tect the men at all hazards, but it was quite apparent that the protection would not have been ample to have saved the necks of the two wretches, for the officer and his men were jostled and buffeted about like chaff in There was no loud and disorderly uprising, though the men were all determined. They crowded about the sheriff and the carriages which he had for the purpose of carrying his prisoners away, and in a good-natured way informed him that he must not be too hard on his old neighbors if they practiced a little hemopulling on their own account. To these re-marks Sheriff Tighe responded that he did not propose to adopt harsh measures, but stated that he would protect his prisoners and do all in his power to see that the majesty of the laws of the state were up-held. This remark evicently touched a popular chord in the minds of some of the for it was greeted with a cheer, but the cheer was not a marker to the one when an old farmer mounted a box and in a loud voice exclaimed;

Just Suggested "Jastice."

"Neighbors and friends, Sheriff Tighe is "Neighbors and friends, Sheriff Tigne is a good fellow, but that does not prevent us from seeing that speedy justice is meted out to the men who took the life of an innocent man; a man whom most of you have known

for nearly a quarter of a century.
"Men." he continued, "I do not advise the resorting to mob law, but I ask you that you see that the red-handed murderers get their just dues. Remember that the men who will soon be in this town cut down a man who was almost ready to bid adieu to this world, and not satisfied with baving committed that dastardly crime, they tried to murder his wife, an aged woman—one of the most lovable ladies in the county. Not only did they do this, but they shot down a son,

trying to take his life.

"Of course you are all law-abiding citizens, but can you as loyal citizens stand by
and see a farce perpetrated by a long and

'As men and citizens of the county I caution you to not use violence, but I ask you to do unto others as others have done unto Matthew Akeson.

The old farmer was cheered to the echo and was cheered again, while a crowd of admiring farmers carried him away upon their shoulders. The cheers had their effect, for as they rose from the thousands of throats it seemed that the country was alive with people who came in from the alleys and side They joined in and at once became a part of the crowd and at once declared that they were on the ground for the sole of seeing that the murder of Matthew Akeson was avenged.

Avengers Disappointed. Upon the arrival of the noon train the crowd which blocked the streets for a dis-tance of several blocks made a rush for the coaches, but they were doomed to be the victims of bitter disappointment, for the objects of their vengeance were not there. Then it was that they accused the sheriff of duplicity. They charged that he had ordered the two men taken off the train at the crossing just outside of the city limits and that he was bringing them in in cabs.

This the sheriff denied, and declared that he knew absolutely nothing about the failure of the deputy to arrive with the pris-This, however, the crowd could believe, and at once it broke for the city fall, there to watch and wait, which it con-tinued to do for an hour, at the end of which time it became convinced that the sheriff was telling the truth. While at the jail the crowd again closely inspected the frail structure and passed judgment upon its powers of resistance, declaring that with a few well directed blows of a siedge it would have to succumb, while those within would be at the mercy of a mob and a couple of

Having become convinced that Hill and Benwell were not to arrive until later in the day the farmers and their town sympathizers again dispersed, breaking up into little knots and stopping on the street corners, where the commission of the crime was discussed in all of its phases.

Waiting for the Criminals.

Upon the arrival of each train during the afternoon the same scenes were enacted at the depot, each time the desire of the farmers to wreak vengeance becoming stronger and more apparent, but as the mantle of might spread itself over the earth nearly all of these tillers of the soil quietly left for their homes, knowing that the officers had left their men in Omaha. They did not abandon their determination to avenge the murder, however, for they left a committee on the ground with instructions to dispatch couriers to every part of the county the moment Hill and Benwell ar-

It was evident that Sheriff Tighe was alarmed, for during the afternoon he dis-patched County Attorney Travis to Omaha with instructions that the prisoners should e kept in the Douglas county jail until in his judgment it was safe for them to be removed to l'iattsmouth for their preliminary examination. When that will be is not known, as it is a fact that the people of Cass county have determined that the blood of Hill and Benweli shall pay the penalty and the indications are that they will be in as great danger three months hence as at the present time

Were Watching at Louisville,

Had the deputy taken the two murderers direct to Plattsmouth instead of bringing them to this city, it is doubtful if they would ever have reached there alive, as a crowd of 300 men had gathered at Louisville, a town some distance below the Ashland cut-off. These men were all farmers from and were all acquaintances of the Akesons and their purpose was to take the two mur derers in charge as soon as the train pulled into the station. When they learned that their plans had been frustrated there was a low muttering, such as precedes, the storm, and the remark was made that the delay did not count for much, as it would be fol-lowed by the meting out of even justice from a jury that could not be bribed or tam-

Committee Comes to Omaha, Last night a targe delegation of farmers country surrounding Plattsmouth arrived in this city and expressed on sentiment, and that was that they would camp on the trail for the purpose of finding out just when Hill and Benwell were to be taken to Plattsmouth, that word would be

sent ahead in order that the people night be

prepared for their arrival and that they

might be given a warm and suitable recep-These men would not say that the two mur-derers would be lynched, though they were free to express the opinion that there was something in the air of Cass county and that it could not be removed by delays. County Attorney Travis said last night that he had no idea when the prisoners would be taken to Plattsmouth. He did not anticipate that they would be lynched, but he considered them much safer here than in the insecure jail in Plattsmouth, and be-sides that he said that he was of the opinion that the officials of Cass county were

IN OMAHA ONCE MORE.

not able to cope with a body of several hun-dred determined men.

Mosher, the Bank Wrecker, is Brought Back to Bennett's Tender Care. C. W. Mosher, the convict hoodoo, is again

A few minutes before 5 o'clock yesterday afternoon a closed carriage drew up to the curb at the north entrance to the federal building and a small, dark-complexioned man, carrying a grip, hastily stepped out followed closely by Deputy United States Marshal Boehme. The pair hastened into the building and up to the office of United States District Attorney Baker.

The small man was the bankwrecking ex-president of the defunct Capital National bank, and he was very much in search of a haven where demonstrative individuals do not give violent expression to their feelings. He had come from the Cass county jail at Plattsmouth, and he had not entirely recovered from the fright he received there while momentarily expecting an onslaught on the part of the mob that had gathered for the purpose of lynching the murderers of Matt Akeson.

Not on His Knees Now. representative of THE BEE noticed the arrival of the convict ex-banker, and paid him a visit in the district atterney's office. Mosher endeavored to convey the impression that he had not been frightened, and claimed that all he knew about the intended lynching was when one of the deputy sheriffs came to him in the jail and told him that there might be trouble, and that as it was

impossible to tell in advance what would happen in cases of that kind, it might be advisable to move him to some other place. He said he then accompanied the deputy to his residence, walking down the principal streets and shaking hands with old ac

There were a number of people there, said Mosher, "and there is no doubt that they would have lyuched those murderers it they had arrived on the train as expected Oh, yes, I suppose some of them would have wanted to take me, too, but there was no demonstration of any kind as I walked down the street. I guess I must be a hoodoo, for there is always something lively sure to turn up no matter where they take me.'

Says He is Out of Politics. He was asked if he intended to engage in the local campaign in Bennett's interest now that he was once more in Douglas county. He said that he had had all that he wanted. and regretted that be had dipped into it at

"I had kept still for so long that I ought to have pursued that course to the end," he remarked, "but I was charged with so many things that I could not belp making a reply to some of them. People trumped up a lot of lies about me, and imposed on the newspaper reporters. They did the same thing down at Lincoln, and charged that I was taken out to the penitentiary to see the fire, when the truth was that I did not know of the fire until about 9 o'clock, when the night watch came into the cell room of the jail to lock us up for the night, and told us that there was a fire at the penitentiary. If

I had been out of the pen they would have charged me with setting it on fire, "They gave me the best they had down at Plattsmouth jail. That ain't such a bad jail for a little place—just about the same as any country jail, but the vermin are something that can't be equaled in this metro-politan burg. You ought to have seen me pointain burg. You ought to have seen me eating my oreastfast with the tramps, just like any other 'con.' 'It was pretty good grub, too, for jall fare. Say, they tried to turn fare out of jall this morning. The fellow that turns out the tramps came along and told me to get up, and after turning out the rest of them, told me to get a move on me. I said, 'I guess you don't want me,' and he asked why not. I told him the man up stairs was looking out for me, and he went up to see the sheriff about it. If I hadn't sort of kicked against it I would have been a free man in spite of myself. You see, the guard saw that my face was a new one and took me for one of the transients. Guess i must be looking a little tougher than usual.

He "Held the Coit." And then Mosher reverted to what the papers had said about him, and he wanted to know the tame of some man who had seen him at the theater. He admitted that he went once, and saw Nat Goodwin in "A Gilded Fool," but insisted that this was the only time. He said it was true that he had helped Sheriff Bennett, as he went out in a hack to help bring in a crazy man named Davis, and on another occasion went along with the sheriff "to hold the colt" while that official had a little business to

transact with S. P. Morse.

He was asked about his experience in court in Lincoln, and said he did not propose to talk until the proper time. He said that if "Mr. United States court" told him to talk, or allowed him to talk, he would do so in any of the cases in which the bank was interested, but he did not propose to have his property attached and then put on the

rack to tell what had become of it. "None of the other judges would have done what that one did," he said, in speaking of the action of Judge Tibbetts, "Charley Hall knew that I was right, and held the other way. held the other way. I told them before they took me out of jail that I wouldn't talk, and they ought to have known that I always keep my word. I see Burr wants m put in solitary confinement on bread and water. Well, he won't get me there, and I won't peep, either. They can't put me in jail for contempt under those circumstances. and they couldn't even if I wasn't a United States prisoner. You see I've been reading a little law. I read the statutes nearly through twice while I was in the Douglas

Marshal White Anticipated Trouble. The marshal admitted that he was very much wrought up over the report he received he forenoon that Mosher was in He said he first heard talk of that during the danger. He said he first heard talk of that kind Friday evening, when he took the pris-oner to Plattsmouth, but he thought noth-ing of it. He took the pains, however, to go down the street during the evening and see how matters stood, but all was quiet, and all he then heard was that a few men wh had been drinking had said something about lynching Mosher. He was satisfied that nothing would come of it and went hom Yesterday morning all was still serene, and he came to Omana as usual. Dur ing the forenoon he received a telephone message from Plattsmouth to the effect that there was considerable stir over the arrest of the murderers at Lincoln and anticipat ing trouble when the sheriff arrived with with them. He made inquiry later by tele-phone, and learned that crowds of people filled the streets and that there was cor

erable excitement. He at once made up his mind that it was time to do something "I figured," said the marshal, "that the sheriff would probably manage to get his men to the jail under the pretext of waiting until they were positively identified, and I was afraid that then it would be all day with Mosher, for that jail could not stand an attack, and when a mob means business the hanging of one or two extra men seem to make very little difference. All it would need would be for some one to say 'Let's take Mosher, too, and make a clean job of it and that is all there would be to it. I called up the deputy sheriff and told him to take Mosher out to the edge of town, near the Missouri Pacific depot, and keep him there until I could get down on the noon train. I told him to keep out of sight and maintain a snarp watch, and if he saw anything like ; crowd approaching to take to the woods. When I got down there I found that he had put Mosher in a buggy and was waiti that way, being prepared to get out of the way in a hurry if the mob appeared.

Large Reception Committee. "I had my deputy take charge of Mosher, and I went down town to size up the situa-tion. There were fully 1,000 men at the depot, and if Sheriff Tighe had gone there with the murderers the crowd would have made short work of them. It was an orderly crowd, as there was a large element talking in favor of letting the law take its course, but a leader on the other side would have set the tide strongly that way, and 1 am satisfied that the appearance of the prison-ers would have caused several leaders to develop. I was told that the name of Mosher was on the slate of intended victims, and from what I saw and heard in various places I am satisfied that it was Mosher was pretty nervous, and I don't blame him, for no matter how much nerve a man has he will feel a little squeamish under circum-stances of that kind. He was considerably relieved to get on the train and out of Cass

"What are you going to do with him?" "D—d if I know. He is a white elephant on my hands, and has been ever since I have had anything to do with him." "Turn him over to Rosewater," facetiously advised the district attorney.

Is a "White" Elephant. "This may be a funny matter to you," said the marshal, "but it is mighty serious with me, and is getting no better very fast. I will admit that I don't know what to do with him. Warden Beemer won't take him into the penitentiary, and he has raised a muss in both the Donglas and Lancaster county jails, but I suppose I will have to put him in one or the other of them."

The matter was discussed to some length

The matter was discussed to some length, and the marshal finally concluded that be-cause of the plausibility of a conflict between the state and federal authority over getting Mosher into court it would not be advisable to take him to Lincoln, and he therefore de cided to once more place the bank wrecker in the keeping of Sheriff Bennett.

He made up his mind that he would have no more of the running around on Mosher's part that has already caused so much scandal, and when he took Mosher to the jail at 6:30 he gave explicit orders that the convict was not to leave the jail under any consid-sideration, and that he was not to be given into the charge of even one of the deputy marshals without a written order.

Judge Dundy returned vesterday from a

Judge Dundy returned yesterday from a Wyoming bear hunt, and the marshal will seek new instructions tomorrow regarding his prisoner, hoping that he may be allowed to take his charge to the penitentiary at Sioux Falls, and thus be rid of a wost wearlsome burden. white Marshal White was debating what to do with Moaher that worthy jocularly remarked, "I guess you'll have to turn me loose until morning. I'll come around and report at 7 o'clock." When he stepped into the jail he said: "I'm going to stay this time."

NEITHER ONE COULD WIN

University of Nebraska and Danver Athletic Club Kick a Tie Game.

EACH SIDE MADE ONE TOUCHDOWN

Much Stugging Indulged In by the Players -Princeton Does Pennsy and Harvard Smothers Cornell-Kansas Wans from fowa-

DENVER, Nov. 4. - The foot ball game today between the Nebraska State university and the Denver Athletic club elevens was the most exciting of the season, and much slugging was done.

The Nebraska men are the strongest team that the Denvers have lined up with on the home grounds, and today's game was so evenly contisted that it resulted in a tie. the score being 4 to 4. Nebraska made a touchdown in the first half and Denver did the same in the last, but neither was able to kick a goal. The teams faced each other as follows:

Left and right. Left tackle right Left guard right Left center right Right guard left Right tackle left. Hopewell. Whipple. Blackburn Right end left J. G. Yout. I. E. Yout Full back

PRINCETON PURMELS PENNSY.

Voracious Tigers Hustle Their Ancient Enemies for the Only Touchdown PHILADELPHIA, Nov. 4.—On Manhelm field in the presence of 20,000 people, Princeton this afternoon secured revenge on Pennsylvania for the defeat of a year ago. It was estimated fully 20,000 people were present. Princeton opened with a flying wedge, used so frequently by Cornell in their game with Princeton two weeks ago, and King gained twenty yards. The Tigers lost a few yards on the next down, and a few moments later the ball was fumbled and secured by Pennsylvania. The ball was taken by the red and blue to the centerfield, where Knipe kicked it for thirty yards. Blake caught the ball and returned it, but it fell out of bounds and Pennsylvania secured it. made a gain of five yards through the center and ten yards more were gained before Princeton secured it on a fumble. Blake kicked it to Pennsylvania's ten-yard lin where it was given the latter for off side plays. Three yards were gained on a plunge through the center by Knipe. Score at the end of first half, 4 to 0 in favor of Princeton.

In the second balf, with the ball in the center of the field, the Tigers made short gains but lost the ball on four downs, and Brooke punted. King fumbled and Upton fell on the ball and kicks by Brooke and Blake brought the ball to the scenter of the field. King was sent around the end for a ten-yard gain and after Pennsylvania and Princeton had successively secured the ball-King again went around the right. Morse gained three years more, before a fumble gave the ball to Pennsylvania. Brooke punted and King returned its to the center of the field Pennsylvania and Princeton eac Pennsylvania and Princeton each lost the ball on fumbles and Osborne made the first and only borne made the first and only long run of the game when he carried the ball for twenty yards before being downed. Barnett took the place of Morse, who was injured, and Reece was at the same time disqualified for slugging. Time was called

1	without either side scoring. Touch down
١	Ward, Score: Princeton, 4; Pennsy
	vania, 0. The teams lined up as fellows:
U	
Ì	Princeton. Position. Pennsylvani McCauley. Left end. Rosengarte
ď	Holley Left tackle Macket
ı	Wheeler Left guara Wharte
ı	Billiet Center Thornto
ļ	Taylor Right ground Cities
ı	Len Right tackle Ree Treuchard Right end Simmo
ì	Trenchard Right end Simmo
V	King Quarter-back V Ward Left half-back Gilbe
	WardLeft half-backGilbe
ì	Barnet or Eorse. Kight half-back Osgoo
	Allen Full-back Knij
I	Referee: P. J. Dashiel, Lehigh. Umpir

CORNELL SMOTHERED.

Harvard Takes the Young Men from Ithaca

Through a Merry Dance. MANHATTAN FIELD, N. Y., Nov. 4.-At a quarter to 4 o'clock this afternoon the Harvard and Corneil foot ball teams waded through the swamp into which Manhattan Field had been converted by several hours of rain. When the umpire, Perry Trafford, and Referee C. W. Snerdon made their appearance a burst of appliance went up. Several minutes after the opening Brewer was forced through the center and with a good terference made the first touchdown. Fairchild kicked a goal. The ball was taken back. Cornell lost it in short order. Brewer made run of thirty yards into Cornell's territory. The ball was rushed around the eld without much advantage to either side. Harvard got the ball. Harvard

Clark through and scored a touchdown.

After a few minutes Brever was forced ver for a touchdown and Fairchild kicked a goal. Score at end of first half: Harvard 28; Cornell, 0. Intermission seven minutes. Diehl was at left end for Cornell in place Young, who was at full back. Daly had taken Taussig's place at right end. The Harvard team was intact with the exception of Wrightington, who had been replaced by A few minutes later Brewer, who was forced to leave the field, was substituted by Gray who came into the game as full back. Harvard opened with the wedge, gaining seven yards. In the next two downs there was no gain, and on the third Cornell gained the ball. The leather stayed where it was for two downs; then Harvard secured it again. A clever tackle by Clark stopped Dyer after the latter had got around the end for twenty yards. Brewer then went through the center twice for seven and twelve yards, and two more were gained in the third down. Clark then got well away around the end and over the line be-tween the posts. Fairchild kicked a goal. Time was called with a score of 34 to 0 in

lavor of Harv	ard.	
At the star	t the teams were:	
Harvard.	Positions.	Cornell
	Left end	Young
Manahan	Left tackle	Deming
Acton	Left guard	Warner
Lewis	Center	Barnenheizel
Mackie	Right guard	Wagner
Newell	Right tackle	Barr
Stevenson		Daley
Fairchild	Quarter back	Reschman
Clarke	Left half back.	Cuetis
Walters	Right half back.	Den
Brewer	Right half back	AL
	The state of the s	ri
MIANHATTO:	N FIELD, Nov. 4	Harvard, 34
Cornell 0		

Minor Foot Ball Matches CHICAGO, Nov. 4 .- The foot ball team of Oberlin college today defeated the University of Chicago team by a score of 33 to 11. Nort Beloit, 6 to 1. Northwestern university defeated

Pittsnurge, Nov. 4.—The Chicago Athletic club and Allegheny Athletic association foot ball teams played an exciting game today. Chicago, 4; Allegheny, 0.
WILLIAMSPORT, Mass., Nov. 4.—Dartmouth
defeated Williams in the first champlonship foot ball game of the season by a score of

Boston, Nov. 4 .- Amherst foot ball team Boston. Nov. 4.—Amherst foot ball team struggled with the Massachusetts Institute of Technology in the rain at South End grounds today and won by a score of 14 to 4. New York, Nov. 4.—The foot ball garbetween the teams of Boston and Crescon. Athletic clubs played at Eastern park, Brooklyn, this afternoon resulted in a victory for the Bostonians by 13 to 8.

Cambridge, Mass., Nov. 4.—The Harvard Junior and Senior foot ball elevens fought a hard contested game today. Score: Juniors, 6; Seniors, 0. Seniors, 0.
MIDDLETON, Conn., Nov. 4.—At a meeting today the executive committees of the Wes-leyan Foet Ball association decided to with-draw from the Intercollegiste league. The managers canceled today's game with Yals. So many of the Wesleyan best men are dis-abled that it would be practically useless to attempt to play.

attempt to play.

BELOIT, Wis., Nov. 4.—In a game of foot ball at Delaven, Wis., between Beloit's sec-

ond eleven and the eleven from the deaf and dumb inatitute, a mute named Patterson was instantly killed by having his neck broken by a fall in a tackle.

Pawner Cirr, Neb., Nov. 4.—[Special Telegram to Tim Ber.]—The game of foot ball at this place! this afternoon between the Beatrice and Pawner City teams resulted in favor of Beatrine by a score of 12 to 8.

SHOT GON EXPERTS.

H. B. Kenneny Wins the Parmelee Diamond Trophy—sally as a Pigeon Killer. The special shoot on the Omaha shooting grounds across the river yesterday afternoon for the Parmelee diamond badge by the members of the Omaha Gun club proved a very interesting affair and was witnessed by quite a crowd of sportsmen. The conditions were fifty targets to the man, walkaround, and the handsome trophy was won by H. B. Kennedy with a score of forty-five birds. G. W. Loomis was second, with forty-two, and Frank Fogg third, with thirty-

Kennedy 11111 11111 11111 01101 11111 11111 11111 01111 11010 11111 Loombs 11111 11111 00111 11001 11111 01111 11111 00111 11001 11111 01111 01011 11110 11111 01011 01111 01111 01110 11111 01011 01111 00111 11111 11111 Fogg. -39 Gwln 01011 1111 1111 61011 01011 01011 11011 Hoagland. 11111 10111 11111 01010 11001 11111 10011 01110 01110 00111. Brucker 11111 11111 11111 00111 11100 01111 01010 01011 11111 11100 01111 01010. —38

to kill; in consequence the scores made were creditable indeed. Dr. Neville, a son of Judge Neville, who has just returned from Germany, was on the grounds and took part in a sweepstakes shoot, making a fine score. Sullivan Turns Shooter.

Sr. Louis, Nov. 4.—John L. Sullivan appeared in a new role here today. He shot a live pigeon match against Starter Dick Dwyer of the East St. Louis race track, his manager, J. J. Howard, and Henry Griesedick. The match was a sweepstakes of twenty-five birds. Dwyer and Griesedick each killed twenty-two, and Sullivan, with the aid of a handicap, had twenty-one birds to his credit, while Howard brought down nineteen with the aid of a handicap. In the shoot-off the East Side starter bagged twenty-two birds to his adversary's twenty

RACING RESULTS.

Kansas City's Meeting Closes with a Race for Blood.

Kansas City, Nov. 4.—This was the clos-

ing day of the running meeting of the Exposition Driving Park association. The Farewell handicap, the feature of the day's sport, was taken by Montell in a drive.

First race, four and a half furlongs: Mike Flynn won, Abe Halstead second, Bob Miller third. Time: 59. Second race, six furlongs: Malcomb won, Weiseger second, Dan Meeks third. Time: 1.20.

Weiseger second, 1:20.

Third race, six furlongs: Mamie 8 won, Gaszette second, Bonfire third. Time: 1:19½.

Fourth race, Farewell handicap, five and a half furlongs: Montell won, Tommy Archer second, Straightout third. Time: 1:11½.

Fifth race, five furlongs: Bud Brooks won, Leunbria second, Lucy Clark third. Time: 1:11¼. Tame Sport at Nashville.

NASHVILLE, Nov. 4.-Heavy rains last night made the track at Cumberland park muddy and today's sport was tame. In the fifth race Banjo ran very suspiciously, opening at even money and going to 5 to 1. He was last all the way. There will probably be an investigation. Results: First race, six furlongs: Chess Rogan won, lay Belle second, Miss Platt third. Time:

Second race, mile and a sixteenth: Sull Ross yon, Boro second, Bret Harte third. Time: Third race, handleap, postponed until Tues-

day.
Fourth race, staturiongs: Deceit won, Foot Runner second, Osborne third. Time: 1:19%.
Fifth race, five furiongs: Disturbance won, Top second, Frantinan third. Time: 1:05.
Sixth race, five furiongs: Winfield won, Eau Chire second, Robert Latta, third. Time:

Punching the Ivories.

A live stock man from Mexico and a traveling man from Chicago have been en gaged in a game of billiards at a resort on Douglas street which savors of endurance. The men had been playing for forty-eight hours up to 9 o'clock last night, and had only stopped when the house closed for the night. They started in playing for small stakes, bu at last accounts were posting \$100 on each game, although they were so quiet about it that the proprietor of the house did not know that they were making wagers on the game. The men are very evenly mtached.

Fine Nebraska Flyers. NEHAWKA, Neb., Nov. 4 .- [Special to The Bre.]-M. D. Pollard arrived from Kansas City last night, bringing with him the well known string of race horses, John Strong, Nenawka Girl and Crookshanks, belonging to himself and H. G. Strong of this place. John Strong won first money at Platts mouth, Elimwood and Syracuse, second at Blair and third at Kansas City. Nehawka Girl went on the track late in the season but won first and third money at Kansas City. Crookshanks is in training for next

Three-Cornered Billiards. CHICAGO, Nov. 4 .- The three-cornered billiard match between Schaeffer, Ives and Slosson has finally been arranged. The first series of games will be played in New York, beginning December 11, the second series in Chicago, beginning January 2. The game will be fourteen inch balk line, 600 points, \$500 a corner at each series, the winner to take the \$1,500 and one-half of the gate receipts. Thirty per cent of the net go to the second man and 20 per cent to the

Seized Him by the Throat. KANSAS CITY, Kan., Nov. 4 .- Paddy Pur tell, the "Sarinaw Kid," and George Fitzgerald of 1. Louis, widdleweights, fought here last night for a purse of \$600. The Kid showed far more science than Fitzgerald and gave him severe punishment. Fitz gerald repeatedly fouled him and in the sixth round the referee gave the fight to Purtell on a foul. Fitzgerald had grasped Purtell by the throat and was choking him

to death when the decision was given Plans of an Iowa Bievelist. CEDAR RAPIDS, Ia., Nov. 4 .- [Special to THE Bee. |- Frank Starbuck of Marion, who made such an enviable record on his bicycle the past summer, has almost recovered from the injuries received in a collision on the New York track recently. He is now thinking strongly of taking in the southern circuit this winter. He expects to capture several of the big-prizes next season.

Kansas Wins the First. KANSAS CITY, Nov. 4 .- The university foot ball teams of Kansas and Iowa this afternoon played the first game of a series for the Western Interstate Foot Ball associa-tion championship. The Kansas team won by a score of 35 to 24 after a hard-fought game. The men lined up strong on each side and put up a good all-around game.

Johnson Rister Some More Miles. INDEPENDENCE, In., Nov. 4 .- The two fastest miles ever ridden on a bicycle in a day were reeled off by John S. Johnson on the kite track here today. Johnson was paced one-third of smile by a running horse and one-third each by the triplet and quadrupled. The time for the first mile was 1:57 4-5; second mile, 1:59 4-5.

Omaha vs. Lincoln Saturday. The High School Foot Ball team of this city and the High school team of Lincoin will play at the Young Men's Christian As-sociation park next Saturday afternoon.

Rebel Ships Short of Provisions. [Copyrighted 1893 by James Gordon Bennett.]
MONTEVIDEO, Uruguay (via Galveston Tex.), Nov. 4 .- [By Mexican Cable to the New York Herald-Special to THE BEE. |-It is reported here that the fleet of insurgent ships in the harbor of Rio de Janeiro are short of provisions and munitions of war. The vessels which President Peixoto has bought in New York are expected in

MONSTROUS FRAUD UNMASKED

CONTINUED FROM PIRST PAGE. closely home to the railroad employes the

figures quoted will be for the state of Nebraska alone. According to the official report submitted to the State Board of Transportation by the B. & M. Railroad company in Nebraska, that company had for the year ending June 30, 1892, upon its lines in this state 0,50) e n ployes, classified as follows:

General officers, 43; general office clerks, 273; station agents, 283; enginemen, 286; firemen, 247; conductors, 174; other trainmen, 313; machinists, 246; carpenters, 425; other shopmen, 1.010; section foremen, 354; other trackmen, 1.497; switchmen, flagmen and watchmen, 248; telegraph operators, 157; all

other employes and laborers, 784.
Cutting off the general officers, office clerks, telegraph operators and station agents and we still have in active operating service over 5.000 men in Nebraska alone. It ts safe to assume that a large majority of these men are members of the Builington these men are members of t Volunteer Relief department.

Accidents in Nebraska.

The Nebraska railroads are beyond quesion the best managed of any in the country Accidents are fewer and liability to accident seems to have been reduced to the min imum. But even under these favorable ci cumstances the number of deaths and injur-ies among the employes makes it more than absolutely certain that the B. & M. can well afford to pay \$38,000 even to insure itself against liability for damages on its Ne braska lines alone. For the year ending June 30, 1802, the offi-

cial record of employes killed and wounded on the B. & M. system in Nebraska was as follows: Firemen killed, 11. injured, 21; switchmen killed, 5, injured, 19; other em-ployes killed, 7, injured, 9; total killed, 23; total injured, 49. The liability of the railroad company for

the death of one of its employes has been fixed by law and precedent at \$5,000. Here is a total death liability in Nebraska alone of \$115,000, without taking into considera-tion the liability for injuries. The difference between \$38,000 and \$115,000 would make the Burlington Volunteer Relief department a most paying investment for the Chicago, Burlington & Quiney Railroad company, even if its operations included but the state of Nebrasia. How much greater must be the profit when it is taken into consideration that for the \$38,000 expended by the railroad company in one year represented the death liability for 25,000 employes in six of

the greatest states of the union.

For the year ending June 30, 1891, the official reports of accidents on the B. & M. in Nebraska show that nineteen employe were killed and thirty-one injured. Here i a death liability of \$95,000 in the first year after the department was organized and be-fore its operations had become so widely extended.

Some Practical Examples.

The large number of cases commenced in the district courts of Nebraska by employes who have been injured while in the service of the company or by the heirs or legal representatives of employes who have been killed while in such service, prove beyond a question of a doubt that the practical workings of the department are not understood by its contributing members. In every one of these cases filed by employes the railroad company falls back upon the technical clause in the application for membership which seeks to bind the employe not to commence a suit for damages. In these cases the relief department has pleaded that it has no legal existence, that it cannot be sued, that it cannot be surmoned into court. There are cases on record in which it has been established that the membership of employes has been canceled just before their death had obcurred and after the authorized agents of the company had col-lected the dues and assessments. There are lected the dues and assessments. There are cases on record in which the relief department has declined to pay the benefits which the employe was entitled because he had commenced a suit. There are also cases on record, cases in which the railroad de-fends itself from the legal liability to its employes because the employes in question were members and contributors to the relief fund In fact, the law dockets of the state and dis trict courts are plentifully sprinkled with cases in which the Chicago, Burlington & Quincy Railroad company uses the relief de-partment to shield itself against the fatal carelessness and neglect of its officers and

The following are only sample cases taken from the records of the courts in Lancaster county and from the files of the supreme courts. They will convince even the most prejudiced friend of the railroad company that the relief department is not what it actually purports itself, but that it is in device for the protection of the company itself.

Death of Engineer Pennington.

Hundreds of the employes of the B. & M. will recall the circumstances surrounding the death of Louis Pennington, which o between Havetock and the city of Lincoln on the early morning of February 1802. Pennington was one of the company's best engineers and was deservedly popular with his fellow employes. On the morning of his death he was pulling a heavily loaded freight train from Omaha to Another train had passed over the line a few hours before. A brake beam on one of the cars ahead fell from position, caught be-tween the wheels and spread the rails, doing no other damage. No attempt was made to repair the damage; the company officials claimed that it was unknown to them until after the disaster in which Pennington lost his life. Pennington came over the track at a moderate rate of speed. It was an early winter morning and there was not light enough to snable even the most acute observer to notice the slight spreading in the rails. His engine jumped the track, bumped over the ties for a few feet and then toppled over into the ditch. Pennington was in the reversing his engine when it over-He was jammed between the enrine and the tender, crushed and scalded so oadly that he died within a few minutes.

Left a Dependent Wife,

Pennington left a young wife and two little children in almost destitute circumstances. His widow commenced a suit for damages against the Chicago. Burlington & Quincy Railroad company, fixing the amount

at \$5,000.

The railroad company promptly came into court with the stereotyped and well worn defense that, inasmuch as Pennington was member of the Burlington Volunteer Re ist department, his widow had no ground for action against the company for damages In their answer the railroad attorneys set up that Pennington's death was in no wise the result of the carelessness or negligence of the company; that Pennington was a member of the Burlington Volunteer Relief department, having made due and regular application to become such a member on November 25, 1889; and that in consideration of the ngreement of the railroad com pany to guarantee the necessary funds fo the payment of the expenses of operating the relief department. Pernington con-tracted to release the railroad company from all liability on account of any accident when he accepted the benefits due him by reason of said accident.

Then the attorneys triumphantly point to the fact that on February 12, 1892, Mrs. Pennington made application to the Burlington Volunteer Relief department for the sum of \$750, that being the amount due her by reason of her deceased husband's member-ship in the department. Having accepted this amount the eminent legal gentlemen representing the railroad company insist that the widow of Louis Pennington has no further claim upon the company and they therefore ask that the case be dismissed, at the widow's expense, of course.

Case Flagrantly Misrepresented.

But in this one case, at least, the carefully prepared answer of the legal talent falls short of the true facts. The defense might have been more plausible had it not been for the zeal of one Edward Bignell, the company's division superintendent at Lincoln who in his anxiety to protect the company from a possible damage suit, spoiled the calculations of the array of legal talent behind him.
It transpires, according to the aworn amidavits of Mrs. Pennington, that on the day that her husband met his death certain parties unknown to her called upon her and nformed her that there was some sort of informed her that there was some sort of insurance in some sort of a relief department upon the life of her husband. At that time, before she had had opportunity to investigate the facts, and while she was so overwhelmed with grief because of the death of her husband, and before she was informed of the terms and conditions of his membership or of the terms of the applications for membership, these unknown parties left with her

the sum of \$100, as they said, to assist her in the funeral and burial expenses. There is nothing in the records to show that Ed Bignell had any connection with the parties who so promptly advanced the \$100, but subsequent facts seem to indicate that he got wind of the matter very shortly afterwards.

Sample of Rignell's Zeat.

On February 12, a few days after her husband's funeral, Mrs. Pennington visited the B. & M. depot at Lincoln to make arrangements for the shipment of her goods from Omaba to Hastings. While at the depot Ed Bignell made her a tender of \$350 and depended of her a signal paper releasing the manded of her a signed paper releasing the railroad company from any and all liability because of the negligence of the company and its employes in causing her husband's death. Mrs. Pennington swears that she positively refused to accent the money sign such a release, but on the contrary that she told Bignell that if he had any money belonging to her she would take it and re-ceipt for it, but that she would not release he company from its liability to her and he the company from its hability to her and her children, but would hold it responsible. Thereupon Bignell paid her \$650 and she re-ccipted to him for the amount with the ex-press understanding that it was not to be in settlement of the claim for damages against

the company. The case is now pending in the district court of Lancaster county.

Rather Expensive Insurance. One of the cases now pending in the disrict court of Lancaster county is of more than usual importance, for it involves the question of the validity of the "contract" which the applicant for membership is claimed to make. It is entitled Charity E. Moore against the Burlington Volunteer Re hef department. In her petition Mrs. Moore cites the following facts:

On or about September 1, 1891, her son, Harry Moore, was in the employ of the Chicago, Burlington & Quincy railroad as a brakeman. During that month he made application in writing to the Burlington Voluntical Harry Moore, which is the second of the secon teer Relief department to become a member and to be assured by the said department. His application was duly accepted and he became a member according to the rules and regulations of the department and continued to remain a member until the time of hi

death. In consideration of the payment of the sum of \$2.25 in cash by Harry Moore and the further sum of \$2.25, payable each month after September 1, 1891, as a premium dur-ing the continuance of such employment, the Burlington Volunteer Relief department executed and delivered to him a certificate of membership in writing and thereby assured his life for \$500.

It may strike the reader that \$28 per annum is a pretty heavy premium for a life insurance policy of but \$500, but that is the amount that the employes of the B. & M. system pay for their assurance, and they pay it to a company that does business practically outside of the law.

Killed While on Duty.

On November 11, 1891, while still in the employ of the Chicago, Burlington & Quincy railroad and while in the discharge of his duty, he was by the negligence and carelessness of the railroad company, according to the allegations in the petition, killed out any fault or negligence upon his part. He left surviving him his mother and brothers and sisters, all dependent upon his support. His mother, Charity Moore, was appointed administratrix of his estate. Sne filed her claim for the amount of the insurauce due her son's estate by reason of his membership in the Burlington Volunteer Relief department. The department declined to pay the amount of the policy and for this reason Mrs. Moore brings suit against it in the district court of Lancaste

When summoned into court the attorneys for the Chicago, Burlington & Quincy rai road moved that that company be made the real party defendant in the case; first, because it was the real party in interest as defendant and, second, because the Burlington Volunteer Relief department was not a

company or corporation. Denied Its Legal Existence.

Accompanying this motion are two affidavits. T. M. Marquette and J. W. Deweese state under oath that the Burlington Volunteer Relief department is not a corporation r company; that it has no entity or existence either as a person, company or corpora-tion that can be sued. The second affidavit is sworn to by Joseph Scroggs, the surgeon and physician representing the department and the man upon whom the papers in the ase were served. He swears that he is not an officer of the department, cashier, treas-urer, secretary, clerk or agent, and that the Burlington Volunteer Relief department is not a company or corporation, but is simply department, as its name implies, of the Chicago, Burlington & Quincy Railroad com-

Notwithstanding the affidavits to the effect that the Burlington Volunteer Relief lepartment is not a company or corporation and that therefore it cannot and that therefore it cannot be sued, Messrs. Marquette, Dewcese & Hall, the attorneys for the Chicago, Bur-lington & Quincy, come into court with an answer in behalf of the relief department. These astute legal representatives of the company, which, according to their own affidavits, has no legal existence, maintain that when Harry Moore applied for member-ship he agreed in writing to all the terms of the contract between himself and the de-partment; that under the terms of the contract he was not bound to accept the benefits due him by reason of his membership in the department, nor were his heirs or beneficiaries bound to accept the same. It was merely voluntary with him or them; but by his contract of membership it was agreed that in case the relief benefits were accepted such acceptance would be a release and satisfaction of all claims for damages against the railroad company on account of the injury or

death. Signed Away His Rights.

And it was provided in the regulations adopted by the relief department that should a member or his legal representative bring suit against the railroad company for damages on account of the injury or death of such member payment of benefits from the relief fund on account of the same should not be made until the suit was discontinued, and if such suit should be compromised or proceed to judgment all claims upon the re-lief fund for benefits on account of such innev or death should thereby be precluded Having thus laid the foundation for their defense, the attorneys cite the fact that Harry Moore was killed in an accident for which, of course, the railroad company was in no wise to blame. On the other hand the accident was the direct consequence of Moore's own carelessness or negligence They then bring out the fact that Harry Moore's mother, on February 14, 1891, commenced suit against the Chicago, Burlington & Quincy Railroad company for the recovery of damages on account of the death of her son. The suit was tried and Mrs. Moore secured a judgment against the railroad company for \$900 and costs, which judgment and costs the railroad company duly paid.

In conclusion the corporation counsel allege that Mrs. Moore, having brought and won her suit against the railroad company is estopped and forever parried from prose cuting and maintaining the action commenced by her against the rollef department. This case is still pending in the dis trict court. Under precedents already es tablished the case will almost certainly be decided against the relief department and it will beyond question go to the supreme cours where the validity of the peculiar form of contract which the members of the relief fund are required to sign will be tested, and thus furnishing another and an additional incentive to the railroads for desiring a supreme beach entirely complacent to their purposes.

Doing an Illegal Business.

The Burington Volunteer Relief depart ment is unquestionably a mutual insurance company. It is so considered by Insurance Auditor Babcock, who gives it as his unof ficial opinion that the department is noth ing more nor less than a mutual company doing business of accident insurance. It has a prescribed set of regulations for the trans-action of business. It has a medical director and maintains a full corps of medical ex-aminers. It furnishes blank applications for membership, requires all members to submit to a rigid examination, it issues a policy specifying the amount of aick aud accident benefits to which the holder shall be entitled and the amount his beneficiaries or heirs shall be paid in the event of his death. It collects monthly dues and assessments. It employs agents and solicitors In fact, it corresponds with any other mutual accident and life insurance company doing business in the state today.
Insurance Auditor Bubcock was asked his opinion of the relief department today. He

stated that the question had been referred to him several times recently and he has

given the matter considerable thought. He was clearly of the opinion, without having consulted legal advice, that the Burington Volunteer Relief department was a mutual insurance company, and that as such it should be compelled to comply with the laws of the state of Nebraska.

Requirements of the Law.

The insurance laws of Nebraska are very rigid, and permit of no unsafe or question-able business methods. Mutual companies are required to be incorporated under the laws of this or some other state. have a capital of at least \$100,000, secured by ifen on real estate worth at cash valua-tion at least five times the amount of said capital. They must file with the auditor the act of incorporation, together with a written instrument under seal of said company, sigued by the president and secretary under certifying that the company is possessed of the requisite capital.

The Burlington Volunteer Relief depart-ment complies with none of the above requirements.

By its own statements made under oath it has no legal existence in Nebraska or any other state. By its own statements it has proved that it is maintained by the railroad company for its own protection. It charges its members more than double price for surance and deprives them of their benefits if they avail themselves of their rights under the laws. It reserves the right to terminate the insurance at any time without giving the employe any opportunity for redress. It practically compels employes to become con-tributors to the relief fund. And to cap the climax it is now seeking by numerous cases on file to have the supreme court legalize not only its existence, but its contract with its members by which they are required to sign away their rights under the statutes at the dictation of the railroad managers.

TEN LIVES LOST.

Awini Experience of a Party of Workmen in New York Bay. New York, Nov. 4.—Ten lives were lost by the capsizing of a yawl in the lower tay about I o'clock this afternoon. The names

of the drowned are: JOHN CROSBY of No. 5 Beack street, New CHARLES DRUDE of the Twenty-sixth

rard, Brooklyn.
EDWARD KENNY of New York.
EDWARD KENNY of New York.
HENJAMIN McGUIRE of New York.
THOMAS HUEY or Brooklyn.
CHARLES SMITH of Brooklyn.
JAMES MALLOY of Brooklyn.
ALBERT NORMAN of Tompkinsville, S. I.
LEONARD WANZER of Amity, L. L.
JOHN LOMR.

JOHN LOMB. Twenty-two mechanics and laborers employed by the contractors who are workembarked in a thirty-foot yawl shortly after omorrised in a thirty-lost yaws shortly after noon to return to their homes. The sea in the bay was running very high, but the yawl, with a double-reefed sail, successfully battled with the waves until within 400 feet of the long dock at South Beach, where the men were to disembark. The sait had just been lowered when a sudden squall struck the boat. By quick work the yawl was kept from overturning, but the sea washed com-

pictely over the craft several times.

All hands were set to work to bailing with their hats, the only things at hand. few minutes they were successful in keeping the yawl affoat, but a large wave struck the boat and filled her. The yawl sunk, leaving the twenty-two men struggling in the water.

The catastrophe was seen by people on the shore at South Beach. Small boats were hurriedly manued and sent out to rescue the workmen. Almost at the same time a naphtha launch was sent out from Hoffman island on the same mission. Before the rescuers could reach the spot where the men were struggling in the water nine had sank for the last time. The body of one was grap-pled as it was sinking by the men in one of

the rescuing boats.
Charles Sevenwright, one of the workshore by swimming when he became uncon-scious. He was washed upon the beach by

the surf. Willing hands were waiting to re-ceive him and he was revived. The other twelve men were picked up by the small boats and the launch was landed at South Beach.

AFTER THE PRESIDENT'S LIFE Mr. Cleveland Threatened by a Silver-

Crazed Crank. WASHINGTON, Nov. 4 .- A number of officers in citizens' dress have been detailed to guard the white house and protect the life of the president, which is supposed to be in danger from a murderous crank who is at large in the city. Last Wednesday there arrived in Washington a man who keeps a restaurant in Boise City, Liabo. His name the police refuse to divulge. Yesterday he told the chief of police that about a week ago a miner who was out of employment to his restaurant and in the course of a heated discussion about silver question and the effects of the repeal bill on the mining interests of the west, declared emphatically he was going to Washington and if the repeal bill passed un-conditionally be would kill the man whom he knew should be held responsible. The restaurant keeper did not know the man, but as he disappeared he concluded it was

his duty to come here and notify the author-This afternoon he strolled up to the white house promenade and the first person he saw was the miner with whom he had the altereation. As soon as the man saw him he ran. The restaurant keeper thought it was possibly a case of mistaken identity and he said nothing about it until was possibly a case of mistaken identity and he said nothing about it until the next day, when he went to the white house and saw the same man lurking about. Then he was satisfied there was no mistake. He gave the chief of police a full description of the man. As a precautionary measure a number of officers were detailed to guard the white house and detectives are locking for the man. The police deciars they do not believe there is any danger. Tha

Curcago, Nov. 4,-Dominick Farina was killed this evening by an explosion of dynamite used for blasting in Rice's stone quarty Toney Caling and Michael Preit were in-jured so badly that they will die.

What is Eczema?

Another Dynamite Accident.

It is an agony of agonies.

matter is being kept very quiet.

A torture of tortures. It is an itching and burning of the skin almost beyond endurance.

It is thousands of pin-headed vesicles filled with an acrid fluid, ever forming, ever bursting, ever flowing upon the raw excoriated skin. No part of the human skin is

exempt. It tortures, disfigures and humillates more than all other skin diseases

combined. Tender babies are among its most numerous victims.

They are often born with it. Sleep and rest are out of the

question. Most remedies and the best physicians generally fail, even to releve. If CUTICURA did no more than cure Eczema, it would be entitled to

the gratitude of mankind. It not only cures but

cient to afford instant relief, permit rest and sleep, and point to a speedy CUTICURA works wonders because

A single application is often suffi-

it is the most wonderful skin cure of modern times.

Sold throughout the world. Price, Curreun.
50c.; Saar, 25c.; Resouvers, \$1. Portin Putta
And Curs. Cour. Sole Props. Reston. "All
about the Bkin and Blood "mailed free.