

THE TROUBLE NOT OVER

DEPOSED COUNTY SHERIFF
RIES CASE TO COURT.

Wants Successor Ousted and Damages Assessed—Says He Resigned Only When Life Was Threatened.

CRIPPLE CREEK, Col.—The first of the promise actions by officers of Teller county who were deprived of their offices was filed in the district court. Henry M. Robertson, former sheriff, petitions the court to oust Edward Bell from the office of sheriff and assesses \$5,000 damages against him for usurping the office. In the complaint Robertson recites the events that occurred in June 6 last, when he was compelled to resign. Soon after the independence explosion, he declares, he was induced to enter Armory hall, where a large number of mine-owners were congregated. The doors were immediately locked and a guard placed at them. Then he was informed that unless he resigned as sheriff he would be killed. He demurred, and a rope with a noose was shown him and he was informed that unless he resigned quickly the doors of the hall would be opened and the mob permitted to enter and lynch him. He resigned in order to save his life.

Information was filed before District Judge Lewis charging Rev. T. S. Leland, L. E. Jenks and Arthur Parker with a conspiracy to murder Sheriff Underwood. These cases were based on the shooting from Mr. Leland's house when Sheriff Bell demanded admittance. Bell was fined \$2,500 and the accused are still in jail.

E. S. Holden former secretary of engineers' union No. 75 has been brutally beaten by four masked men while on his way to Vindicator mine, where he works. He was opposed to the strike in this district and became identified with the non-union men, taking a mine-owner's card last December.

Mob Kills Negro.

LARRMIE, Wyo.—Joe Martin, colored, was lynched by a mob of 300 men in front of Judge Carpenter's house. Martin was a trustee in the county jail. He attacked a white girl, Della Krause, in the jail kitchen and slashed her face and arms with a knife. One man was injured by Martin when entering the jail to drag out the prisoner.

After assaulting Miss Krause with a razor Martin was placed in a cell in the county jail. At night a mob of several hundred formed outside the jail. The first intimation Sheriff Cook had of the contemplated lynching was when two masked men appeared in the kitchen of the jail house and with guns leveled at his head told him that there were 200 men waiting outside for the negro and that he had better not attempt to make any trouble for them. In the meantime another masked man had entered, and while the first two held the sheriff the third man took the keys of the jail from the sheriff's pocket and then the three started for the negro's cell.

On the way they encountered Myer, who had been summoned to dress the wounds of Martin, self-inflicted, with the same razor with which he had assaulted the girl, and Turkey Jones. He was compelled to stand against the cage of the cells with his face turned away from the mob. The negro was then taken from his cell and hurriedly marched through the court house into the street. Arriving at the lamp post a short distance from the hall the negro was quickly strung up to the post. During the entire proceedings he did not speak nor attempt to resist the mob. The lynching occurred at about 8 o'clock and within an hour the streets were deserted.

Seige of the Fort.

CHE FOO.—The last issue received here of the Novikrai, the official organ at Port Arthur, contains an article warmly praising the conduct of Captain Loseduff, commanding the marines at Zaredoutai, who stood on top of a wall, his revolver in one hand and his sword in the other, and killed or wounded twenty odd Japanese, who, mounting on the shoulders of their comrades, attempted to scale the wall. When the Japanese were repulsed Captain Loseduff sat down and wiping the perspiration from his face when a sharp shell tore his body to pieces.

JAPS FIRE ON HIM

AMERICAN ARMY OFFICER MAKES
HAZARDOUS TRIP.

TRIES TO ENTER FORTRESS

PORT ARTHUR HIS GOAL BUT THE
GATES CLOSED.

Japanese Said to Have Captured
Russian Officers Carrying Im-
portant Papers—Food Is
Getting Scarce.

CHE FOO.—Major L. L. Seaman, U. S. A., returned to Che Foo after an adventurous attempt to enter Port Arthur. Leaving Che Foo August 25, Major Seaman proceeded to Takistan, one of the Miaotau islands. Unable to obtain a junk here, he secured a lifeboat belonging to a steamer recently wrecked and with four coolies as oarsmen and the third mate of the wrecked steamer he started for Port Arthur. He carried a makeshift American flag with twenty-two stripes. A head wind and a strong tide compelled Major Seaman to return to his starting place at nightfall. He slept on the pebbly beach. On August 28 he secured a small junk and with a favorable wind sped toward Port Arthur. He passed a Japanese cruiser unnoticed and saw four battleships in the vicinity of the harbor's mouth. His junk drifted too close to the shore and it was fired upon by Japanese riflemen. Discovering the impossibility of landing in the face of the shore guard and warships, Major Seaman reluctantly returned.

It is reported here upon good authority that the Japanese have captured some Russian officers bound to Port Arthur with important papers. These officers left Mukden and attempted to get into Port Arthur by junk. For some time past a Japanese torpedo boat has been at sea watching for this junk, and according to the report she overtook it at 1 o'clock this morning and took the officers, the papers and the junk into Port Daily.

The advance positions of the Japanese before Port Arthur are now near fort No. 5 on the east of Palic-huang, on the north and at Hukiaton and Yangtowang, on the west.

Chinese who left Port Arthur on August 28 say that neither side was then occupying fort No. 5.

The fort at Tungkat Taishan was destroyed by the Japanese who proceeded to mount guns on an adjoining hill.

The reported presence of Russians in the Itzan hills has been confirmed.

A junk which has arrived here heard firing at Port Arthur on the morning of August 29.—It is reported that food is scarce there, a bag of flour being worth \$5.50.

Crimes Found Out.

COLCHESTER, Conn.—That Gershon B. Marx, now held in the Norwich county jail, is the perpetrator of a series of cold blooded murders, probably without precedent in the history of Connecticut, is the belief of officials who began a systematic search for bodies on the Marx farm. Four murders and the attempt to poison another man can. It is claimed by these officials, be traced to Marx.

The bodies of two of Marx's alleged victims, Joe Pavol and Joe Palko, have been found. Marx is awaiting trial charged with the murder of Pavol, his wife being held as a witness, for the state. The two bodies for which the search was begun are those of an eighteen year old boy and a Hebrew pedlar.

The boy, who was known as Harry, arrived in New York from Russia about three years ago and he came here soon after to work for Marx. He worked on the farm about six months and then suddenly disappeared. Marx said he had gone to Hartford to find employment.

The Hebrew pedlar went to the Marx farm one evening two years ago, and he has not been seen active since so far as known.

Does not Need Militia.

CRIPPLE CREEK, Col.—In a letter to Governor Peabody, Sheriff Edward Bell has formerly declined the services of the state militia to preserve order in this district.

TIDE IS NOW TURNING

RUSSIANS WITHDRAW FROM FOR-
MER POSITION.

Kuroki Crosses River Taitse and
Changes Aspect of Engagement
Fighting of a Fierce
Character.

ST. PETERSBURG.—The news of the occupation of Liao Yang and the withdrawal of the Russian army to the right bank of the Taitse river reached only a small section of the people of St. Petersburg at a late hour and caused intense excitement and disappointment. The majority of the inhabitants retired to rest believing that Russian arms had been successful, and that the Japanese attacks had been repelled. Ugly suspicions, however, have been rife during the day owing to the absence of press telegrams from Liao Yang, leading to the belief that communications had been cut by General Kuroki.

General Kuroki's army crossed to the right bank of the Taitse river and it therefore became necessary for the Russians to be in a position to repel a blow in this direction.

"In view of this development in the operations General Kuropatkin decided to abandon his positions on the left bank and to concentrate his whole army on the other side of the river. This position is the strongest both in character and in site. The great issue will be finally decided there.

"By withdrawing to this position, the Russian army avoids the necessity of being divided by the river and enjoys the advantage of compactness.

"General Kuropatkin's move, therefore, is not to be considered as a retreat, but rather as the carrying out of a well defined idea.

"The withdrawal of the Russians to the right bank involved the abandonment of Liao Yang, which is situated on the left bank. The Japanese took advantage of this to occupy the city, but the sternest part of the fighting is still before them unless General Kuroki decides at the last hour to again fall back to the northward. It is more than likely, however, that he will decide to fight to a finish. The cards are all in his favor, it is believed, now that he has the Japanese divided by the river, thus effectually turning the tables upon his foe.

"The determined pursuit by the Japanese of the Russian outposts when General Kuropatkin gave the first order to withdraw was probably due to their anxiety to keep the Russians south of Liao Yang until General Kuroki should be able to strike from the northeast. General Kuropatkin, however, saw the trap and cleverly avoided it."

These preparations necessitated the establishment of a pontoon bridge as the river was not fordable lower than Sakawantun and the pontoon must have been floated down the stream.

The efforts of the Japanese to cross the river on August 30 were not successful and General Kuroki therefore ordered a portion of his army to ford it at Sakankantun.

General Kuropatkin was unable to prevent the passage of the river owing to the distance from Liao Yang, about twenty miles, but for the same reason the Japanese were unable to bring the forces which gained the right bank immediately into motion.

Fines Them For Contempt

CHICAGO.—Twenty-five hundred retail druggists in the United States were declared guilty of contempt of court by Judge Dunne of the circuit court and the national association of retail druggists of which they are members, was fined \$2,000, while Thomas V. Wooten, secretary of the organization, was fined \$500. The case against five wholesale druggists of Chicago, also accused of contempt, were continued until the fall term of court, when it will be necessary for them to take additional proof into court to purge themselves of contempt charges.

The injunction under which the druggists' association was fined was secured by Isaac Platt, a retail druggist of Chicago, in November, 1902, and restrained them from interfering in any manner with the securities of supplies by Platt, who had incurred the association's displeasure it was charged, because he would not join it.

CONTINUE TO FIGHT

JAPANESE ARMIES RESUME HOSTIL-
ITIES AT DAWN

FIRES REPORTED RAGING

TOKIO HEARS THE CONFLAGRATION
STARTS WHEN RUSSIANS LEAVE.

Claim is Made that Russian General
Planned Battle to Contract
Kuroki's Latest Move-
ment Against Him

TOKIO.—A few additional details of the progress of the battle of Liao Yang reached Tokio at a late hour. General Kuroki's right is continuing to press the attack at Helyingtai, seeking ground whence their guns will dominate the railroad. The troops under General Kuroki are jaded and weary. They have been marching and fighting since August 3, but in spite of this they attacked with spirit. The Japanese are confident that they already have swept back the strong Russian force with which they have been engaged, and it is probable that when the details are known it will be found that a great tragedy was enacted along the Taitse river. The Taitse is flooded and cannot be forded. General Oku, in command of the Japanese left army, has directed his energies to forcing the Russians to the river, and it is probable that many were drowned there.

A private dispatch received here reports that great fires are raging at Liao Yang. This statement is not confirmed officially. These fires are believed to result from the Japanese shelling or from the efforts of the Russians to destroy their stores preparatory to the evacuation of Liao Yang, with the additional hope of injuring the city as a future Japanese base.

Unofficial estimates place the Russian forces in the vicinity of Liao Yang at fifteen divisions of 15,000 men each. These are probably excessive, but it is evident that numerically the Russians exceed the Japanese.

The opinion that the Russian casualties in the recent fighting will reach 30,000 is confidently expressed in high quarters here. Neither Field Marshal Oyama nor the Japanese army commanders have yet estimated the Russian losses.

It seems that the Japanese avoided a direct assault on Liao Yang itself, but devoted their energies to the troops outside the city in an effort to cut off the Russian retreat. Liao Yang is strongly fortified and it is probable that the Japanese will not attack the city directly until they have succeeded in isolating it. Should the Russians abandon Liao Yang the Japanese will of course enter it.

The fighting at Liao Yang was continued until a late hour and. It was resumed at dawn. The fate of the great bulk of the retreating Russian army hinges upon the bravery and fortitude of its left flank.

Before falling back General Kuropatkin intended that his left to the eastward and northward of Liao Yang should be greatly strengthened in the hope of checking General Kuroki's advance around his flank and to protect his line of retreat and communication. The greatest portion of this protection force seems to have been massed in the neighborhood of Helyingtai, twelve miles northeast of Liao Yang, where it was vigorously assaulted by General Kuroki at 11 o'clock Thursday morning. The result of this fighting is not known. If Kuroki wins and strikes the flank of the retreating Russian army and reaches the railroad it will place the Russians in a most serious predicament.

LIAO YANG.—Admiral Hosoya reports that the Japanese guardships near Yental, south of Shandsbantao, near Tallenwan bay, captured twenty-six Chinese junks which were attempting to carry provisions into Port Arthur. They were taken to Tallen and were tried and confiscated. The crews were released.

A telegram received from the chief of staff in the field indicates that General Oku, in command of the Japanese left army, gained the ascendancy over the Russians right and center by a night assault.

NEBRASKA NOTES

Wyomere is to have a race meet on September 21, 22, and 23.

The Pawnee county fair will be held this year at Pawnee City on September 20, 21 and 22.

Several new buildings are being built at DuBois. This is a boom year for the town.

The new corner stone of the new federal building was laid at Lincoln at 10 o'clock on September 2.

Bread has taken a big jump at Lincoln. The price is 5 cents a loaf, an increase of 30 per cent.

Furnas county was visited by a heavy rain on Monday, adding much to the quality and yield of the corn crop.

D. K. Miller, president of the State bank of Table Rock, is confined to his home as the result of a fall from his pony.

The Pawnee county teachers' closed their institute at Pawnee City on Saturday. Over 100 teachers had been enrolled during the session.

John M. Lewis, an old pioneer, was buried at Stubert. He was born in Wales in 1815, and was a prominent citizen of Stubert.

Lightning struck the steeple of the Evangelical Lutheran church at Nebraska City, and damaged the building to the extent of about \$200.

Mrs. Liddle Louise Barnett of Pawnee City died Sunday. She had been an invalid for some time. Funeral services were held at Pawnee.

The Rev. N. A. Martin of the Trinity Methodist Episcopal church of Lincoln has tendered his resignation. He has notified the bishop that he desires a new charge.

Miss Mary E. Campbell, aged 73, died at her home in Nebraska City of old age. She was superintendent of the New Jersey Old Soldiers' and Orphans' home, holding that position for many years.

The Cedar county fair promises to be a "hummer" this year, as the farmers of the county are manifesting an exceptional interest in the enterprise. Good purses are also up for races and a swift race program is anticipated.

While Carl Anderson, who is employed at the union depot at Fremont, was taking a shotgun from the baggage car, the weapon was discharged, the charge taking effect on the floor between his feet. He was unharmed.

W. P. Gillisen, who has been station agent at Pender for the Omaha road for a number of years, has resigned and accepted a position with the Illinois Central, at Council Bluffs, as chief clerk of the freight department.

George Hayes, an employe of the Marshall Bradwell drug store, at Nebraska City, was severely injured by being thrown from a wagon while returning from a picnic given by the Sons of German. His left ear and a portion of his head were torn loose.

Hay stackers caused three accidents at Linwood. Mrs. Urbanek was internally injured and suffered a dislocated hip by a stacker falling on her. Patrick Kaveny sustained a crushed hand by setting it caught in a stacker and John Bouna fell from a like machine and dislocated his ankle.

Deputy State Game Warden D. E. Smith was in Albion and made three arrests. In one case he found one hunter with two chickens and the second two hunters with thirteen chickens. The former plead guilty before County Judge Riley. These are the first arrests that have been made for violations of the game law.

The case of Ben Huff against the estate of his father for services rendered during the lifetime of the deceased, was heard before Judge Wilbur at Falls City. Mr. Huff filed a claim against the estate for \$2,842 ages for ten years at \$1 per day. Many witnesses were examined. The court rejected the claim of young Huff.

William Puritz' bicycle store and shop, at Lincoln was entered by burglars and about \$7 worth of goods stolen. The missing property consists of a talking machine and a lot of records, a sawage rifle, a revolver and a number of smaller articles including a number of steel drills. The place was thoroughly ransacked and the drills picked out of a quantity of other tools. There is no clue to the thieves.