THE DAILY BEE.

E. ROSEWATER, Editor.

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The Bee on the Trains. There is no excuse for a failure to get The Ber on the trains. All news dealers have been notified to carry a full supply. Fravelers was want The Ber and can't get it on trains where other Omaha papers are carried are requested to notify The Ber.

THE DAILY BEE.

Sworn Statement of Circulation. State of Nebraska, SS, County of Douglas. SS, George B. Trschuck, secretary of The Ree Publishing Company, does solemnly swear that the actual circulation of The Dati, v Bee for the week ending October 19, 1880, was as follows: Sunday, Oct. 13.

Avcrage......18,953 GEORGE B, TZSCHUCK.

GEORGE B. TZSCHUCK.

State of Nebraska. Ss.
County of Douglas. Ss.
Sworn to before me and subscribed to in my presence this 19th day of October, A. D. 1899.

[Seal.] Notary Public.

George B. Tzschuck, being duly sworn, deposes and says that he is accretary of The Bee Publishing Company that the actual average daily circulation of The Datux Bas for the month of October 1888, was 18,084 copies; for November, 1888, 18,221 copies; for January, 1889, 18,574 copies; for February, 1880, 18,086 copies; for March, 1880, 18,534 copies; for April, 1889, 18,560 copies; for March, 1880, 18,534 copies; for April, 1889, 18,560 copies; for March, 1880, 18,531 copies; for September, 1889, 18,561 copies; for September, 1889, 18,510 copies.

Sworn to before me and subscribed in my presence this 4th day of October, A. D., 1889, 186al.]

N. P. Fell.

DEMOCRATIC credulity can hardly go farther than to entertain the hope of capturing Iowathis fall.

THERE are seven senatorial candidates in the field in North Dakota. The drought did not seriously affect the crop.

r Do Nor neglect to register, if you desire to vote at the coming election. The registrars will sit next Thursday from 9 a. m. to 9 p. m.

THE recent haul on the finances of Mexico will strengthen the bonds of sympathy between that country and Louisiana. Both are victims of official

THE manipulators of the pork corner in Chicago received a chilling rebuke from Judge Gresham for attempting to use the courts to squeeze the public. Judge Gresham is a terror to evil-doers of all grades.

EX-EDITOR WEST, the Chicago Times recker, proved nimsell a man of varied accomplishments. His fertile pen will probably secure him a prolonged engagement on the staff of the Joliet penitentiary.

RAPID transit on street railways is a good thing, but there are times when it passes beyond the bounds of safety. Eight miles an hour should be the extreme limit, yet a fifteen to twenty mile speed is frequently indulged in by reckicss motormen. The authorities should put on the brakes and protect the pub-

EMPEROR WILLIAM reiterates his determination to maintain the peace of Europe "by cultivating friendly relations with other powers." It is a signifleant fact that the emperor is also cultivating the reichstag for increased appropriations to strengthen the army and navy. He will purchase peace at any price.

THE enormous increase in the traffic of the country taxes the capacity of the railroads. Every wheel is turning and the supply of cars is not equal to the demand. This unusual rush of business is not confined to the movement of the crops to market, but extends to all departments of commercial life, and is gratifying proof of a substantial revival of trade.

MR. G. W. HILL, the republican candidate for county superintendent of schools, should receive the undivided votes of every citizen regardless of party. Mr. Hill is an old school teacher and a man of good executive ability. He suffered the loss of an eye by the hand of a drunken assassin, but this misfortune in no wise disqualifies nim for the performance of the duties of the office. THE BEE commends him to the electors of this county.

THE condition of county affairs calls for a radical change in the make-up of the county board. The republican candidates, Messrs. Berlin and Smith, are particularly well qualified by business training and character to administer and guard the important interests of the county. A vote for the democratic candidates is a vote to continue the loose and reckless methods which have fastened a horde of jobbers and schemers on the county trensury.

THE decision of the Iowa supreme court divesting railroads of their rights as common carriers the moment goods are unloaded from the cars and making | and the ends of justice, would have a them warehousemen, will hardly be sustained by the national supreme court. It is the universal practice of the railroads to notify consignees the moment goods are received, but the failure of the latter to take the goods within twenty-four hours subjects them to demurrage charges. The railroads are responsible for the goods and are bound to protect them until charges are paid and delivery made. The Iowa courts, however, strain at a gnat to swallow a whole camel when they attempt to place a forced construction in a case involving the right of the state to regulate inter-state commerce.

carnest.

any degree of certainty is that when

the caucus of republican congressmen

meets the contest will be sharp and

It is generally agreed that the men

strength are Mr. Reed, of Maine, and

Major McKinley, of Ohio, and the belief

is that they will not be very far apart.

Just now the chances of the former seem

the best. His leadership of the repub-

lican side of the house in the last three

congresses, and the fact that his claim

to the speakership has been so long

recognized, give him a strong position

in the race, and his qualifications

are unquestionable. Most of the New

England representatives are conceded

to him, and he is understood to have

the nearly solid support of New York

and Pennsylvania. He is certain, there-

fore, to go into the caucus with a for-

midable backing. Mr. McKinley has

been conducting a quiet campaign, and

his strength, outside of Ohio, is not so

well defined as that of the Maine con-

gressman. He is expected, however, to

get a considerable western support, and

it is probable that the friends of some of

the other candidates will go to him when

they have found the chances of their

candidates to be hopeless. Mr. Bur-

rows, of Michigan, is a candidate not to

be ignored. He has been carrying on

an open campaign and is believed to

have done some effective work. He will

of course have the constant support of

his own state so long as there is any

hope of his being chosen, and he counts

besides upon the support of the repre-

sentatives from the new states, with

some other hetp from the west. Mr.

Cannon, of Iltinois, is said to talk

hopefully of his chances, but he

does not appear to have any

strength outside of his own state,

and it is reported that even there he is

encountering opposition. Mr. Hender-

son, of Iowa, is less talked of than the

other four gentlemen, but he is by no

means to be regarded as out of the race

The indications are that there is go-

ing to be more or less bargaining in

connection with the speakership con-

test. The southern republican repre-

sentatives will support no one who is

not in favor of the abolition of most of

the internal revenue taxes, and any

candidate they support will be

required to pledge himself to this pol-

iey. Very likely they will find no diffi-

culty in getting such a pledge from

most of them. It has been reported

that there is to be a combined move-

ment on the part of the manufacturers

in behalf of McKinley, and if such a

the subsidy seekers, his chances would

rapidly diminish. There are special

hazardous to predict the success of

either of them, although it is extremely

probable that one of those named will

be the next speaker of the house of rep-

resentatives. It will be fortunate if the

one chosen shall be he who is least

or as an impossible candidate.

SPEAKERSHIP SURMISES. believes fraud may be found, is not As the date of the meeting of conquestionable. But it will not be congress draws nearer interest in the tended that it would be wise or expedient to throw open the books of the speakership contest will increase. It is now commanding a good deal of attreasury, or the accounts and official tention, and there is more or less surpapers of any department or bureau of mise regarding the strength of the the government, to the promiscuous inseveral candidates, the particular inspection of everybody who should fancy fluences affecting the chances of each, that something wrong had been done, and the probable outcome. It is repreor that fraud was being perpetrated. sented, also, that most of the candi-It is quite possible that to open the dates are looking carefully after their fences. The only thing indicated with

pension rolls to public inspection would result in freeing it of some pensioners who have no right to be there and operate as a safeguard against fraud and abuses, but such objections to doing so as we have noted are sufficiently serious as to be worthy of carewho will at the outset show the greatest ful consideration As it is, any one who believes a pensioner to have fraudulently obtained his pension can readily bring the matter to the attention of the pension officials. A better proposal than that of opening the rolls to public inspection is that of publishing the full list of pensioners at least once a year. That would devolve on the pension office no additional labor that would be either annoying or embarrassing, and would be less liable to subject worthy pensioners to malicious persecution.

WHY WE OBJECT TO COBURN. The question has been asked why THE BEE refuses to endorse the candidacy of William Coburn. Our objections to Mr. Coburn may be briefly stated.

Mr. Coburn has held the office of sheriff during two terms, and it is decidedly in bad taste for him to insist that he should be given a third term when no one else has ever held the office of sheriff for more than two terms. If Coburn is to be given three terms, why not four or five, or why should he not hold the office for life?

We object to Coburn because he has persisted in holding two offices at he same time. He has used his position as sheriff to keep machine politicians in the school board and demoralize the whole school system by enlisting teachers and janitors as his partisans to keep him in the two offices.

Waiving these very serious objections to Mr. Coburn's candidacy, we could not commend him for re-election because the sheriff's office under him has been prostituted in the interest of criminals.

It is notorious that the men who are habitual outlaws have been the most ardent supporters of Mr. Coburn. Instead of assisting in the prosecution of crime and enforcement of the law, Mr. Coburn and his deputies and jailers have exhibited partiality for the lawbreakers and given aid and comfort to men and women charged with the most heinous offenses.

Two of the most flagrant instances of Mr. Coburn's partiality for criminals will suffice. When John Lauer was under indictment for murder in the first degree, and after he had been convicted of manslaughter by the first trial jury, he was made bookkeeper for Coburn's jailer, and placed in charge of the minor offenders then in iail.

thing should happen it would probably When the Beechter-King woman was do him more harm than good. As to in custody of Sheriff Coburn, while she Burrows, if it should appear, as was under indictment for murder, the charged, that he is the preference of apon the murderess, and unheard of privileges were enjoyed by her pending influences at work affecting the chances the final action of the courts. of all these candidates, and it would be

An officer who is so auxious to make triends of dangerous criminals is hardly proper person to fill the position of

WE INSIST ON FAIR PLAY.

The practice of pushing papers

that are not wanted to the det-

riment of THE BEE which is in

general demand is not confined to

the Union Pacific system. Similar

complaints reach us from the Burling-

ton and Northwestern lines. This may

not all be due to the trickery of train

newsboys. It is barely possible that the

dealers are receiving a rebate from

other publishers which THE BEE does

not give. But inasmuch as five cents

is charged passengers for any Omaha

daily, they ought to have the right to

choose the paper that gives them the

most for their money. THE BEE does

not ask any special favors, but demands

THE democratic policy of catering

to the law-breaking elements for polit-

ical favor is illustrated by the repeal of

the anti-polygamy laws in Arizona.

The vigorous enforcement of the Ed-

munds law in Utah forced many of the

followers of Brigham Young to fly

from a penitentiary term to more con-

genial haunts. Emigration north to

Idaho and south to Arizona became so

marked that laws were passed prohibit-

ing polygamy, and disfranchising those

teaching or practicing it. When Ari-

eight thousand Mormons in

hampered by pledges to any special in-

sold on every train in and out of Omaha terest or to any particular policy. to one copy of either of its so-called competitors. But there would rarely be THE SECRET ROLLS. any other Omaha paper sold by train It has been the uniform practice of boys had there not been a systematic the pension office, at least for some effort to push papers that are not in deyears, to keep the pension rolls secret. mand. No matter what the manager of This rule has been rigidly observed so the news agency says about it, the fact far as the general public is concerned. is notorious that travelers west of but it is said that pension agents and Grand Island are nearly always told attorneys have no difficulty in obtaining that "THE BEE's have all been sold," access to the rolls. It is suggested that on the road this side. This may often the new commissioner would introduce be true, but the publishers of THE BEE an important reform and put an obstacle are always ready to supply the dein the way of frauds, by abolishing this mand, and they have a right to rule of secreey and allowing the peninsist that this demand shall be supplied sion rolls to be open to public by newsagents even if it does practically inspection. It is assumed that shut off other dailies that only find sale such publicity would result in eliminatwhen there are no copies of THE BEE ing from the rolls a great many persons to be had. This is why we have given who are drawing pensions without being publicity to the disclosures of a train entitled to them, and also aid to preman who gave away the snap. The affivent other unworthy persons from going davit disclaimer of this fellow, denying on the rolls. what he stated and re-stated in the pres-There is something to be said on both ence of two credible persons will go for nothing. His story of the newsboy combine is corroborated by travelers nearly

every day.

fair play.

sides of this matter. It is conceivable that if the rolls were open to public inspection the pension office might be put to a great deal of annoyance. Not only would there be much labor involved in hunting up the names of pensioners inquired about, which would necessarily have to be done by employes of the office, as the rolls could not be safely entrusted to irresponsible outsiders, but a great deal of time would be wasted in hearing statements regarding pensioners believed by such outsiders not to be entitled to a place on the public rolls. Not only this, but it would open the door for a great deal of malicious persecution of worthy pensioners. If public inspection of the rolls were permitted as a means of detecting fraud, the logical duty of the pension office would be to investigate all allegations of fraud that might be presented to it, and it is easy to see that this might become a very annoying and embarrassing matter, both to the office and to pensioners. the worthy equally with the unworthy. Personal enmity, cloaked under a pretense of serving the public interests

wide field of operation. On the other hand, it is a sound principle, to be generally observed, that the people who pay to support the government should be permitted at all times, under proper cirzona secured a democratic governor the cumstances, to obtain such inthe territory traded their influence formation regarding what is being done in any department of the governand votes for a repeal of the law, and the democrats carried ment as may reasonably and in good out their part of the bargain. Enfaith be demanded, the imparting of couraged by this shameful favoritism, which would not be inconsistent with the Mormons flocked into the territory the public interests. The right of a citizen to expose fraud which he has and now hold the balance of power between the two parties. Thus they can found in the public service, or to indicate to the proper authorities where he | prevent a repeal of the repealing act

and continue the practice of polygamy unmolested by territorial authority. Governor Wolfey, in his annual report to the secretary of the interior, calls attention to this point and urges that congress be asked to grant relief by annulling the repealing act. The power lies with congress, and unless action is taken on the line indicated there is grave danger that the Mormon law-breakers will secure a firm foothold in the territory.

THE extension of the Union Pacific's Oregon line to Spokane Falls opens a new and rich trade territory to the jobbers of Omaha. The business of that section is now monopolized by St. Paul, Portland and San Francisco jobbers. There is no reason why our merchants cannot divide this trade, now that direct communication is established. Eastern Washington ranks high as an agricultural and mineral country. Its resources are unlimited, and with the influx of settlers now going on will treble in population in a few years. The construction of an independent railroad north from Spokane Falis to Coiville opens to settlement a score of fertile valleys up to the boundary of British Columbia, and will hasten the development of the mineral wealth that abounds on the western slope of the Bitter Root mountains. The forests of timber in that section will afford a valuable medium of exchange for eastern products. This new field is certainly an inviting one, and can be successfully worked for trade by our jobners with the assistance of the Union Pacific.

THE example of the property owners on West Leavenworth street in donating a strip of ground to the city for park purposes is commendable. It is a strong hint to other large property owners to take advantage of the benefits which park improvement will confer on the surrounding property.

IDAHO will ratify the proposed state constitution next month and apply for admission into the union. It is not likely that congress will give much attention to the request. The mountainlocked territory must grow up with the country before its claims can be seriously considered.

ON THE SIDE.

Mr. Festner's crank organ is in favor of Adam Heimrod and George Snyder.

With Pat Ford in the role of Rip Van Winkle, the democratic candidate for county reasurer would naturally follow Rip as my

Adam Spycer is banking on the Irish vote which Pat Ford has promised to deliver to him. When Adam went into the banking business Pat promised to deliver him some heavy dividends, but when the bank closed Adam's dividends were on the other side of the ledger.

By boodling the train boys the Omaha ouble-header has been able to force a few copies of its pennywhistle sheet upon travelers who called for THE BEE and could not get it. But the exposure of its ingenious compact has cut short the contraband trade in econd hand news.

Its rather amusing how anxious every pepinjay and adventurer who happens to have control of an Omaha daily assumes most tender attentions were lavished that he is in the way of THE BEE and doing t up. If the slightest notice is taken of these newspaper wreckers they at once exclaim, "You see, THE BEE is terribly nurt by what we are doing; it is losing ground and presently will be on its last legs." If, for instance, THE BEE should remark that Mr. Hitchcock is making an ass of himself on every conceivable occasion his toy graphoplinne cries in baby accents "Poor Rose. water; he is in dispair over my brilliant suc-There are three copies of THE BEE cess as a rival. I'm making him awfully sick by my startling enterprises."

Chicago a Neck Ahead.

Indianapolis Sentinel. Chicago is making all the running in the race for the world's fair, St. Louis is a fair second and New York a bad third, while Washington is certain to be distanced in the first heat. The race promises to develop into what the horse editors call a "procession" long before the homestretch is reached on the final heat.

They Off r a Variety.

Rochester Herald. They have come, the happy, careless, wiggling prophets. We knew they would be here with their cracked goosebones, their muskrat nests, wet summer, jumping chipmunks and sun spots. They predict a long, cold winter, an open winter, a wet winter, a snowy winter, a dismal winter. What comfortuble, self-contained fellows these weather prophets are.

Probibition Which Never Prohibits Rochester Herald.

"Between a well regulated license system," says the New York World, "and bogus prohibition-for prohibition never prohibits-every intelligent lover of law and norality must choose the former." That is the argument in a nutshell. There is a difference of opinion as to the right of the state to prohibit the sale of liquor, but in the light of the records there ought to be none as to the inefficacy of prohibition as a total or even a partial remedy.

A Job Lot of Boul agers. New York Sun

"Billy Mahone," says the Courier-Journal, "is the Boulanger of Virginia." The Times-Democrat says that Blanch K. Bruce is the Boulanger of Mississippi. We have several opinions that the Hon. James G. Blaine was the Boulanger of America. Yet, though each of these gentlemen is either an adventurer or adventurous, none of them can be justly called a Boulanger. The most distinguishing characteristics of Boulanger seem to have been a striking lack of intellectual quality, absorption in his own interests and a ludi crous self-conceit.

Parnum Will Own the Town. London Court Journal

It is gravely suggested that the newly chosen lord mayor of London should avail himself of Bassum's circus performers and menagerie for the annual civic pageant. On very moderate terms the famous American showman would, no doubt, be willing to exhibit all the cars, carriages, clowns, athletes, circus riders, horses, elephants, carnivorous beasts, cameis, deer and other animals that he has under his management, and the sight would be the most extraordinary witnessed in the London streets within the history of the mayoratty. London, of course, would welcome the spectacle.

Not of Recent Origin.

Sioux City Journal THE OMAHA BEE is uncovering a newsboys' combine which has been in existence for some time to the prejudice of THE BEE. According to this expose the boys push the sale of that paper which will pay them for doing so. It is safe to say that this corruption is not of recent origin. The exposure made by

THE BEE affords an explanation of the difficulty the Journal has had to place the paper on sale on Nebraska roads. The service is bribed in the interest of Omaha papers. The railroad companies themselves should see to it that this dishonesty is not further permitted. They should exact from the men to whom they sell the routes that the service should be honorably conducted. It is due the public who patronize these lines of road that these impositions be no longer permitted. THE BEE's disclosure is that the boys demand a fixed corruption fund in order to culist them in offering for sale one or another of the Omaha newspapers. It is doubtless also true that consivance is practiced as to the price pand for the paper, etc. In such rascally dealing, of course, it is quite necessary that the negotiations should be secret and confidential and in person. The journal, it will be readily understood by its friends in that state, residents and travelers, has stight opportunity, under such methods, of meeting the demands of the transient trade. if THE BEE can succeed in instituting reform the Journal will be pleased. Meanwhite this paper desires to improve the opportunity for saying, in response to numerous complaints that it is through no fault of its publishers that the paper has not been available on all these trains to the full extent of whatever call there might be for it.

THE SIOUX RESERVATION.

Effect of Its Opening on Omaha a

Viewed By a Correspondent. VALENTINE, Neb., Oct. 22.-To the Editor of THE BEE: To one acquainted with the general land laws, their practical workings, and the character of the people who avail themselves of its possession, and who has read the bill opening up part of the Sioux reservation to settlement, the latter offers no special inducements to home seekers. Immigration will be heavy on the opening of that reservation, but will be made up of the speculative and adventurous class who will not stay long, and as for the settler, on account of the special features of that "Sioux" bill, he will look the land over and move on. Let us make some comparisons:

Any one desiring to avail himself of his rights in this or any other state where the general land laws prevail can go into a United States district land office and enter a pro-emption and tree claim of 160 acres the same day. At the end of six months' residuace he as new 11. months' residence he can pay \$1.25 per acre or \$200 and get a title to his pre-emption, and then file his homestead right for 160 acres more. With his bomestead he has the option of living on it five years and getting his patent (at a total cost so far as land office fees are concerned, not to exceed \$20), or paying fer it after six months' residence at the rate of \$1.25 per acre. With a pre-emption, homestead and tree

claim he can be, within less than a year, in control of 480 acres of land. This is desired by most all land seekers, and is a great advantage, certainly to stock growers.

The special act under which the reserva-

tion is opened to settlement does not recor nize the pre-emption nor tree claim laws, and only allow entries under the "final" or five ear homestead law, and then charges the homesteader 50 cents per acre. In other words, a settler must actually live on his claim five years and pay 50 cents per acre before acquiring title to his land, and can then only acquire 16) acres. With the odds so greatly in favor of the settler under the old law, your correspondent expects to see Nebraska get her full quota of home

seekers, just the same as though no Indian land had been opened to settlement.

However, the opening of this reservation will have this effect: It will allow the Chi-Milwaukee & St. Paul road to build the Black Hills from Chamberlain and the Chicago & Northwestern, if it thinks necessary, from Pierre. It will place the territory northwest of here, in which Omaha was beginning to get a hold, a little further from Omaha and nearer Chicago. If both roads converge at Rapid City it will not be long be-fore she will be a jobbing city, to Omaha's detriment. The live stock that was beginning to find its way to the Soutl Omaha yards will surely go by the "long baul." and Chicago will get it, as hereto fore. The tin and other minerals we read so much about nowadays will find their way to City, and your corre spondent fails to find anything in the opening of that reservation that bodes good to Omahr, or in fact any part of Nebraska Another competitor soon for the traffic o northern Nebraska, to say nothing of the Black Hills trade, is the Sioux City & Ogden, which, nothing daunted by its recent bridge trouble at Sioux City, is pushing

right ahead with its work." While one at a distance can see all this, he does not feel like offering any advice or suggestions, out humbly places the facts before the citizens of an enterprising city, before the citizens of an enterprising city doubting not the ability of its capitalists and business men to successfully meet and over come all obstacles that stand in the way of the material growth and prosperity of their

A PHENOM COLT DEAD.

El Rio Rey Succumbes to at Attack of Pneumonia.

New York, Oct. 22 .- | Special Telegram to THE BEE. |-E! Rio Rey, the sensational two-year-old of the season and probably the speediest youngster of his day, died this morning at the track of the New York Jockey club at Westchester. The great colt has been cared for like the infant of a queen. Early last week El Rio Rey had slight attack of influenza. The colt was watched carefully, but despite the best veterinary aid the disease developed into pneu monia, El Rio Rey (river king) is a chestnu colt by Norfolk, dam Marion, and is a ful brother to the celebrated Emperor of Nor folk. The colt has started seven times this year and has always finished in front. His debut was made in the St. Louis brewers' stallion stakes at St. Louis June 11, and his last race was for the Dunmow stakes, three quarters of a mile, at Westchester, which he won easily in 1:1214, beating, among others, Ruperta, Gregory and Ballarat. The colt's total winnings amount to \$46,835.

MRS. TOLLAVER'S TOUGH SONS. They Beat Her Badly and Drive Her Insane.

MONTGOMERY, O., Sept. 22.-{Special Telegram to THE BEE. |-A peculiarly sad case is that of Mrs. Craig Tolliver, wife of the notorious Kentucky desperado, leader in the Rowan county feud. Since the killing of her husband at Moorehead she has resided with a sister here. She has become hopelessly in sane. This is almost wholly due to the conduct of her two sons, Joe, aged fourteen, and Bertie, aged eleven. Both are wild, vicious boys. A few days ago they attacked their mother because she attempted to correct them and, knocking her down boat her almost to boys will be sent to the reform school, while Samuel Cochran, a rich relative, will provide the mother a good home here

LEFT IT TO THE POPE. The Czar Accepts the Vatic n's Aroi-

tration in the Balkan Question. Paris, Oct. 22,-The Rome correspondent, of Figure says that General Ignation has arrived there on a special mission to the vatican. The general, the correspondent says, bears an autograph letter from the czar accepting the arbitration of the pope the Balkan question and leaving holiness free to convoke a congress or adopt any other course which in his judgment will lead to the establishment of a modus vivendi between Russia and Austria.

Started After Major Burke. New Orleans, Oct. 22. - [Special Telegra to THE BEE. |- Ex-Treasurer Burke having

been indicted for forgery, and now being extraditable, the necessary papers have been duly prepared by the state and a special officer sent after the alleged defaulter. Maurice Hart, a prominent financier, who is jointly inducted with Burke, strongly denies any criminal intent. He says his transactions were perfectly legitimate, and to The Bee representative bitterly complained of being made the scape-goats of political malevotence. Rogers, the attorney general, says he will send both Hart and Burke to the peni-

M'ALLISTER'S WILL

Neglected Heirs Allege Undue Influence By His Attorney.

THE OLD MAN OF UNSOUND MIND.

The Missouri Pacific Defends Its Action in the Etmwood Elevator Incident-The Capital City in Brief.

LINCOLN BURBAU OF THE OMARA BEE,

1020 P STREET, LINCOLN, Neb., Oct. 22. Some three weeks ago the will of Jonn Mc Allister, an aged resident of this city, was filed for probate in the county court. The will left his property, valued at \$50,000, with the exception of several small bequests, to his brother Ephriam, and appointed John S. Gregory, an attorney of this city, who has had charge of McAlliter's business for years, trustee of the estate, who was to give the income to his brother for his personal use. After Ephriam's death the residue of the estate was to be divided, one-half to go to Gregory's wife and one-half to be used by Gregory as a trust fund, the income to

distributed among the poor of the city. This afternoon the will was up for probate n the county court. There was a paper filed late this afternoon by some eight helrs of McAllister who were "left" in the will. The petition sets up in brief that at the time McAllister made the will he was insane and mentally incapacitated from doing so; that for ten years he has been laboring under a delusion that he could teach a theory of logic that would tend to give universal happiness and that he has offered to leave his property to two or three persons if they would embrace his theory; that the instrument filed for pro bate is not the will of McAllister, but a document drawn up by Gregory, who induced him to sign through fraud and undue influence; that the said Gregory took advantage of the insanity of the deceased, gained his confidence, and induced him to sign.

They object to the appointment of either Gregory or J. H. McMurtry as administrator

on the ground that they are not competent to serve. They ciaim that McMurtry attempted to cheat and defraud McAllister by having him execute two certain mortgages aggregating \$9,500. The appointment of Dr. F. A. Dann as administrator is asked.

Gregory filed a motion later on requiring

the attorneys for petitioner, Darnall & Bab-cock, to give their authority for so doing This is but the commencement of a long liti-

The Elmwood Elevator Incident. The Missouri Pacific railroad has filed its answer with the board of transportation in the case of the Elmwood Farmers' Alliance against it. The Missouri Pacific claims that it denied the demand of the alliance for the reasons that there were two elevators on the side track, beside its other buildings, and that the side track is the length prescribed by law, 1807 feet, and that it would be com pelled to purchase right of way for more ele vator room; that the two large elevators are of sufficient capacity to handle the gran products of that section; that the company did not decline to extend its track for th purpose of favoring Adams & Gilbert, and Striplin & Fells, but solely for the reasons above, and also that the expense would be great to construct a new side track, and the business would not justify incurring such

extra expense The company asks that the complaint of

the alluance be dismissed

The Court House. There is almost constant inquiry concern ng the time when the county may be able to get possession of its new court house. An official said to day that it would not be ready to occupy for fully two months yet, and that the next term of court would have to be held in the old rooms. He also suggested that the ounty would be sure to enforce the forfeit of \$ 0 a day which was stated in the bond, for each and every day after September 1, 1889, that the county was deprived of the use

of the building. Supreme Court.

Court met this morning and transacted the following business State ex rel Hocknell vs Wallichs. The ase was dismissed. B. & M. R. R. R. Co. vs White, Defend and was given leave to file corrected trans

Russell vs Cornish & Tibbits. Leave was given defendant to file petition in error. The following cases were argued and sub itted: Galligher vs Smiley, Tarkington

vs Link. The case of Ellis L. Bierbower et al vs John T. Miller, error from Dancaster county,

was filed to-day. A Stove Foundry.

Messrs. Charles F. Hatton, of Zanesville, O., and Charles Gage, of St. Louis, representing a syndicate of eastern capitalists, are n the city to-day as guests of the board of trade. They are being shown the city by President Oakley, Secretary Atkinson and others. They are here to discuss with the people a proposition to locate a stove foundry. Rumor also says that they contemplate putting in an incandescent electric light plant.

State House Gossip. The Richardson County bank, of Falls City, filed amended articles of incorporation to-day with the secretary of state.

The eath of office of Herbert J. Davis udge of the Third judicial district, was filed o-day with the secretary of state.

City News and Notes. J. W. Furguson, of Minden, was in the city to-day, en route for home from a trip

Mrs. I. A. Johnson, of Indiana, who has been visiting her daughter, Mrs. John McCotton, for a week, left to-day for Broken Bow, in response to a telegram announcing the serious illness of another daughter, Mrs. 3. E. Wilkinson,

Frank Wallace, a well-known traveling man of this city, left to-day for Chicago to attend the funeral of his sister, Mrs. I. B. Rosenbach. Attorney Van Etten, of Omaha, was in the city to-day.

Max Rich, one of the principal business men of Bird City, Kan., but formerly an old

Lincolnite, is in the city, renewing old-time acquaintances. Representative Home, of Otoe county, was in the city to-day.

Joe Easterday, of Tecumseh, was at the state house to-day delving among the books of the state library, hunting for precedents to prove that Tom Thurman was insane

when he committed that assault with intent to kill, for which he is now confined in the penitentiary. Joe secured a new trial at bententiary, see scarce a new trial at the supreme court a year ago. Miss Loia E. Giles, sister of Mrs. L. C. Burr, left last night for Olympia, Wash, Mrs. Dr. Lawton left to-day for Los Angeles, Cal. Mrs. C. A. Jennings, sister of Mrs. J. M.

where she will make her future home Phillip Fink, a prominent farmer from the south part of the county, left this evening for a visit to Watertown, N. Y. General Superintendent Caivert's car vent west at noon to-day on the Broken Bow line of the Burlington, with a party of Lincoln sportsmen on a chicken hunting ex-pedition, Among the party were Tom Benton, W. S. Garber, H. D. Hathaway and

A gentle rain began falling last night which was kept up for the greater portion of the day. Though not much water fell, i has laid the dust and made the city much

more presentable.

The work of registration goes on quitslowly. The average voter does not seen to have "caught on" to the fact that he has October 24, November 1 and 2.
R. W. Ciark, of Grinnell, Ia.: Dr. R. A. Holyoke and wife, of Pacific Junction, and Miss Anna Howell, of Centerville, Ia., wer in the city to-day to attend the Holyok

Snelling nuptials.
At 11 o'clock to-day Dr. E. L. Holyoke, the republican candidate for coroner, and

Miss Grace Snelling, daughter of Justice Snelling, were married by Dr. Stem, of the St. Paul M. E. church, in the presence of a

St. Paul M. E. church, in the presence of a few friends. The presents were numerous, costly and useful. The happy couple left on the Burlington flyer for Chicago and points in the east. They will be at home to their friends Thursday, November 21, at 345 North Twenty-eighth street.

The Jewish society of the I. O. B. B. will celebrate its first anniversary next Sunday. No formal programme has yet been made out, but an attractive one is in preparation.

The preparatory work for the building of the new Jewish temple at Twelfth and D streets is progressing finely. At a meeting held Sunday a building commistee was appointed, with instructions to secure plaus and specifications and report the same to the congregation for approval. This committee ongregation for approval. This committee is composed of Messrs. Charles Mayer, A. Block and S. Selighson. The finance committee has raised \$2,000 and is meeting with substantial encouragement from all classes,

HEAVIER RAILS.

Progress Made in Roadbeds, Tracks and Rolling Stock.

The new rails which the Pennsylvania company is laying on all its main lines fairly illustrate the remarkable progress of recent years in railroad science, says the New York Sun. They are of steel and they weigh eighty-five pounds to the yard. Twenty years ago an iron rail weighing fifty-six pounds per yard was considered large enough to carry the heaviest and tastest trains in safety. Now iron rails are no longer made, the weight of rolling stock in common use has doubled, the speed of trains has greatly increased and massive steel rails gridiren the country. The record of the change made on the Pennsylvania lines is a fair illustration of the progress made. In 1868 the company began introducing the English steel rail, weighing fifty-six pounds to the yard, in place of the iron rail previously in use. These first steel rails were of the same general shape as those used now. They stood four and one-half inches high, and the first cost was somewhat in excess of iron rails of home manufacture. Experience proved that the life of the steel rail was fully three times that of the iron rail. As soon as this became apparent the occupation of tron rail makers was gone. They didn't know how to make steel rails in this country then; or, rather, they couldn't make them as good and as cheap as those turned out by the English mills. The result was an immens importation of steel rails for several years. Then American ingenuity solved the problem, and now domestic steel rails are as good and as cheap as the English. Anyhow the American market is now almost closed to English steel rail makers. The English fiftysix pound rails were used by the Penn-sylvania company until 1874 or 1875. Then a sixty-nine pound rail was substituted, and that size was the standard on the main lines of the company for nearly ten years. Early in the present decade came heavier locomotives and heavier cars, and with them came a necessity for a heavier rail.

In 1884 a 75-pound steel rail four inches and three-quarters high and with a somewhat broader base was adopted. Many of these rails are still in use, and they are larger and heavier than the average rail in use through the country. But the tendency is still toward heavier rolling stock and greater speed, and within a year or two the Pennsylvania company has been substituting an 85-pound rail for the 75-pound rail on its main divisions as fast as a change was necessary. The new rail stands five inches high, has a somewhat broader base than its predecs-sor, and it is believed to be large enough and strong enough to carry any train running at the highest speed scheduled. These rails are made by the Pennsylvania steel company, one of the four great concerns that make nearly all of the steel rails in the country. The life of these rails on the main line of the New York division of the Pennsylvania road, between Jersey City and Philadelphia, it is estimated will be between six and eight years. No main line of road in the country is in more constant use for heavy traffic than are these tracks. The new rail has already supplanted the seventy-five pound rail on the greater part of the di-

vision.

Representatives of the makers of some of the big rails now coming into general use said yesterday that the tendency toward the use of heavier rails by the great railroads is universal. The change is demanded not so much by the increase in speed as by the inrease in weight of rolling stock, which has been in much greater proportion. Nearly all roads which used a fifty-sixpound or sixty-pound rail ten years ago are adopting a seventy-pound or seven-ty-five-pound rail now. The life of a heavy rail is somewhat longer in proportion to its weight than that of a light one; hence the economy in the adoption of the former. The price of rails per ton is practically the same, whether a 56pound or a 75-pound rail be purchased. It requires 88 2,240-pound tons of 56 pound vails per mile and 118 tons of 75-pound rails for the same distance. The ife of a rail depends on the amount of use to which it is put, but it is a fact that a rail in ordinary use lasts much longer than one used very little or not at all. Just as a war ship in active service will outlast two or three that lie in

a dockyard, so the steel rail will wear

out much more slowly than it will rust

out and deteriorate.

The question whether rails will grow still more massive is interesting. The heaviest rail in use on a one of ninety pounds per yard, recently laid on some portions of the Reading road where the traffic is heaviest. One or two English lines are experimenting with 100-pound rail, but American railroad men don't see the advantage to be gained by the use of such a massive track where the rolling stock is much lighter than in this country. New York Central is said to be using a 110-pound rail in one or two of its busiest yards where the constant shifting of trains keeps up a continual wear and tear upon the track. It seems to be the general opinion that nothing is to be gained by increasing the size of rails above eighty-five or ninety pounds until there is a further marked increase in the speed and weight of trains. The reason for this opinion lies in the fact that the wearing out of a rail does not consist in merely grinding away a half inch or so from its top surface. If it did the age of a rail might be indefinitely increased by adding to the thickness of its head. After a few years' use a rail begins to splinter on the edges, to wear away on the inside, and to become gradually misshapen and rough. It is of no advantage, therefore, to increase its original size beyond a certain point, with the speed and weight of trains now in use.

The price of steel rails is kitting just now. Within a month it has advanced from \$25 to about \$32 per ton, and it is said the figure will jump another dollar to-day. No company will mame a price for future delivery. A man who wanted 1,000 tons yesterday asked one of the big companies to hold good its quotation for twenty-four hours. The request was refused, and the purchaser thought he saved \$1,000 by closing the bargain on the spot. The cause of the advance is said to be a scarcity of ore rather than an unusual pressure of orders.