

REPUBLICANS WIN.

DECISION OF THE SUPREME COURT OF KANSAS.

DOUGLASS HOUSE THE LEGAL ONE.

Justice Allen Dissents—Chief Justice Horton Delivers the Opinion, Reviewing the Law and the Facts of the Case—Speaker Dunsmore Says He Will Recognize No Court Decision.

TOPEKA, Kan., Feb. 27.—The supreme court this morning, Chief Justice Horton rendering the decision, Justice Johnson concurring and Justice Allen, Populist, dissenting, sustained the Douglass or Republican house as the legal and constitutional house of representatives of the Kansas legislature, and incidentally declared that the acts of the Dunsmore or Populist house had no standing in law.

The chief justice began by saying that the court was under great obligations to the attorneys for the masterly manner in which the case had been presented. Yesterday the court had consumed the entire day in comparing opinions and examining authorities. "This morning," he continued, "I am here to present my own views and, at the conclusion, I will state some other matters as to the views of other members of the court. No written opinion has yet been prepared."

He then went briefly into the history of the case and declared that, upon the allegations made, the court had a matter before it to decide judicially. CERTIFICATE MEMBERSHIP TESTS. The question at issue, the chief justice continued, was whether the Douglass house of representatives had legal authority to arrest Gunn. If there was one house only the duty of the court would be easy and plain, but it appeared from the respective journals that there were two houses claiming the right to legislate.

In the case now before the court the chief justice continued, no showing had been attempted that there was fraud or bad faith on the part of the state board of canvassers. There had been presented a "Revised Journal" of the Dunsmore house, evidently carefully prepared, and yet that journal day after day seemed to recognize that only members holding certificates had authority to act.

THE REED PRECEDENT FAULTY. Much was said about the Reed house, the court went on, in support of the practice of counting the members, but the Reed house had one of its own rules formally adopted upon which to base the speaker's ruling.

It was claimed that the Douglass house was destroyed when the senate and governor recognized the Dunsmore house. If that was the law the governor and senate two years ago might have destroyed the Populist house and created a Republican house.

Mr. Carlisle's Clerks. WASHINGTON, Feb. 27.—O. S. Steeley, of the Louisville Courier-Journal, who was secretary to Mr. Carlisle when he was speaker, will be offered the place of private secretary to the secretary of the treasury.

Chicago Police as Union Men. CHICAGO, Feb. 27.—The police force of this city may be represented in the trade and labor assembly in the near future.

From Fame to Poverty. OLEAN, N. Y., Feb. 27.—Mrs. Lucy A. Macklem, who was once engaged to Chief Justice Chase and was first cousin to Commodore Perry, died last week in Olean.

Speaker Dunsmore said this morning that he recognized the jurisdiction of no court considering the organization of the house of representatives, but said he would be governed by the direction of Governor Leavelle and the senate. Leading Populists say they will accept the decision of the court until the next election when they will go before the people confident of being sustained in their course.

of the legislature expires by limitation March 8, when it is expected the governor will call an extra session. The pay of members for an extra session is limited to \$90, which limits the session to thirty days. This is more than enough time for the legislature to pass needed laws.

When the Douglass house met this afternoon, Chambers, the Comanche county Democrat, arose to a question of personal privilege, saying that it had been rumored that there would be another United States senator elected by this legislature. He desired to say further that during the last two days he had received letters and telegrams from his Democratic constituents of Comanche county and from the Seventh congressional district, protesting against his participating in such proposed election and in obedience to their wishes he desired to state to the house that he would not take part in the election of another United States senator during this session of the legislature.

This action of Mr. Chambers seems to settle the validity of Senator Martin's credentials as without the assistance of Chambers, the Republicans may not hope to elect another senator. The Douglass house adjourned until Monday at 4 o'clock. The two houses were in disorder all morning. The members were awaiting the decision of the court and did not care to transact business.

KILLED IN THE PRIZE RING. Featherweight Miller Literally Beaten to Death in San Francisco. SAN FRANCISCO, Feb. 27.—William Miller, the featherweight pugilist who was defeated by Hawkins in the Pacific athletic club, died this morning of concussion of the brain, resulting from injuries received in the fight.

Both men were featherweights, weighing 122 pounds when they entered the ring. Miller, who was 21 years old, came from Sacramento and had no science, relying on brute strength, while Hawkins was very clever. The two fought fifteen rounds, Miller being terribly punished, while Hawkins was uninjured. Miller failed to recover consciousness and was taken to the receiving hospital. Hawkins and his seconds, "Spider" Kelley, "Tim" McGrath and John Hicks, also Joe Soto and John Livingston, Miller's seconds, were arrested last night, and the police are looking for Morris Gallagher, Miller's second, and Dan Creedon, the referee.

DISBARRED AND DISGRACED. The speaker of the Tennessee House Convicted of Misappropriating Funds. MEMPHIS, Tenn., Feb. 27.—Judge Estes of the circuit court this morning delivered an opinion disbarring Ralph Davis, speaker of the Tennessee house of representatives from practice for having taken from Client Nathan Simons \$1,250 to settle a bond, and then misappropriating the money. His name was ordered stricken from the rolls. The opinion was couched in scathing terms.

Public Money for Catholic Schools. NEW YORK, Feb. 27.—A movement is on foot to secure from the state school fund of New Jersey money to support the Catholic parochial schools of that state. Several Catholic clergymen who hold liberal views on the public school question have prepared a bill which is to be introduced before the New Jersey legislature closes its session, providing that the state shall annually appropriate a certain amount from the state school fund for the support and maintenance of the parochial schools.

Two Children Married by Fraud. BELTON, Mo., Feb. 27.—Jefferson Watt and Miss Ollie McGaslin, son and daughter of neighboring farmers living seven miles south of here, were married by Justice D. C. Idol yesterday, being armed with a license fresh from the county recorder. To-day the father of the bride arrived and declared that his daughter was only 13 years of age and the license was obtained by fraud. Wyatt is only 19 himself. The couple are supposed to be in Kansas.

Washington, Feb. 27.—O. S. Steeley, of the Louisville Courier-Journal, who was secretary to Mr. Carlisle when he was speaker, will be offered the place of private secretary to the secretary of the treasury. Frederick Stock, the present chief clerk of the treasury, will give place to Logan Carlisle immediately after the 4th of March. Mr. Stock goes back to Blue Rapids, Kan., to become cashier of the State bank.

Confidence in the bank's ability to pay out is losing ground and one who has a great deal of inside information on the subject says that it will not pay 10 cents on the dollar. The same authority says that when the bank examiner took possession there was but little over \$20,000 in cash in the vaults, and that most of the paper left to be listed in the form of worthless notes of postage politicians, behind each of which there might be an interesting story, while nearly all the bank's good paper has been rediscounted.

One of the neatest catalogues we have seen for some time has just been received at this office from James Vick, probably the best known seedsman and florist in the country. It contains many beautiful illustrations of flowers of all kinds, intermingled with cuts representing some very fine productions from his choice vegetable and garden seeds.

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MOSHER MAY FLEE.

New Disclosures.—Mosher got Nearly \$200,000 on Forged Notes

SAYS HE WILL NOT SKIP.

But There is a Strong Suspicion that he Will—Depositors will Loose Nearly all.

What a Lawyer Says.

There is a good deal of anxiety among depositors in the defunct Capital National bank caused by the rumors that C. W. Mosher intends to quietly leave the country and flee to some foreign land. After the grand jury had indicted Mosher for a long catalogue of crimes including defalcations to the amount of nearly \$300,000, he was turned loose under a bond of \$10,000. He might just as well have been set absolutely at liberty, for he can easily forfeit that amount and not miss it out of the grand aggregate of his stealings; or if he has lost all his ill-gotten gains, his rich relatives can pay the \$10,000 without missing it.

Mosher of course denies that he contemplates leaving the country. He says that the plan of having his friends put up \$200,000 to pay depositors in case he should be let off with light punishment has fallen through.

The Evening News of Feb. 23, quotes a prominent attorney of Lincoln as saying:

"I have good reasons to believe, and do believe, that Mosher has been contemplating departure. I have reason to believe that he has written opinions in his possession from eminent eastern lawyers, and some attorneys of this city, on the subject of extradition as it relates to the relations of the United States with various foreign countries. Bankers who have due regard for the proprieties, and good form generally, no longer go to Canada. Australia is the Mecca of their fond desires. Did you ever reflect that Mosher could leave this city without being missed, and within four days be upon the water enroute to Australia? It would be hard to convince me, in the light of what I know and cannot tell, that Mosher intends to stay and face the music."

Continuing the News says: A News reporter was today let into the details of a neat scheme whereby Mosher enriched himself to the extent of nearly or quite \$200,000 from sources entirely outside of the circle of the bank's creditors. It developed by the arrival of a whole lot of bogus notes for collection.

Notes of the face value of \$174,000 have been presented to the Western Manufacturing company for payment which the company has never issued. These notes were made payable to the Capital National bank, without defalcation or discount, at the bank in Lincoln, with interest at the rate of 10 per cent per annum from maturity until paid. They are in sums of from \$5,000 upward. A News representative was permitted to see one of these notes. It was dated last October and was signed, "Western Mfg. Co., E. Hurlbut, jr., Manager."

Upon the back it is endorsed, "Without Recourse, Capital National Bank, C. W. Mosher, pt." Another endorsement follows: "Notice of protest and nonpay't waived, Mosher & Outcall." This latter endorsement Mr. Outcall has declared to be a forgery. It is in Mosher's handwriting and Outcall says that he never authorized the signature. Whether or not Mr. Outcall ever knew of the existence of this class of notes is not stated. They were upon printed blanks, the name "Capital National Bank" being the most prominent printed line in order to lend the paper respectability. The signature of E. Hurlbut is said to be genuine, but the title of manager of the Western Manufacturing company is a false pretense.

Mr. Welch is unable to understand how Mosher was enabled to handle these bogus notes, borrow money from eastern banks upon them, renew them when they fell due and attend to correspondence in relation thereto through a period of over four years, as some of the notes appear to have been issued in 1888, all involving the credit of the Western Manufacturing company, with out one scrap of writing ever finding its way to the secretary of that company to direct his attention to the scheme. It is said that Mosher has secured fully \$200,000 upon these bogus notes entirely outside of his dealings with the bank, and that his speculations in this line began about the same time he began doctoring the record of bank deposits.

A decidedly interesting rumor is in circulation today to the effect that just nineteen days before the bank failed Mosher secured a loan of \$21,000 from Louie Meyer and J. D. Macfarland, the present receiver. Confidence in the bank's ability to pay out is losing ground and one who has a great deal of inside information on the subject says that it will not pay 10 cents on the dollar.

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THE WINTER CARNIVAL.

The Manufacturers of Nebraska Give an Exhibition at Lincoln.

The most popular attraction in the city last week was the "Winter Carnival" of the manufacturers' and consumers' association of Nebraska. This association was organized in Sept. 1891, with Mr. W. A. Page of Omaha as president; Mr. L. L. E. Stewart of Lincoln, vice president; and Mr. O. C. Holmes, under whose able management and direction the enterprise met with such a wonderful endorsement by the Lincoln people as secretary.

The association embraces some two hundred manufacturing concerns in the state, and yet about one hundred more have not allied themselves with the organization. About one hundred of those represented operate in Omaha, thirty-two in Lincoln, and the remainder are scattered over the state.

The aim and object of the association is to stimulate home industries in the line of manufacturing, by inducing eastern capital to come to our state and establish upon our own soil sufficient manufactures to meet the demands of consumption in all articles that can be made in this state.

If we can induce eastern capital to come west and establish manufactures, thousands of men and women will soon follow to find employment, thus we shall swell the tide of immigration to that extent that all species of property will be enhanced in value.

Nebraska is no doubt the best agricultural state in the union, and with a proper state of co-operation with the manufacturing interests her products would be largely consumed at home, and what surplus there would be could be manufactured ready for the consumer before it left our borders.

The object sought to be obtained by this move reflects great credit upon the managers, and every citizen of the state should lend a helping hand to the project. The exhibits and machinery employed in the various branches represented occupied the two lower floors of the Hovey & Peck building on 10th and P streets, and the upper floor was seated with stage and curtains and used for entertainments at night, and was usually crowded to its utmost capacity.

Among the prominent exhibitors may be mentioned the Western Mattress Co. Line in; C. J. Roman, Carriages; Harbham Bros., harness; Lincoln Pottery Co.; Parity Extract Co.; Lincoln Paint and Glass Co.; Lincoln Packing and Provision Co. which deserves special mention for its unsurpassed display of meats put up in all modern styles; W. A. Page, Omaha, soap factory. This company has in its employ a young lady Miss Magzie Seigler who is an expert at wrapping up the bars of soaps as they fall from the machine. Her average daily—10 hours—work is to wrap in two papers and place in boxes 10,000 bars. She defies machine competition. Another notable exhibit is that of the Lincoln hat factory which will, from the raw material make a hat to order in two hours. Various other exhibits are worthy, but space forbids us to mention.

The association will hold another meeting in Omaha in June or July.

AMONG OUR EXCHANGES

Last week in the Kansas legislature while waiting for more serious business a member introduced a resolution demanding an investigation to determine the whereabouts of the once 82,000 majority of the republican party.—York Independent.

The people of Nebraska are to be congratulated that they have a legislature that will "stand up for Nebraska" although the price for votes, in the late senatorial contest was unlimited. There was no Taylor to be found among "the corn patch statesmen."—Shelby Sun.

Every people's party man ought to bow, with his face toward Nebraska once at least. They elected a straight populist senator up there. We do not blame republicans and democrats for electing them, if they can but take little stock in populists that help them do so.—Industrial Union.

The people of this state, almost with one voice, demand of the legislature some regulation of the charges of the railroads. The independents were sent to the legislature with instructions so that there is no excuse for them if they do not all in their power to bring about such legislation.—Hartington Leader.

The populists now have four pure blood senators, Peffer, Kyle, Stewart and Allen, besides several grades like Martin, of Kansas, which are a great improvement to the average scrub stock which for the last few years have occupied the United States senate.—Cedar Rapids Republican.

Our reform press is everywhere speaking out against the scheme of bonding the people under the pretense of improving the public roads. This is right and timely. With them we agree. Better wait indefinitely for good roads than saddle perpetual debt on the people already giving the "pound of flesh" to Snylock.—Plow and Hammer.

In olden times when a nation became wealthy and strong, they pounced on to some of their weaker neighbors, took everything they had and made slaves of the people. But it is reserved for this enlightened, educated and christian age to improve on them. We elect a lot of boddlers to make our laws, and in a few years they gobble everything in sight and leave the people serfs.—Industrial Union, Lamar Mo.

John Brown was hanged thirty-three years ago last Friday by the slave oligarchy. What a change has been wrought in public sentiment in a generation! Slavery went down, but in its stead we have the same enemy in another form more powerful than ever. The battle is on for the final overthrow of plutocracy, the worst foe the world has ever had, and this battle will be waged to a successful conclusion.—St. Louis Monitor.

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