Boers Draw His Forces Out From Bloemfontein and Battle Follows.

## A NUMBER OF BRITISH CASUALTIES

One Captain Killed and Seven Officers Are Among the Wounded-English Capture Several Kopjes-Roberts Reports that the Burgher Army Has Retreated to Braudfort.

LONDON, arch 31.-The Bloemfon- dict. tein correspondent of the Daily Chronfele, telegraphing Thursday, March 29,

to leave Bloemfontein within five days. as he intends to bombard and destroy the city and to shoot the burghers whom he captures there.

LONDON, March 31.—The war office | guilty. has issued the following:

"BLOEMFONTEIN, March 30 2:15 m .- Owing the the activity of the enmy on our immediate front and their hostile action toward burghers who surrendered; I found it necessary to firive them from some kopies they had occupied near the Karee siding station, a few miles south of Brandfort. The operation was successful:y carried but by the Seventh division, assisted by the First and Third cavalry brigades, under French, and Le Gallais' regiment of mounted infantry. The inemy retreated to Brandfort and our toops now hold the kopjes. Our cas-

Killed, Captain Going, Scottish Bor-Cerers; wounded, Captain Sellar, Luard, Peebles, Curgonven and Edwards, Lieutenants Coulson and French and about 100 rank and file."

The reports that Lord Roberts will temain at Bloemfonteln another month a forward movement.

The head of the army of Lord Roberts is now about twenty-one miles rorth of Bloemfontein. It occupies a c'nster of hills won from the Boers. The Boers have been using these bills as a base in beating up the country, in driving off cattle and forcing con-resistant Free Staters into the ranks again. The enemy must have been in considerable force, for Lord Roberts sent 8,000 infantry and 3,000 cavalry against them.

Lord Roberts' advance to Pretoria will probably consist of a series of rapid forward movements, in which Boer positions will be attacked by a portion of the army advancing rapidly with wheel transport, the main army coming up as the railway is repaired. Lord Roberts is stripping the forces in the minor spheres of operations of their wagons and transport animals in order to hasten the advance. This is understood to be the reason why he recalled Lord Methuen from Barkly West to

The reason why a hot chase was not made after Commandant Olivier is that Lord Roberts did not wish to wear out the cavalry transport. General French iost 3,000 horses in the relief of Kimberley and the pursuit of General other animals since the forward movement began on February 12.

The advance around Bloemfontein accessory. is through a barren country and supply officers see an increased difficulty for a great army moving along a sin- Franklin and no private citizen has gie line of railway, even when the lat- authority from Mr. Franklin or from ter is working smoothly and with am- the commission to offer rewards for ple rolling stock.

# CULTON HAS NOT CONFESSED.

Wires His Father that Reports to that

RICHMOND, March 31.-Rev. J. N. Culton, father of W. H. Culton. charged with being an accessory to | ble dispatches from United States Minthe murder of Goebel, is deeply in- | uter Leischmann and Mr. Trehane. censed at what he deciares is an at- counsel for the McMurdo heirs, both tempt to drag his son into an alleged at Berne, confirming the press account conspiracy. He has received a tele- of the award made yesterday by the gram fro mhis son saying: "I have | Delagoa bay arbitration. made no confession. I have nothing

Cleveland Denies a Story. have been circulated that he had an- cal year. nounced his intention of supporting W. J. Bryan for the presidency in the ceming campaign: "I do not think these reports are worthy of denial, but I will simply say that I have not in any way signified to anyone what course I shall take in the next campaign."

# BOTHA SUCCEEDS JOUBERT.

Appointed to Succeed the Veteran Who

PRETORIA. March 31.-General Louis Botha has been appointed to Just before the adjournment of the succeed General Joubert. BERLIN.-I have been informed by as a substitute for the pending Porto a military authority, who has had oc- Rican bill the draft of the bill as original casion to read through all the reports 1 ally presented by Senator Foraker. of the German attache with the Boer | The bill has been materially changed forces, that they all go to show that since first introduced, and the presen-General Louis Botha has the greatest tation of the measure is evidently in-

# O'BEIRNE TALKS TO M'KINLEY.

Transvazl Commissioner Extraordinary Confers with President. James R. O'Beirne, who was appointed | home today, with his throat cut. The by President Kruger commissioner ex- body was in a kneeling position, with traordinary of the Transvaal, had long the head hanging over the bath tub interviews today with the president into which the blood was spurting. and Secretary Hay about affairs con- Despondency over poor health is supcerning the Boer government. He was posed to have been the cause for the

cordially received. While General O'Beirne discussed suicide by shooting, but recovered the Transvaal matters with Secretary Mr. Alford was a prominent lawyer Hay the latter is authority for the and was speaker of the lowa house statement that he was in an informal of representatives during the eighand unofficial capacity entirely.

### ARCHIBALD FORBES DEAD. Famous War Correspondent Passes Away

at His Home. LONDON. March 31.-Archibald right. He had been in bad health for some years and during the last ix months had been unable to write tions arising from rheumatism and paralysis. He spent most of his time in London. His wife was a Miss master general of the United States, ing been severely wounded in the foot General M. C. Meigs

## VIOLA IS ACQUITTED.

Miss Horlocker Cleared of Charge of Attempting to Poison Mrs. Morey. HASTINGS, Neb., March 31 .- The locker-Morey poisoning case came at 11:45 this morning when the jury brought in a verdict of hot guilty: after having been out but one hour. State's Attorney McCreary closed his plea at 10 o'clock and Judge

Adams immediately instructed use jurors as to how they were to be governed in forming the verdict. At 10:30 the jury went out and the judge and attorneys departed for various places about the city, as they were under the impression that the jury would not report until after dinner. But after flavilig been out less than an hour the jurors had agreed upon the ver-

There were less than 300 people in the court room when the jurors came filing in. The defendant sat in her accustomed place close to the jury box: President Kruger's latest proclama- with her sisters on either side. A tion warns the women and children deathlike silence prevailed as the verdict was handed to the judge and he began to read. Each word that he pronounced seemed to touch the heart stirring chord of all as they waited with bated breath until he said "Not

Upon hearing these words Viola Horlocker sprang up with emotional excitement, tittered a heart-rending moan and sank to her chair in a swoon. R. A. Batty, attorney for the defense, drew the girl to his bosom

and the two wept tears of joy. As soon as Viola had sufficiently reovered to stand her attorney escorted her to the jury box, where she stood. with heart throbbing, quivering lips and tears in her eyes. As the jurors emerged from the box she attempted ot express her gratitude, but she could do nothing more than grasp them by the hand, as she was emdtionally overcome. There were but few women in the court room, but most of those present came forward to shake her hand and whisper words of encouragement.

Mr. and Mrs. Morey were absent from the court room when the verdict The verdict was not unexpected, as

the defendant would be cleared or ir the chain of evidence, as not one ing seen the defendant with a box or peckage on the fatal day, and said he dict to convict.

Judge Adams said that, considering the testimony and the facts as offered. he thought the proper verdict had been rendered.

## GOEBEL REWARD MONLY.

Justice Lewis Says Not a Dollar Will Be Paid for Confessions.

Chief Justice James H. Lewis, chairman of the committee selected by the legislature to have charge of the Goebel reward fund, today made the following statement concerning the story sent out from Winchester yesterday that Attorney James Andrew Scott had proposed to relatives of H. F Youtsey to give him a portion of the reward money for a confession of the details of the conspiracy to assissinate

Governor Goebel. 'The money appropriated by the legislature," said be, "to be used in running down the assassins of Governor Goebel and bringing them to Cronje. Lord Methuen has jost 1,500 justice will be distributed as provided transport cattle and probably 4,000 at the first meeting of the reward commission, so much for the assassin and se much for the conviction of each

hands of Commonwealth's Attorney confessions of alleged accessories. Not a cent of the \$100,000 has yet been spent and I think you can safely say that not a dollar of it will be paid for confessions.

Delagoa Award Confirmed. WASHINGTON, D. C., March 31.-

The state department has received ca-

WASHINGTON, D. C., March 31 .-Senator Proctor today introduced an an amendment to the Porto Rico bill Former President Grover Cleveland providing that "in no event shall any said to an Associated Press corre- duties be collected after the 30th of spondent relative to the reports that June, 1900, the end of the present fis-

Received the Protocal. WASHINGTON D. C., March 31 .in the executive session of the senate today the protocol to the peace treaty agreed upon by the representatives of the United States and Spain was received. The protocol extends for a year the time within which residents the Philippines can decide as to alle-

Offers Original as Substitute. WASHINGTON D. C., March 31 .senate today. Senator Bacon offered military capacity on the Boer side. tended to accentuate this fact.

Found Dead in a Bath Tub. WATERLOO, Ia., ...arch 31.-Former Speaker of the House Alford was WASHINGTON, March 31.-General found dead in the bath room of his act. Four years ago he attempted

# Lieut. Baston Honored.

teenth general assembly in 1880.

WASHINGTON. March 31.-Lieutenant Batson, famous as the leader Forbes, the well known war corre- of the little band of native scouts stondent, died in this city during the which rendered such excellent service in Luzon, has been honored by Secretary Root by being selected as the orer do anything, owing to complica- ganizer of a batallion of Macabees which is to serve as the nucleus of the force of native Filipinos to be raised hereafter. Lieutenant Batson is in Meigs, daughter of the late quarter- Washington on leave of absence, havlast winter.

Their Great General Succumbs to Illness at Transvaal Capital;

## STOMACH TROUBLE CUTS HIM OFF

Pretoria Planged into Mourning Over the loss of The Leader-Hard Blow at the Burghers' (ause-England Gains

PRETORIA. March 29.-General Joubert died last night at 11:30 o'clock. He had been suffering from stomach complaint.

The town is plunged into mourning for the true patriot, gallant general and upright and honorable gentlecorrespondent of the Daily Mail, tele-

graphing yesterday, says: "General Joubert died of peritonitis. he funeral will take place tomorrow (Thursday). The government is pleading with the widow to allow a temperary interment here, with a state funeral. Joubert always expressed a desire to be buried in a mausoleum

built on his farm. "His successor in the chief command will probably be General Louis Botha, now commanding in Natal." All the morning papers print singularly kind editorials regarding General Joubert. They praise his military skill, uphold his chivalrous conduct and regret that so strong and moderate a mind should be absent from the final settlement of the dis-

Although some of the younger commanders thought the old soldier wanting in dash and enterprise, his raid into the country south of the Tugela i. considered the best piece of Boer leadership during the whole war. It is now known that he crossed the Tugela with only 3,000 riflemen and tre probably intended for Boer con- the majority of the people felt that his movements that the British com- in vogue in this country troops and other indications point to the jury would disagree. One of the marching on Pietermaritzburg. For a reparations being well advanced for jurors said there was a missing link few days, although in the presence of the amendment offered by Bacon. The greatly superior forces he isolated of the witnesses had testified to hav- General Hildyard's brigade at Estcourt and at the same time threatened General Barton's camp at Mooi river. would have stayed with the jury a life- Then as British reinforcements were pushed up General Joubert recrossed the Tugela without losing a prisoner

General White's estimate of him. pronounced on Tuesday before he died, strikes the tone of all British

In connection with the announce ment of the death of General Joubert, it is interesting to note that Sir George White, the British general who commanded Ladysmith, in a speech at Capetown vesterday evening, declared that General Joubert was a soldier and a gentleman and a brave and honorable opponent.

The afternoon newspapers today Joubert. Generally they are in a

The Pall Mall Gazette says: "Piet Fransvaal Boer except ex-Chief Justice Kotze whose death could call forth a sincere tribute of respect from Englishmen of all parties. He was the antipodes in the Transvaal world of Leyds and personally was honest, straight and clean-handed."

PARIS, March 29.—The Paris press is unanimous in eulogizing General Joubert, whose death is considered a serious loss to the federals. All the papers agree in thinking that a change in the chief command is bound to have grave consequences for the Boer operations. Many think, however, that President Kruger is fully equal to the task and that, considering his military reputation, the resistance of the Boers is likely to become more stubborn than ever.

# DI BS MAY GET ASSISTANCE.

Socialist Labor and Social Democrats Trying to Unite.

NEW YORK, March 29.-The committees of the socialist labor party and of the social democrats that were appointed at the recent convention of those parties for the purpose of effecting a union met in conference today. Most of the business done during the day was discussing the name of the new united party and where the headcommittee should be. It was agreed to submit the names of noth parties, steamer. He will be relieved of the socialist party." to a referendum vote over the selection of a city for headquarters of the national executive comdown to New York and Springfield. and then there was a motion to refer two parties. If the two socialist fac- navy yard. tions unite Eugene V. Debs. it is said. wiil be the candidate of the united party for president and Job Harriman candidate for vice president.

Manderson at the White House. WASHINGTON, March 29.- A meeting of the executive committee of the American Bar association was held | Kreuze Zeitung quotes an article by here today to make arrangements for | Prince Trubetzky, showing that the the annual meeting of the association | Franco-Russian alliance does not now at Saratoga, N. Y., in August. Former Senator Manderson of Nebraska, who is president of the Bar association and | world and that Germany, seeking a chairman of the executive committee, rew weapon in its augmented fleet.

Danish Purchase Incomplete. WASHINGTON, March 29.-The state department adds its denia! to that of the Spanish foreign office relative to the Paris story that the United States had completed the acquisition of the Danish West Indian islands. There are indications that the negotiations, which have for so long B. Shepherd, formerly of Omaha, as occupied the attention of the two governments at intervals may be attended Michaels, Alaska. Part of this sum

reunce their conclusion at this mo-

Porto Ricans Going to Cuba SANTIAGO, Cuba, March 29.-The schooner Herod from Porto Rico. which arrived here today, brought wenty refugees, who say they came o obtain employment, owing to the merous residences at this place this bad business conditions at home. All spring and summer, present indicaable-bodied men are immediately employed by the mines. A large quanti- the number of brick business houses, of plows, hoes and other farm im- The Odd Fellows are preparing to plements was received here today for | build a large store building of pressed free distribution throughout the prov- brick, the upper floors of which are to ince and hundreds of applicants have be used by the lodge. L. F. Richardalready been supplied.

A double-faced man can see in onl one direction.

# SENATE FOR A TARIFF.

fest Vote on an Amendment to the Porte Rico Tariff Bill Shows This: WASHINGTON, March 30.-A direct

vote was taken by the senate today on the proposition to strike from the Porte Rico measure the provision levyng 15 per cent of the Dingley law luttles on Porto Rico products. The proposition was defeated by a vote of

The feature of the debate today was the speech of Beveridge of Indiana. While he advocated reciprocity between the United States and Porto Rico he announces that if all efforts by Death of Transvani's Military to secure free trade should fail he would support the pending bill. The bill was under discussion throughout the session, several important amendments being agreed to.

The first amendment was one imposing a duty of 5 cents per pound upon toffee imported into Porto Rico. Pettus of Alabama moved to strike out the amendment; which motion involved the question whether a tax could be imposed on products imported into LONDON, March 29.-The Pretoria Porto Rico which was not imposed on the same products imported into other ports of the United States.

Gallinger defended the amendment of the committee. During the Spanish regime, he said, a tariff had been imposed on coffee imported into Porto Rico because the coffee raised there is regarded the best in the world and was desired to prevent it from being spoiled by being blended with inferior

"If you have a free trade to mutilate he constitution." Pettus said, "then you can pass this bill, but if the constitution means anything when it says that taxes and duties shall be uniform then you have no such right." Pettus' amendment was defeated, 13

Bacon offered an amendment in the orm of a substitute for sections 2 and of the committee bill, establishing the regular Dingley tariff rates of duty on articles imported from foreign countries into Porto Rico, and providing that no duties shall be levied on articles imported into Porto Rico from the United States, nor into the United States from Porto Rico. Bacon explained that it was his purpose to essix guns, but so bold and rapid were tablish in Porto Rico the tariff system

Gallinger said the bill as it stood was infinitely more liberal than was committee, said he, had only one object in view and that was to legislate for the Porto Rican people as to render them happy, contented and pros-

Lindsay of Kentucky offered an mendment to Bacon's amendment proriding for absolute free trade between the United States and Porto Rico, say-

"I offer this amendment because Porto Rico is an American island: be cause its inhabitants are American citizens: because the people were promised the rights of American citizens by General Miles and because the president and secretary of war declared it was 'our plain duty' to give the

Porto Rican people free trade." Pettus then moved to strike out the provision in section 3 providing for a duty of 15 per cent of the Dingley ublish long biographies of General law rates on products of Porto Rico imported into this country. The mo tion of Pettus was defeated, 16 to 33.

# loubert was the one contemporary MARRISON'S HEART WITH BOFRS.

Said to Have Written Personal Letter to

INDIANAPOLIS, March 30.-A spe

cial from Washington to an afternoon paper today, says that General Harrison has expressed some pretty blunt views on the Boer question and has written a friendly, personal letter to Secretary Hay on the subject. Either in this letter or in some communication, he is accredited with having said he "hoped the Boers would find some place on the green earth where they would have a right to live unmolested by the British.

Quiet Funeral for Joubert. PRETORIA, March 30.—General Jouhert was taken ill Sunday morning. He while engaged in this work that he was at his office the previous day. He suffered great pain, but became unconscious some time before death. The complaint was acute inflammation of

The body will lie in state tomorrow and will then be taken by special train to the farm at Rustfontein, near Wakkerstrom, where it will be buried quietly, as Joubert often requested, and

without military honors. WASHINGTON, March 30 .- Commander S. W. Very has been relieved quarters of the national executive of the command of the Castine and ordered home from Manila by regular the social democrats and the "united command by Commander C. G. Bowman, now at the Mare Island navy of both parties. A long fight followed | yard. Commander Very has had some trouble with officers attached to the Castine, due, it is said, to his methods mittee. The choice finally narrowed of enforcing discipline aboard ship. Commander J. B. Briggs will take the place of Commander Bowman as tnese names to referendum vote of the equipment officer at the Mare island

> Trying to Stir Up Germany. BERLIN, March 30.-The efforts of influential Russian newspapers to show that Germany's interests lie with Russ'a and France against England are attracting some attention here. The have a threatening character, but England is threatening the peace of the needs an ally in order to enable it to withstand British pressure .

Nebraska in Washington. WASHINGTON, March 30.-Representative Burkett has introduced a bill to grant a pension of \$12 a month to

Mary Ann O'Leary of Plattsmouth Attorney General Griggs sent to congress a claim of \$2,809.10, due L. United States commissioner at St. by success at a reasonably early date, is for recovering the body of V. F. but it is certainly premature to an- Maidhat, part for coroner's inquest on death of and recovery of Robert Patterson, and \$1,173.50 for expense to Cape Nome.

> Much Building at York. YORK. Neb., March 30.-Aside from the erection of the large brick United Brethren church buildings and nutions point to a substantial increase in son and Walker Hainline of North Platte will build a brick billiard hall and bowling alley. Plans are being prepared for several other brick build-

What They Say of the Mind of Miss Viola Horiceket.

Mental Disease; but Aft Are to the Same End-The Accused Regarded at a Physical and Mental Degenerate.

HASTINGS, Neb., March 29.-A whole day was given in the Horlocker trial with testamony from medical experts. They without exception deciered Miss Horlocker to be crazy as a bedlug, and not responsible for her actions. Doctors Cromwell, Norbury and Green were on the stand, the gist of their testimony being that the defendant was possessed of an 'insane irretistible impulse" to poison Mrs. Morey, and that her will power was insuffcient to avert the act. The experts vere unanimously of the belief that the defendant was born a degenerate. but had ascended the inclined plane of life in an orthodox and creditable manner until she reached the age of puberty, when nature's shanges incuced a retrogression that had steadly continued ever since, and which would continue to the close of the

and Dr. Frank P. Norbury, the medical superintendent, of the Jacksonville sanitarium, where the defendant has been the greater part of the time since the commission of the crime, gave their opinions. Dr. Cromwell testified that Judge Ragan called on her the ast week in May and made the contract for the care of Miss Horlocker, also that the patient went under the name of Miss Viola Allen while there. She denied that the patient participated in social functions, but said "Miss Allen" accompanied her to church several times, and was practically one of the official family of the institution. She described the mental condition of spects, and said that she was profit to sing sentimental songs of a pathetic and given to hysterical, insane outbreaks. She was fault-finding, with an ebnormal craving for sympathy; was bnormally credulous and was deressed on an average five days out of

Witness regarded her as a physical and mental degenerate and in answer o a hypothetical question, said the defendant was insane at the time of the ommission of the crime charged. She said the defendant is better now physically and worse mentally than when witness first saw her the first of last

Dr. Norbury said he believed the defendant was sane until the age of puberty, when she developed a preponperance of sexual life, and that she was mentally unbalanced after that time. He took the crime itself into concideration when arriving at the conclusion as to her insanity, and could not have arrived at a positive onclusion on that point had it not been for the crime.

Capt. Culver at Home. LINCOLN, Neb., March 29.-Captain . H. Culver of the Thirty-second United States volunteers, who was injured two months ago in the Philippine islands, was in the city several hours yesterday. He left for his home near Milford and will remain there until he recovers from his wounds, which are of a very serious nature. Captain Culver was a month in the hospital at Manila, and is yet unable to walk without crutches. Captain Culver and his company were on guard duty in central Luzon during the movement of the insurgents' forces from the northern to the southern line, and it was was thrown from his horse, a highspirited native animal, the fall causing

State Capital Notes. First Lieutenant E. A. Voris, company A. First regiment, has resigned on account of departure from the state. Members of company E, First Nebraska volunteers, have petitioned the military authorities to reorganize the

a dislocation of the hip bones.

old company at David City. Governor Poynter has appointed the following delegates to the Transmississippi Commercial congress, to be held at Houston, Tex., April 17-20: Congressman William Neville, North Platte: J. W. Edgerton, Grand Island: G. W. Wattles, Omaha; J. G. Secrest, Lincoln; Hon. J. B. Meserve. McCook; M. A. Hartigan, Hastings; R. L. Metcalf. Omaha: John Mann. O'Neill; J. N. Gaffin, Lincoln; John S. Freeman. Columbus.

Corn Thieves Near McCool. M'COOL JUNCTION, Neb., March 29.-The advance in the price of corn has made it so valuable that thieves are stealing it. Six wagon loads were stolen Sunday night from off one of Alfred B. Christian's farms near here. Steps are being taken to catch the

Winter Wheat Looking Well. BENEDICT, Neb., March 29.-Winer wheat is in fine condition and prop ises to be another bumper crop. It has greened out and fields of winter wheat are seen on every farm. Farmers are busy in fields preparing for putting in crops.

Captured in Kansas. FRANKLIN, Neb., March 29.-Word has been received that Perigo, who shot Hanson at this place, has been captured and would be returned at once. The city marshal, J. W. Wright. left on his trail and reports that he caught him at Woodruff, Kan. It was pany L. Nebraska national guard. It thought that the wounds aHnson rewas the occasion of the entry of the ceived were only slight, but it now seems they are very dangerous. Two bullets are still in his body, they entering his side below his heart. His

A Postoffice Robbed. FRANKLIN, Neb., March 29.-The

mother arrived tonight to nurse him.

postoffice at Macon was robbed. Macon s an inland town, eight miles north Franklin. The postoffice is in Thomas Moore's stores. The party gained an entrance through the front door by breaking the glass. The safe was blown open. The work was done very neatly and by somebody who understood the business. Over \$200 was taken. Bloochounds from Beatrice were wired for. The party left several articles around the safe which will enable the dogs to get a good start.

# APPEAL IN IRRIGATION CASE.

authority in making certain demands

upon him in connection with his appli-

cation for the right to use the water

from the Platte river and that he was

in error in refusing to grant a rehear-

The Spread of Mr. Thompson will

probably reopen consideration of the

claims of the Fremont Power and

Canal company and the Seymour Paris

Power and Canal company of Omaho.

The Fremont company proposes to

onstruct a canal for power and irri-

gacion purposes, from a point near

Linwood, in Butler county, to Fremont.

The route of Mr. Thompson's procesed

canal begins at the same point and

terminates also at Fremont, but does

not traverse the same territory. The

Seymour Park company applied for

permission to carry water still further

down the Platte river. All claims but

that filed by the Fremont company

were rejected by the secretary of the

Board of Irrigation. Mr. Thompson

Court Grants His Appeal.

ing in his application.

Board for Heating. LINCOLM. March 31.-D. E. Thomp-

SME IS DECLARED TO BE CRAZY

will be before the board Wednesday. April 4. The questions involved in the case as it now stands are of a legal nature, bearing upon the extent of authority and jurisdiction or the seccretart of the board. Mr. Thompso? calims that the secretary exceeded his

Dr. Annie Cromwell, the official head,

had filed a protest and was given a hearing before the claim was allowel. as were all parties interested in appropriating water from this particular seetion of the Platte river. A few days after his claim was rejected Mr. Thompson filed a motion for a rehearing, which was granted, the hearing being set for August 4, 1899. On that day Mr. Thompson did not appear and his motion was overruled. OMAHA, Neb., March 31.-Attorney General Smyth filed application for appeal in the habeas corpus case of the soldiers, Fair and Jockens, which was fourteen assignments of error, the principal alone being, first. The court erred in ruling that "an order given by a military officer to his private will be his full protection in a criminal prosecution, unless the illegality of such an order is so clearly shown on its face that a man of ordinary sense

and understanding would known when he heard it read or given that the order was illegal." The other paragraphs assign error in ordering the prisoners released from custody. Sergeant Fair and Private Jockens both appeared before the court and entered into their personal recognizance in the sum of \$1.000 for their ap-

pearance in case the appeal is decided against them. Encampment of the Grand Army. LINCOLN, March 31.-Orders have been sued from the headquarters stating that the twenty-fourth annual encampment of the Department of Nebraska, Grand Army of the Republic. will be held at Beatrice, Neb., beginning on May 9, 1900, at 3 o'clock p. m. Commander-in-Chief Albert D. Shaw

> Railroad Cases Continued. LINCOLN, Neb., March 31.-On moion of the Secretary of State Porter he State Board of Transportation coninued the rate cases pending against the Union Pacific; the Chicago, Rock Island & Pacific, and the Missouri Pacific railroad until June 4. All voted ave on the motion to continue but Treasurer Meserve. The case against

has accepted the invitation to be pres-

ent at this encampment meeting, if

the Elkhorn Railroad company was South Omaha Boy a Winner. WAYNE, Neb., March 31-The North Nebraska declamatory contest held at the opera house was well attended and was of an interesting character, as the contestants were very evenly matched. There were two contestants in the oratorical, three in the humorous and eleven in the dramatic class. The prizes consisted of gold medals, the first of which was awarded to Homer

Payton of South Omaha.

Miss Horton Discharged. HUMBOLDT, Neb., March 31,-The ase against Mrs. Etta Horton, charged with the murder of her newly born babe, came to an end yesterday. Justice Smith, before whom the prelimnary was held, discharged the accused upon motion of the attorneys for the defense as soon as the examination of the witnesses for the prosecution had completed their testimony.

Nebrasks in Washington WASHINGTON, March 31.-Repre sentative Burkett of Nebraska today introduced pension bills in behalf of . E. Latta \$30, Sarah E. Gardner \$20 and Arthur V. Walsh \$30.

Representative Robinson of Nebras-

ka returned last evening after an ab-

sence of two weeks. Farm Work in Nebraska. DOUGLAS, Neb., March 31.-Winter passed through the winter in good condition. Fields are already looking

green. Prospects are for a good crop

sow oats.

Members of Guard Again. OMAHA, Neb., March 31.-With rigth hands upraised fifty young men of Omaha pledged themselves to bear true allegiance to the United States of America and the state of Nebraska They were then declared duly mustered into the service as members of com-

reorganized Thurston rifles into the First regiment of Nebraska. Adiutant General P. H. Barry conducted the muster-in proceedings. Visitors Cut Each Other. FREMONT, Neb., March 31 .- A cutting scrape occurred at B. Ingram's

form east of Fremont. Mr. Ingram gave a man and woman who came there in a covered wagon permission to camp opposite his house for the night. Before they unhitched another man came up and the three soon got into a lively quarrel. The new arrival pulled a gun and threatened to do up the others. After a lively tussle Ingram disarmed him. He then drew a big dirk knife and severly cut his an-

Miss Horlocker Changes Her Mind and son has appealed to the State Board of Goes Upon Witness Stand.

Irrigation from the decision of Secretary Wilson in refusing to grant another hearing on his application for THE TEARS FLOW AS SHE TALKS water from the Platte river for an irrigation canal. Hearing on the appeal

Foolish Words Pass Between Ber and Mr. Morey, but Nothing of an Immor al Character Occurred-The Witness Quite Unnerved by Searching Questions of the Prosecution.

fense resulted in Viola Horlocker taking the witness stand in her own behalf although she had previously refused to do so. The attorneys for the defense determined to place the defendant on the stand, if possible, as soon as the

insistence of the attorneys for the de-

testimony of Miss Stewart was ordered stricken out, and they had been working to this end until finally successful. Miss Horlocker appeared to be suffering from physical weakness, as well as in great mental distress. She sank into the chair without being sworn, and was directed to rise and take the oath. As the clerk concluded the formula of the oath, however, with the

streotyped words, "The truth, the

whole truth and nothing but the

truth, so help you God," the defendant and witness responded with unexpected firmness, "I do." The court room was again crowded and now, for the first time since the beginning of the trial, the entire assemblage outside the rail rose to a standing posture in order to better see and more intently listen. That the defendant was undergoing the most trying ordeal thus far experienced was apparent at a glance. She was facing the great crowd that had hitherto been behind her and for the first time she was almost directly confronted by Mr. and Mrs. Morey. She did not once look at them, however, her strained gaze being directed during the great-

granted. The attorney general makes | er part of the time to the floor just in The testimony of Miss Horlocker went to show that while there were many love passages between her and Mr. Morey nothing of an immoral character occurred. She was subjected to an exacting examination, and on being finally excused from the witness stand appeared completely unnerved.

> Farmer Accidentally Shot. ALBION, Neb., March 28 .- A serious and perhaps fatal accident occurred southwest of the city. H. S. Hahn, a farmer who was bailing hay, went to a wazon to get a pole and in some manner discharged a shotgun that was in the wagon. The shot took effect in his side and as the physicians have not returned it is impossible to tell how serious his injuries are.

Veterrns' Association. YORK, Neb., March 28.-H. H. Bowker, secretary of the Shiloh Veterans' association, announces that this year's meeting of the association will be held at Schuyler April 5 and 6. Arrangements are being made with the railroads for reduced rates on the certificate plan. The attendance at the forthcoming meeting promises to be unusually large.

To lest the lowa Grme Law. NEBRASKA CITY, Neb., March 28. -Hon. John C. Watson has been retained by a number of sportsmen to test the constitutionality of the game law recently passed by the lowa legislature, requiring a license of \$10 in each county for non-residents who go REST OF MANKIND. into that state to hunt.

Guilty of Forgery. PLATTSMOUTH, Neb., March 28 .-George S. Lee, the former night operator at Louisville, who has been held in jail upon charges of stealing railway tickets and forging express money order, was taken before Judge Jessen of the district court to answer the charges. Lee surprised the court and prosecution by pleading guilty to the charge of forgery.

She Works the Masons. LYONS, Neb., March 26.-A middleaged, refined looking woman, purporting to be the wife of a deceased Mason, from some town in Kansas, worked the Masonic fraternity of this city for \$15 and was arrested later on a warrant sworn to by Attorney Sinclair of Bancroft, in behalf of the victims here. Constable E. S. Clements went after her and she was brought back to this city this evening and is now in his custody to await further de-

Nebraska in Wasnington. WASHINGTON, March 28.-Senator Thurston of Nebraska introduced a bill providing for the purchase of a public building site at Grand Island, Neb., and appropriating \$15,900 there-

after receiving the assurance from the treasury department that in view of the showing made by him it would be unfair to change the postoffice site. The fact that the people who own the site were put to great expense by reason of the necessary removal was the telling argument in favor of the decision. It can be stated that in case of readvertisement the department will consider no proposition in excess of this year. Farmers have begun to \$5,000.

Dies of His Injuries.

VALENTINE, Neb., March 28 .- Arthur London, one of the soldiers who was shot here by C. H. Thompson, dled at Ft. Niobrara and the coroner's jury found that the shooting was done with felonous intent. Sentiment was with Thompson at first, but as the facts come out it is turning against him. The testimony of Millaman, the other soldier who was shot at the same time, was most damaging, and from his story the charge is made that Thompson had reasons for putting the men out of his way.

Contracts for Sugar Beets. KEARNEY, Neb., March 28.-E.

Ewell, associated with the American Beet Sugar company, has been in Kearney securing contracts from several persons for the raising of sugar beets for the factory at Grand Island. Superintendent C. N. Brown of the cotton mill has contracted for 100 acres, and will raise fifty acres more if the land can be secured. Superintendent P. N. Campbell of the industrial school will put in fifteen acres and several farmers in the vicinity of Kearney will raise five acres each.

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