and wounded twenty Moros. There were no American casualties.

Captain Pershig's courier reached Brigadier General Samuel S. Sumner at Camp Vicars today. The captain reported that he first moved on Goanan, where the troops took three forts They then pushed on to Baynboa and captured two forts. From there the column proceeded to Sanir and captured two more forts. From Pantnan to Sanir, in the country dominated by the sultans of Cali and Butlg and the two sultans of Macin, the column was has notified Minister Squires that he frequently fired upon. Captain Pershing communicated with the Macin sul- in Cuba to be withdrawn. tans, but they refused to recognize the Americans and remained obstinate.

When the courier departed Captain Pershing had planned to attack Macin today. Macin is situated a short distance from Sanir, where the troops rested.

General Sumner has forwarded additional rations to Captain Pershing, .

WANT TO SEE MISSOURI

Younger Boys Anxious to Go Back to

Boyhood Home A Minneapolis, Minn., Sept. 22, dispatch says: Freed from a prison restraint of twenty-five years, yet bound by honor to the right regulations of the order of parole, the Younger brothers, Coleman and James, long to spend their remaining days, or at least a few of them, among the old familiar scenes of their childhood home in Jackson county, Missouri.

They are quietly awaiting the result of an effort now on foot to obtain for them an unconditional pardon. It is now a year since the men arrested and convicted for complicity in the Northfield bank robbery and murder were released from the Stillwater penitentiary, and in that time their conduct has been beyond reproach. Coleman is now conducting a small eigar store in St. Paul and James is a salesman in a retail store in this city. Each is doing wel in a business sense, but this does not satisfy them. They do not pose at martyrs for the sins of the Jesse James band. Neither do they make public pretensions of having been forced into such lives of outlaw-They even say that the state of Minnesota has been lenient in reducing

their sentence of life imprisonment. Of his hopes and ambitions, James Younger said: "Neither of us has ever asked for a pardon and neither of us will do so. Of course we long for Missouri. There the happiest days of our lives were spent: there dwelt all our friends and all of our relatives, and it would be heaven to see them all once more; but the law says we are to remain in Minnesota."

FALLS TO HIS DEATH

John Guerin, Elevator Boy, Plunges to Bottom of Shaft

John Guerin, a lad of fourteen years who has been employed in the mail order department at Herpolsheimer's for some time past, had longed to change his epmployment and take charge of the elevator. His ambition was gratified Saturday morning, Sept. 20th, when he was allowed to exchange places with the youth who has been runing the elevator. It was a fate-ful change for Guerin, for Saturday evening at about 8:25 he met his death by a fall of twenty-five feet through the elevator shaft.

Several physicians who were called to attend Guerin testified that death was due to a fracture of the right side of the skul. The lad fell from the second floor to the basement. He did not regain consciousness after the accident and died about four hours and a hait after he had been removed from the shaft. None of his limbs were broken, and the only injury discovered by the physicians was the depression just behind the right ear.

Mitchell on the Strike

President Mitchell of the mine workers Monday morning said he would have no conference with the operators or their representatives that day. The strike conditions, he said, remain the same as they were four months ago. Mitchell admitted there are many cases of destitution in the mine fields and that some of the miners are on the verge of starvation, but these cases, he said are being rapidly attended to. Contributions are coming in from many sources and the miners will be able to hold out indefinitly said Mitchell.

"Will you compromise the strike?" was asked.

"I do not care to say." "Will you see Morgan in this city and Governor Stone on your way to Wilkesbarre today?" "I will not."

Sugar Taxes Reduced

It is announced that the French government will propose in the forthcoming budget a reduction in sugar taxation to the amount of \$8, 000,000, as compensation for the projected abolition of the sugar bounties.

Cruiser at Cape Haytien

A dispatch received at the state de partment from United States Minister Powell at Port Au Prince, announces the arrival at Cape Haytlen of the cruiser Montgomery.

Burlington Conductor Fatally Mangled

at Bartley A Bartley, Neb., Sept. 22, special says: As fast freight No. 64 was passing through the yards here this morning Conductor J. T. Brady, who was in charge of the train, fell beneath the wheels and was crushed and torn into an almost unrecognizable mass. He was not missed by the crew until the train arrived at Careridge. The train was run back to this place and the remains were found in the west end of the yards strewn along the

track for one hundred yards. Three trains had passed over the remains before they were found and gathered up by the train crew. They were taken to McCook in the way car of No. 64. Mr. Brady was a man of family and resided in McCook, where he had been in the employ of the Burlington for a number of years.

This was his second run after returning from burying a brother in Peoria, Ill., who was killed in a street car accident.

WANT TROOPS WITHDRAWN

President Palma Thinks Cuba Can Care

for Itself The government of the United States is to be required to terminate the last vestige of its authority in Cuba. The war department has been advised formally by the department of state that President Estrada Palma desires the American troops remaining

The state department does not undertake to pass on this request, but transmits it to Secretary Root, holding that the problem presented is purely a military one involving the competency of the new Cuban government to take over and care for the coast defenses now in American hands, and thus make sure that the country is not exposed, without any military protec-

tion, to a possible foreign enemy. It is a matter that could not be hastily decided, and it may be discussed with President Roosevelt while the

secretary is in the west. At present there are eight companies of coast artillery in Cuba.

Stockman Goes Daffy

Morris McDonald, a young stockman en route from his home in Dunning. Blaine county, to South Omaha with a carload of cattle, left the train at Lincoln at an early hour Monday morning to escape the torments of the demons of imagery. He is detained at the police station awaiting examination by the commissioners of insanity. McDonald had twenty-six head of cattle aboard a Burlington stock train and was accompanied by relatives. While coming in from Dunning he began to show symptoms of mental derangement and when the train stopped he jumped off and disappeared in the yards. His friends at once notified the police to look out for him. He was easily found, as he appeared to officer David and inquired for some place to sleep. The obliging officer readily furnished him one in the woman's ward at the station.

Loses an Arm

John Linroot, a tailor of Villisca, Ia., met with an accident at Pacific Junction about 10 o'clock Monday night which resulted in the loss of his left arm just below the elbow. He was picked up some time after the accident and taken to the office of Dr. Livingston in Plattsmouth, Neb. His arm was horribly crushed and amputation was found necessary. Just how the accident happened seems to be a mystery, but it is believed that he went to sleep too near the track. He gave his age as fifty-three, and did not appear to be a tramp.

Want Uniform Wages

The convention of the international flour employes opened Monday morning at Minneapolis, Minn., for the purpose of forming an association of those working in the grist mills of the United States and Canada. One of the objects will be to ask for a uniform scale of wages and hours throughout the various milling cities of the country.

May Use Oil for Fuel

The steamer Kensington arrived Monday at New York from Southampton. Kensington has been up at Newcastle, England, for some time overhauling and installing a plant for the use of oil as fuel. On the way from New castle to Southampton the oil was used successfully, but as the plant was not quite ready for an extensive voyage, the full test was put off until the return trip from New York.

Guilty of Murder

After being out seven hours a jury has returned a verdict of murder in the first degree against Thomas Faircloth and Theodore Smith, two young white men, who were charged with the murder of Mr. and Mrs. L. B. Lewis, at Bronson, Fla., three weeks ago. They were sentenced to be hanged as soon as the governor shall issue the death warrants.

Americaus Appeal

Ardashes H. Keleian, president of the Armenian national union, composed of twenty thousand Armenians in America, has written a lengthy letter to Secretary of State John Hay, requesting his intervention with the European powers in behalf of the Armenians in Turkey, taking as a basis for his arguments the secretary's recent note referring to the Roumanian

Illinois Central Earnings

Jews.

The fifty-second annual report of the Illinois Central railroad was published Monday, showing an increase in gross earnings of \$3,920,569, and an inco in net earnings of \$2,822,802. The total gross earnings are over seven millions.

Marines in Readiness

Orders were received from the navy department Monday instructing the officials at the naval academy to hold all the marines at Aannapolis in readiness to be sent to the Isthmus of Pan-