CALDWELL'S FORMAL ORDER

Conditions Under Which Circuit Judges Will Review Wage Schedule Case.

Recommended that Receivers and Employes Then Confer and Agree, if Possible, on Wages Question-If They Fall

Court Will Decide the Matter.

Conditional upon the agreement of Judge Dundy and the receivers of the Union Pa cific to revoke the wage schedule which becomes effective March 1, Judges Caldwell and Sanborn of the circuit court of the United States for the Eighth district have authorized Judge Thurston, solicitor of the Union Pacific, to place on file 'the following order, which after reciting the caption of the case proceeds:

"In the matter of the petition for rehearing before the circuit judges of the application of the receivers for authority to place in effect reduced wage schedules.

"Since the action of the courts in the different districts in this circuit on the petition filed by the receivers for leave to revoke the schedule of wages of the employes in force when they were appointed and to adopt a new and reduced scale has not been uniform and harmonious, and since it is desirable and necessary that any order made on said petition should have a uniform operation upon the line of said road throughout the circuit, and since to that end the orders heretoice made on said petition have been revoked, on motion of said receivers, it is now nere ordered as follows:

"First-That the petition of the receivers for leave to set aside and annul the scale of wages of the employes on said road in force when they were appointed and to adopt a new scale reducing the wages of the employes be set down for hearing before the circuit judges at Omaha, Neb., on the 26th day of March, 1894.
"Second—That the receivers cause a copy

of this order to be served on the proper representatives of the employes on said road at least twenty days before the day fixed for the hearing of the petition.

"Third-That the receivers grant to such of the representatives of the employes as are in the service of the receivers leave of absence to attend the hearing on said petition and furnish them transportation to the

place of hearing and return. "Fourth—On the day appointed for the hearing (and at an earlier day if practicable) the receivers or some person or persons designated by them for that purpose, shall enter into conference with the representatives of the employes or with such person or persons as they may designate for that purpose, and the parties shall confer together from day to day until they shall agree upon a scale of wages to be sub-

mitted for the approval of the court.
"Fifth—Should the receivers and the employes be unable to agree upon a scale the point or points of difference shall be referred to the circuit judges holding the court, and after hearing the parties and their witnesses and counsel the circuit judges will make such order in the premises as seems to them right

and just. "Sixth-The receivers and the representatives of the employes may meet to confer about and agree upon new schedules of wages at an earlier day than that set for the hearing under this order and the judges recommend that course to the end that the entire matter be ready for the action of the court on March 26, 1890."

REVIEW OF THE GULF CASE. It is rather significant, or at least it is so regarded in Union Pacific circles, that the circuit judges in their formal order should fail to provide for the subsistence of the employes while meeting the receivers of the Union Pacific upon wage matters with a view of reconciling differences that now exist. There is no mention whatever in the order which Judges Caldwell and Sanborn direct to be made when Judge Dundy's order is revoked about providing for the entertainment of the men while in confer-ence, the receivers only being directed to furnish transportation to and from the place

of conference In the Gulf matter the Union Pacific has scored a most substantial victory, the order of Judges Caldwell and Sanborn in that case citing the receiver to appear be-fore the court, sitting at Omaha March 26, when the matters in controversy will be taken up on their merits. The order in this case is short but very direct, and will be filed Monday morning in Nebraska, Wyoming and Colorado.

Judge Thurston filed a petition in each of these states, very voluminous in character, citing the disparity of the orders made in the Gulf case and asking for a review by the circuit court, which Caldwell and Sanborn

General Solicitor Thurston leaves this evening for New York and will meet the re-ceivers of the Union Pacific Wednesday upon matters connected with the Union Pa-Should the receivers decide to asl view of the suggestions made by Judge Caldwell, the order above will probably be come of record next Thursday and immediately after the organizations will be asked representatives to Omaha to confer with the receivers as to a new senedule.

BLOOD ON THE MOON. .

Now There is a Chance for One of the Great-

est of Rate Wars. CHICAGO, Feb. 17,—"There is blood on the moon," so far as the transcontinental rates are concerned, and, unless all signs fail, March 1 will see the beginning of one of the holtest rate wars in years. The Southern Pacific's boycott of the Atenison has moved the latter road to wrath, and as Vice President Robinson returns from the Pacific coast active preparations will be begun. Mr. Robinson is expected to return to Chicago by Thursday next. It is bardly probable that the fight begin until after the Southern Pacific has put its boycott into active operation. There is a possibility before the trouble is over that people be able to go from the Missouri river to the Pacific coast for \$5. The Atchison is in excellent shape for a fight, as, being in the hands of a receiver, it is bound to make no more money than is necessary to pay operat ing expenses, while the Southern Pacific must be more conservative of revenues. Its officers declared today that they had not been the aggressors, but that if they are forced into the fight, for which they are now actively preparing, they will be there at the finish. A rate war just at this time would give the Western Passenger associa-tion another close shave for its life, and the emigrant clearing house, which has been established with so much care, will probably go to everlasting smash.

Just as an Experiment. DENVER, Feb. 17.—Receiver Trumbull of the Union Pacific, Denver & Gulf railroad has entered into a traffic agreement with the Denver & Rio Grande Railroad company which is ex & Rio Grande Railroad company which is expected to prove of great advantage to both systems. Furthermore, it is reported that the Rio Grande Western Express company will change its name to the Globe, and will, after the let of April, operate too entire Gulf system in addition to the Rio Grande and Rio Grande Western. Express control of the Rio Grande and Rio Grande Western. Excovernor Evans, at whose suit a separate receivership for the Gulf was granted, said to an Associated press reporter louight: The favorable decisions of the United States courts, the fact that Receiver Trambull has made traile arrangements with the Denver & Rio Grande milroad, the arrangement that he has been able to make with all parties interested in the Gulf road, and the rapid invense of business on the Union Pacific, Denver & Gulf system make it certain that the road will pay, as an independent line, segregated from the Union Pacific, This will satisfy the stock and bondholders of the Gulf system and precludes the possibility of success of the efforts on the part of the Union Pacific reorganizers to include it in their scheme of reorganization."

May Be Won by the State. TOPEKA, Feb. 17.-The Burlington Railroad company may lose its tax case against Norton county, which has been the test case for all, in consequence of an error of the company's local attorney in falling to make the requisite amoust of cash tender to the county board. Attorney General Little thinks the state will win the case, as the

pleadings, if not the real facts, leave nothing for the company to stand on.

ODD BITS OF TEXAS LIFE.

A Group of Lone Star Beams in Attractive Settings. The people one meets in Texas are from the four corners of the globe. The southern gentleman is in his glory here, and if **DUNDY'S DECREE MUST BE FIRST REVOKED** he thinks you have any doubts about the matter he will assume a commanding at-

titude and tell you all about it. The native Texan is not so particular, as his chief ambition is to be a cow puncher. He may retire from the cattle traffic and go into business or politics, but he will never give up being a cow boy. Even if he goes to the legislature or to congress, he will tell you not about the bills he has introduced, nor the number of terms he has served, but with pride will tell you of the early years when he rode on the range.

THE ENGLISH ARE HERE in great numbers. They are the younger sons of very important families. Who ever met an Englishman who did not belong to a very important family? They are considered like the Chinamen, very poor citizens, but unlike the Chinaman, they come to this country with money and go home without it. Of all the English I have met in Texas but two have made a financial suc-

I met the nephew of an earl digging postholes on the Harris ranch.
They come over here with the impression that with their superior education they will readily find a soft birth padded with American dollars. They are invariably disap-pointed, as they find that the Texans have marvelous faculty of taking care of them

selves, and also that every Englishman can-not become a bank cashier, so some are content with the humble lot of restaurant

cashler, while others buy ranches 'THE COLORED CONTINGENT. The negroes are the other important ele-ment in Texas society. They are, more properly speaking, out of Texas society, for they have no rights which the white man respects. On the railroad he is exiled to a second class coach even though he holds a first class ticket. In the theater he is permitted only in the top gallery. If he were a millionaire they would not sell him a box or a seat in the parquet. As for hotels and restaurants, he would starve before they would open their doors to him. A Texan, speaking of his experience at the

World's fair, said that he entered one of the large restaurants in the Windy City, and upon taking his scat discovered that a "nigger" was eating in the same room. He immediately called the proprietor and gave him a piece of his mind and told him that he was a southern gentleman. This he considered as a very bright remark, and told it with great pride.

AFFAIRS OF HONOR are as numerous in Texas now as they ever were. In the little town of Keerville nine men have been killed since last spring, and only one of the murderers has been con-victed. There are several men in the state who carry a dozen or more scalps, and yet tread this glorious land as free as the most fortune to see one of these shooting scrapes, called a difficulty by the participants. It seems that a young cotton buyer had some financial troubles with a planter who has a very bad reputation, having killed a man here two years ago, and is said to have killed two others elsewhere. The planter came to town, and of course got drunk. Dur-ing his carousal the other man stepped into the saloon, and these old enemies immediately had a quarrel, in which some pretty angry words were used. At last, as the cotton buyer was leaving the saloon, the drunken planter reached down to his boot and pulled out a six-shooter. However, as he did so, the pistol went off and shot him in the leg. He was able, however, to raise his gun and shoot twice at his enemy. The cotton buyer exhibited no surprise, nor did he pull his gun, but stood perfectly still, folded his arms and invited the planter to

continue But the crowd thought it was time to stop and took the weapon away from the drunken man; some one remarked it was not safe for a drunken fellow to shoot in a crowd.

TEXAN SOCIETY is a generous mixture of all nationalities, but many of the white inhabitants come from the other southern states and with them comes the general shiftlessness of the In this same tropical climate, southerner. where with irrigation nearly every kind of known plant will grow, one finds but little to relieve its arid perspective. Where the exception of this rule is to be found one can safely say it is through the influence of the northerner. In driving through the city of San Antonio you can readily tell the houses of the northerners by the beautiful grounds

which surround them.
In the smaller towns nothing is attempted in the way of lawn decoration. They think that they do well if they keep the front gate closed against the stray "critter." As for ociety the writer can only say he has not been in Texas long enough to find it. for pretensions there is no state in the union so pretentious. No town is too small to have its "smart set." Money, of course, has a pressure, but to belong to one of the old families is infinitely preferable. There is no place in the world where the millionaire is of so little importance. If one cannot trace his ancestry back to Henry VIII. he had better emigrate, for Texan society

· POOR WHITE TRASH.

will never recognize.

Another very important class is known as the poor white trash, and these form the vast majority of the population. Of course. no one belongs to this element—it is always the other fellow, his neighbor across the Yet every Texan fears that he is thus classed, so assures you that he is a gentleman.

The signs by which one may recognize this class are similar to those used by Stanley in describing the natives of Africa. Of course, they have not black skins, but no ne would ever know this, judging from their

A practicing physician told me that he called on a woman of this class and after prescribing some medicine for her suggested that she should take a bath. "Oh Lord." she said, "you can't 'spect me to do dat, Doc., 'cause I sin't took no bath since I was bo'n." And the doctor believed. Re member, my dear readers, I do not say that all Texans are like this, for I personally know one who took a bath.

A. EDWARD MILES. NO WATER TO HAND.

Cause of the Destruction of the Pine Ridge Indian School.

WASHINGTON, Feb. 17.-Captain F. G. Finney, acting Indian agent at the Pine Ridge agency in South Dakota, has sent the ommissioner of Indian affairs an official eport of the destruction by fire of the Inlian bearding school at the agency on the 8th inst. The whole building, he says, was lestroyed in fifty minutes, the fire starting in the girls' dormitory. Captain Finney comments on the dangerous condition of the building and says:" No better evidence than the rapidity of the destruction could be offered of the insecurity of the building against fire, and the danger has constantly menaced the inmates since its original con struction. There was no water at hand. Nothing could be done but to stand and see it burn. Had there been a gale from the west it would have cleaned out the agency. Many employes lost all their personal ef fects; all suffered more or less in this way.
It is recommended that the employes of the school be kept in service on pay till the end of the month, or that a day's leave of absence on full pay be granted them and that they be transferred to some other school

Not Credited at Washington. WASHINGTON, Feb. 17 .- No credence is given the report that Mr. Pung, late firs: secretary of the Chinese legation at Washington, has been beheaded in China as a resuit of his official conduct here. If there had been any objection to the secretary's conduct it is believed that the late minister. Mr. Tsui, would have been involved in the

if possible.

positions in the Chinese government, corresponding to one of our cabinet places. Claim the Wedding is Binding. CONNORSVILLE, Ind., Feb. 17.—Society was shrown into a flutter by a mock wedding las-

imperial displeasure, but as a matter of fact, Mr. Tsul, since his return to China, has been promoted to one of the highest

night, in which, as a Joke, Frank Arnold, a wealthy merchant, and Miss Jessie Orn Free-barger, a prominent success lady, were married by Mayor Downs, It is now claimed that the ceremony is binding.

SURPRISED THE KNIGHTS.

Powderly and Other Ex-Officers Bring Suit for Buck Salaries. PHILADELPHIA, Feb. 17 .- If a bombshell had been exploded in their camp, local Knights of Labor could not have been

the following notice:

To the Order Wherever Found, Greeting: Brothe rs-T. V. Powderly, past grand master workman, A. W. Wright and John Devin of the late general executive board, have entered suit against the order of the Knights of Labor for balances of salary, which they claim are due them. This notice is published to prevent any credence being given to unreliable statements that may be made in the public press. If, by the decree of the court, it is learned the order is indebted in any way to these claimants the order is and will be fully able to meet any just claims. the following notice: able to meet any just claims.

JOHN W. HAYES.

The notice was the first intimation the rank and file of the order had that Powderly, Delvin and Wright had or were con-templating entering suit against the order or would in any way openly attack it. It was ascertained that Powderly et al in bringing the suit did not specify the sums they claimed. Within the past month Powderly has presented bills to the order for salary and expenses amounting to \$3,000. It is stated as the belief of those in a position to know, that he will not confine his claims to the bills he has presented, but will make a bold claim for an enormous sum to create consternation in the rank and file. The bills presented by Wright and Devlin amount to about \$200

In reference to the suits Secretary-Treas urer Hayes said: The notices of the suits were served on General Master Workman Sovereign before he left for Washington. he claim of two of the members is so small that they know they can get their when they want it. Powderly did not present his bills until a short time ago, and then for six months in a lump. He should have presented them monthly, and he knew It looks like a scheme and a very futile one to disrupt the order,"

Bay St. Louis on Fire. BAY ST. LOUIS, Miss., Feb. 17 .- The business portion of the town has been Sixteen residences and business burned. houses were destroyed.

Steele Mackaye's Condition. CHICAGO, Feb. 17 .- Mr. Steele Mackaye rallied during the day, but his physicians gave no hope for his recovery.

TELEGRAPHIC BRIEFS.

Domestic. President Dole's letter may lead to the reopen-ng of the Hawaiian question in the house. Manuelito, chief of all the Navajoes, died five ays ago at Farmingdale, Colo., and his wife a W. H. Miller has been elected grand master corkman of the Ancient Order of United Work-

men of Missouri.

John B. Fike's large wine cellar at St. Helena,
Cal., burned, and 200,000 gallons of wine were
destroyed. Loss, \$30,000.

Over 2,000 people participated in a parade of
the Washington mill strikers yesterday afternoon at Lawrence, Mass.

D. B. Cheney of West Superior is the new
president of the Wisconsin division of the American Protective association.

Union piners of Westabure, Moundaille, Cler. nen of Missouri. Union miners of Wellsburg, Moundville, Glenale and Wheeling have accepted the 56 cents are already adopted in Ohio.

Congressmen Wilson and Tarsney have arrived El Paso on their way to the City of Mexico r a month's rest. Mr. Wilson is greatly im-

Representative Cummings of New York wants to have his bill for an issue of small denomina-tion bonds considered as a substitute for the diland seignforage bill. At Bentonville, Ark., yesterday afternoon the father of Congressman Dinsmore died at the home of his daughter after an illness of over two weeks. He was 75 years old.

theme. Politics were not touched on.

The Haley murder trial was given to the jury at Dubuque tonight. They returned a verdict in a short time of murder in the first degree and fixed the penalty at life imprisonment.

Rhode Island democrats will invoke federal add to oust Governor Brown. Congress will be asked to compel the house and senate to meet in grand committees to effect this object. At St. Louis Mrs. Albertina Duestrow, the victim of her husband's drunken rage, died from the wounds received last Thursday when he shot her and killed their 3-year-old son. Night and day sessions are being held by senate committee on tariff. Work on minor details of the bill is almost ended, many of the larger nuts are still uncracked. A reconvened annual meeting of the Nation eagus and American Association of Profession base Batl Clubs will be held at the Fifth Av-ue hotel, New York, on Monday, the 26th. A mortgage on the different Cordiage plants is the United States has been filed at Dayton, O. y the National Cordiage company to the Unite tates Trust company of New York to secur smils in the amount of \$7,500,000.

A. M. Britton of Fort Worth, a well known niker and cattlemen's financier in Texas, has een armigned for embezzing \$6,000 from the attonal bank of Vernon, Tex. His bond was

Mcs. Lease has declined concillatory proposi-ions from Governor Lewelling which suggested ier temporary retirement and ultimate appoint-ment to a place on the board of regents of the Powers & Dwyer of Duluth have closed a con-tract for over 380,090,000 feet of lumber. It ex-tends over a period of fifteen years and involves 11,500,000. It is made with the Hall & Lacey

Lumber company.

Mrs. Minor T. Jones has begun suit in the circuit court at Dowagiac against her nephew, Minor Jones, jr., of Chicago, charging him with fraud, by which he obtained a deed to the property of her late husband. respectly of her late husband.

A joint resolution of the lowa legislature, asking the passage of a law making eleomargarine hipped into a state subject to the police regulations in the state on its entry, was presented the house of representatives yesterday.

Secretary Hoke Smith has decided that presente inferes are not authorized to make town-

cate judges are not authorized to make town site entries in the Cherokee outlet. These er ries, he holds, can be disposed only by town site boards as provided for in the act of May 1

Ex-Governor W. E. Russell and other promi-ient Bostonian democrats have affixed their sig-situres to a freely circulated petition to the senate for the restoration of the one-fourth of 1 ent a pound duty on refined sugar, provided for by the original bill but stricken out by the cuise.

ouse.

Dr. Blaiock of Walla Walla is president of the Northwestern Fruit Growers association, just arganized at Spokane. The next meeting is to be held at Fortland. Assurances have been releved from the Union Pacific and the Great Northern of eastern rates equivalent to those

from California.

The Farrick mine of forty years ago at Dubuque, in which operations were recently resumed, has developed the biggest lead in lowaristory. Millions of pounds of lead are in sight and the daily yield is 250,000 pounds. The supreme court has just declared ex-United States Senator Jones the owner. Senator Jones the owner.

Ex-President McLeod of the Reading railroad testified at the Rice investigation that the control of the Boston & Maine and New York & New England would have given the Reading absolute control of a market for at least 2,000,000 more tons of gathracite coal a year. The hearing will be resumed today.

It was the associates of the Dalton gang who robbed the country store west of El Beng, Okt.

It was the associates of the Dalton gang who robbed the country store west of El Reno, Okl., Thursday night of \$50 and merchanduse. The pursuing officers captured the leader, Bill Bowlen, and took him to El Reno. He was taken after a desperate struggle and spirited away to prevent mob violence. The remainder of the gang escaped into the Wichita mountains with their booty.

Attachment proceedings have been begun by the Davis Mining company of Negaunee against the Weston Furnace company of Mansique, Mich. A 4set of \$11.484 for supplies is claimed. Patents were erroneously issued to the California & Oregon Land company for certain tracts of land. The commissioner of the general land office has been directed to apply to the company for a reconveyance of the land.

Question as to whether people's party delegation of the country of the company for a reconveyance of the land.

company for a reconveyance of the land.
Question as to whether people's party delegates should be admitted to an uproar at a labor conference for the rollef of the unemployed in New York, said Socialist Daniel Delson: "The seople's party is not a workingman's party, its organs are printed in nonunion shops. Senator Peffer is a capitalist, and the entire party a balloon concern run by small capitalists turned granks." Eventually ten labor unloss with-

The Kiowas and Comanche Indians of the indian Territory have assumed a warlike atti-ude and threaten to drive the cattlemen and took from their reservation because they have seelved no grass lease payment since October. received no grans lease payment since October. The wire fences are being cut and cattle butchered by the malcontent Indians, many of whom are desperate at the loss. It is feared the situation will become alarming unless they receive the money due them, which amounts to 480,000. At Buffalo, N. Y., Leftoy Harris, alias John H. Heart, accused of postoffice robbery, performed the remarkable feat of holding up a whole court room and making his escape. He had asked permission to retire to the lavatory, and returning, electrified the commissioner and all in the room by leveling a revolver and crying, "Hands up." Everybody put up their hands, and he walked to the door, opened it, still keeping his gun pointed toward the astonished court and passed out, locking the door.

Foreign.

From replies in the House of Commons as import duty on silver after March 31 is considered a possibility.

Lord Burton of pale ale fame, who was created a peer by Mr. Gladstone, has formally assumed himself to the liberal unionist or anti-assume rule party.

Taking of Testimony in Bennett-Rosewater Criminal Libel Case is Begun.

MOTION TO DISMISS IS OVERRULED

What the Testimony Shows.

more surprised than they were today when Defense Then Proceeds to Justify the Pub-General Secretary-Treasurer Hayes Issued lication of the Article Complained Of-Grounds for Making the Charges-

> The Bennett-Rosewater criminal libel case was called again in police court yesterday afternoon and Judge Berka passed on the motion of the defense to dismiss. He overruled the motion, holding that after examining the authorities on that point he was constrained to believe that falsity and malice were to be presumed from the mere publication of a defamatory article, and it would therefore remain for the defense to show its justification for the publication. The defense announced that it was ready

to proceed at once, and the defendant, Edward Rosewater, was called to the witness stand. He testified that he was and is the editor

June 19, 1871. He occupied that position

the 6th of last November. He had known

the complaining witness, George A. Bennett since shortly after the latter was nominated for sheriff in 1891. Witness then had control of the editorial management of The Bee, and supported Bennett through the columns of the paper and did what he could to have him elected. He said was the author of the alleged libelous article, and wrote it himself. Regarding the charge of incompetency, he seld be first learned of that soon after Bennett assumed charge of the office. It was to be supposed that it would take him some time to learn the ropes of the office, but he kept William Coburn, an ex-sheriff of the county, there month after month and dis-closed his own inability to do the work. Jail deliveries were reported at the editorial rooms of The Bee by the reporters of that rooms of The Bee by the reporters of that paper, and were printed from time to time as they occurred, as was also the story of the unwarranted release of a prisoner by the jailer, who was a brother of the sheriff. Notwith standing these publications, the then sheriff did not call to offer any expansion or set him efright before the community, although the columns of the paper were open for that purpose, as was always the case with any individual who might feel

that he had been misrepresented or done an injustice. GAMBLING HOUSE AFFAIR. As to the charge that a prisoner named Henderson was taken to a gambling house by the jailer and left there for a while without a guard while the jailer went away, al-

though subsequently the latter returned and removed the prisoner again to the county fall, the witness said that this information was brought to him by a party who said he was at the gambling house and saw the occurrence, and who claimed to know both Henderson and Jailer Bennett. Th charges as to the relations of male prisoners with dissolute women, both inside and out side the jail, referred principally to Mosher Many of these matters had been called to the attention of the public in printed article long before the publication of the letter i question, and the witness had also warned the republicans that Bennett was not such a man as could have the support of law-

abiding citizens, and that the party would make a blunder if it nominated him. Stories of the sheriff's actions were being continually brought to the attention of the witness and the details of some of them were unfit for publication, and the same was true with reference to Mosher. Before the latter was taken to the county jail and while he was still in the custody of the marshal he called at the residence of the witness to request that nothing more be said in the paper concerning him on account of his family until he was sentenced. The witness frequently heard that Mosher was enjoying the freedom of the city, and one gentleman, whose veracity the witness had no rea-son to question, had told him that Mosher was making visits to assignation houses, and was maintaining a liason with one Nellie Sayer, who was then stopping at the Middend hotel. It was also stated that she visited Mosher in fail, as a pretended relative, and remained there with night, and that he was allowed to leave the jail to go and see her elsewhere. It was also stated to the witness that other prostitutes were allowed to enter the jail for the purpose of visiting prisoners confined there. A great deal of pains had been taken to these reports that reached the office in such numbers, and one man was found who stated that he had himself gone with Mosher to a roadhouse while the lat ter was a prisoner. Others told of seeing the theater and elsewhere,

elsewhere being generally the vicinity of lower Douglas street. DEVILMENT AT THE JAIL. As to the charge that the jail had been changed into a brothel and that an abortion was procured there with the knowledge of the matron, the witness said that a party told him of having requested to be allowed to go to the jail to have intercourse with a prisoner. This was the colored man who was said to have been mixed up in the abortion case, and the witness flatly accused him of it, and the fellow did not deny, it. He seemed to be paralyzed by the accusi tion and would neither affirm or deny the

charge. witness said he never saw Mrs. Ben nett to his knowledge until she appeared on the witness stand in this case, neither had he ever heard anything of her reputation until after Bennett was elected. One report implicating her came from a former employe of the fail, who represented that an abortion had been procured there, and that Mrs. Bennett knew of it. This informant also gave the name of a prisoner who was said to have full knowledge of the case The parties who furnished this information had no reason to lie about it, and, furthermore, the colored man implicated had not denied it when the charge was made

Regarding the charge that Bennett had employed for his defense against the ac-cusations a leprous sheet and a couple of convicted criminals, the witness said h-was given to understand that Bennett had paid a party to print and circulate charges against him. This was common report, and Mr. Coburn, who was employed to overse the business of the sheriff's office, told him that he (Coburn) had told Bennett that he was making a mistake in following out this course in getting this sheet to at-tack the witness. Numbers of these papers had been taken to the office of the sheriff and circulated from there and through the court house. The charge that these defenders of Bennett were two criminal whom Bennett had harbored referred to Koen and Mosher, and the unconscionable thief referred to was Mosher. Nearly all the matters covered by these charge Nearly had been printed from two to six month before the publication of this letter, and the substance of the scandal implicating Mosher the Sayer woman and the sheriff and his deputies was printed in the World-Herald in October, before the Bee had published it. Bennett had thus had ample time to inrestigate these matters and vindicate him-

SOME CHARGES ANSWERED. The witness said he did not see Bennett during the campaign, but the paper that was defending Bennett charged that the wit ness had sought to levy blackmail on him and secure business from the sheriff's office when as a matter of fact the witness had never in his life asked a favor of Hennett. It had also been charged that the witness had been promised money by John McShane and John A. Creighton in the event that he secured the defeat of Bennett. He denied that he had ever talked with McShane about the matter, and only once with Creighton when he met the latter on the street, and it was then referred to only in the most casual way. The witness denied that he had ever received a cent for fighting Bennett, and asserted that he could not have been bought to stop the fight, as he believed that it was his

charged that he was making this fight on Bennett because the latter was a member of the American Protective association. Ben-nett had called on him shortly after receiving the nomination the first time, and the witness had then asked him whether or not he was an A. P. A. Bennett replied that he was and didn't care who knew it. and the witness then told him that he thought more of him (Bennett) because of his open avowal than he did of some of the other nominees, as he had reason to believe that some of them had lied regarding their membership in that organization. The witness said he was favorably impressed with the appear ance of Bennett, who seemed to be an hon est, hard working mechanic, and he has supported him, as he had also supported the other members of the ticket who were A. P. A.'s. He had not supported Eller for office as he had good and sufficient reasons for declining to say much in that candidate's bobalf

The witness said that he had never entertained any personal ill-will toward Ben-nett or his wife, and the letter had been published because he believed it to be his duty to warn the voters of the county against placing the sheriff's office in the hands of a man who was untrustworthy and who was violating instead of enforcing the law. He had exercised all the diligence that it was possible for any editor to use in verifying the reports concerning Rennett that came to his notice. Some of the reports were brought to him by the reporters employed in the office and others by persons entirely outside, and all of them were heard long before the publication of this of The Bee, and had been since it was started

As to threats of violence having been made against him, the witness said he had been warned several times that parties were lying in wait for him and would do him up, but he had taken no special precautions on this account, as such things were liable to happen at any time, and it was impossible for an individual to be bomb-proof. So far as the charges made were concerned, he had believed them when they were made, and he still believed that they were true. ON CROSS-EXAMINATION.

This concluded the direct examination and the witness was taken in hand for crossexamination by the county attorney, whose questions brought out this testimony: It had been charged by the Figure that this fight that was being waged by the witness against Bennett was inspired by re-sentment because not enough business was secured from the sheriff's office. The witness did not know how much business The Bee had received from there, but he did know that he had never asked for any, and if there had been any such request or talk it was not at his instance. The fact was that after Bennett had been in office for some time, people began to complain that he did not fill the bill; then came the report that Bennett had been a sport and a prize fighter, and that he had once fought a prize fight near Omaha. These reports went to show that Bennett had been associated with a disreputable class. Prize fighting seemed to be a rather queer education for law officers, and the consensus of the information received tended to degrade Bennett in the estimation of the witness. Some of this information the witness had received from Mr. Coburn and some from Joe Miller, the present county jailer. Coburn's continued presence in the sheriff's office was regarded as evidence that the sheriff couldn't get along without him, although a man's continued employment was not to be always so regarded. This was a conclusion in this case that the witness reached by inference. The information regarding the release of a

prisoner from the county jail by the jailer, who was a brother of the sheriff, the witness received from Mr. Hunter, the city editor of The Bee, who learned from the police court that the man was released without an order from the judge or mayor. was because of this and similar stories that the witness became convinced that the jail was not properly conducted. The fact that there were jail deliveries was not to be regarded as a positive proof of incompetency, but when they became so frequent and especially with such a good jail it did mean something. The witness did not send for Bennett and advise him what he had heard about the

jailer taking Henderson to the Diamond, as he thought it was the duty of Bennett to come to him if he wanted to explain, just as it was the duty of any officer charged with dereliction to see that his explanation or justification was presented to the public if charges against him had been made through the press. Jailer Miller had told the witness the Henderson story, and the witness had had reporters sent to see Henderson to have the story confirmed or denied but Henderson would neither affirm or deny it as he was unwilling to talk about the matter. PRIVILEGES ALLOWED MOSHER. The witness admitted that he had sought

to convey the impression that Mosher's derelfctions while in the county fail were due to Bennett, and said that he still main tained that such was the case, as the sheriff was responsible for the conduct of his prisoners. It was currently reported that Mosher was allowed the freedom of the jail, ostensibly acting as bookkeeper, and went out frequently with or without the ailer to get drinks at saloons in the neigh porhood; that disreputable women visited him and he went out of the jail to visit assignation houses, either with or without a guard: that Nellie Saver was the name of the woman specially mentioned as being kept by Mosher and reported as visiting the tail at night in a cab to see him. Both H. N. McGrew, of the Mercury, and John Moynihan had furnished information of this kind, and Coburn had said that Mosher was taken by Bennett to act as guard to assist in taking an insane man to the hospital; that the prisoner had recognized Mosher as a fellow orisoner and cursed him, stating that while ne was wiling to be under the guard of an honest man he would not submit to being guarded by a man who had robbed the widows and orphans of their all and stolen hundreds of thousands of dollars from the state; it was stated that quite a scene was created, much to the embarrassment of Bennett, who had told the story himself on getting back to his office. The same story had been told by a colored jailer then employed by Bennett. All these reports went to show the existence of a ry bad state of affairs in connection with the management of the county jail. general nature of nearly all the charges ously published, but some of the details had been withheld, as the witness said that he did not want to go too much into the nastiness of the situation in print.

LILAS PAGE'S CASE. The witness further testified that the abor-

tion case in connection with a white girl in the jail had to do with the colored man, Jesse Newman, who was questioned by the witness concerning the occurrence. It had been reported that Bennett was one of the parties who assisted in breaking into the jail in October, 1891, for the purpose of lynching the negro ravisher, Smith, and that his knowledge as a blacksmith was exercised in superintending the cutting of the ron and steel bars. There had beeen some feeling against Bennett on this account, and the witness said he asked Newman on this occasion how it happened that this sentiment had changed, and then charged frectly to his face that it was because of the relations that Newman had been allowed to maintain with this girl after she had been taken to This accusation was not denied by Newman. Nat Brown was present on thi occasion and heard what was said. been brought to the attention of the witness that Newman was intimate with the gir before she was sent to jail, and that this intimacy was kept up while she was there. The witness said he heard the same story from reporters of The Bee, who had re ceived their information from Mrs. mings, the mairon at the police station While this was a serious matter, coming as it did on top of all the other charges and a direct accusation of charges and a direct accusation of one of the alleged implicated parties having elicited no denial, the witness had thought there must be some foundation for it. Further than this, it was corroborativ of a statement made to the witness months before by Miller, who said that Ed Koen had told him that an abortion had been pro cured on one of the female prisoners i iail with the advice of the matron, and this later story of an abortion having been pro-cured led the witness to credit it. The witness said he understood the name of the white girl who was operated on in the jail

was Lilas Page.
When asked why he attributed to Bennett ome connection with the Figaro and respon stop the fight, as he believed that it was his sibility for articles published in that sheet. Auty to the public to carry it on and force it to a finish, and he was determined to honestly discharge that duty. It had also been was manifested by his assistance in circula-

ting the libel, and furthermore, County Treasurer Irey had informed him that Dennett induced the republican central committee to pay \$2,000 for a lot of these papers to be spread around in his behalf, in spite of the protest of some of the other candi-

BAKER INVESTIGATION A FARCE. The World-Herald had published the Mosher scandal before it was printed by The Bee, and had then printed District Attor-ney Baker's whitewashing report of an alleged investigation, and \$150 had been paid for 3,000 extra copies of the issue containing the report, as had been testified to by Editor Hitchcock before the police commis-

That whitewash report was not printed however, until after this letter. The witness said the Baker investigation was farce. Baker had come to him and sai he (Baker) had instructions from the department at Washington to look into the matter, and had asked for the names of the witness' informants, which were given. Baker, however, did not talk to the right people, and the statements that he had se-cured did not agree with those made to the witness. Baker had said he didn't think there was much to the Mosher matter, but the witness didn't lay any stress on that investigation, as he regarded it from the outset as a humbug and a fraud. Bennett had circulated scores of papers out of his office making attacks on the witness, and did, therefore, perpetrate the assaults charged.

The witness said that George B. Stryker was one of the parties who had told him that Bennett would do him up, and several parties had warned him that he would be assassin-ated. Such warnings had come from Frank Kaspar and G. W. Lininger. Kaspar had said that he had definite knowledge in this particular, and had warned the witness to

arm himself.
The witness was excused from the stand. and Police Sergeant Whalen was called to testify regarding the conviction of the man Leonar, for carrying concealed weapons, and his subsequent release by Jailer Bennett without the authority of an order from the mayor or police judge

CITY EDITOR'S TESTIMONY. W. H. Hunter, city editor of The Bee, was the last witness called in the afternoon. He said his duties were to have charge of the He city work on the paper and direct the work of the reporters. He knew that The Bee had supported Bennett in his first campaign and had been friendly with him up to somthing like a year ago, when reports began to come in regarding the conduct of the office and the management of the county jail. Nothing had been printed until verified, and the columns of the paper were open for denial or reasonable retraction, as had always been the case. It had been a matter of general knowledge in The Bee office that the work of the sheriff's office was done by substitute; that a prisoner had been release from fall before his time was up without authority, and that fall deliveries were frequently occurring through the medium of coal holes and otherwise. The information regarding the Mosher scandal had been received from several parties, among whom were Moynthan, McGrew and employes at the Midland hotel, while several affidavits had been secured from parties who had knowledge of the matters charged Moyni-han had said that he had taken Mosher from jall without a guard and gone to Council Bluffs to a roadhouse, where they spent the night; that he had also gone with Mosher to the theater, and had made assignations for him to spend the night with women. One place where Mosher was said to have made a visit was to an assignation house at Twentieth and Paul streets, and a chambermaid, named Schneiderwind, at the Midland hotel, had told of seeing Mosher and the Sayer woman in bed together at that place. Other em-ployes of the hotel had told of frequent telephone calls for the Sayer These calls were from telephone 189, which was the county jail. had called on her very often, and taken her to jail. These were a few of the stories that were currently rehearsed on the streets in connection with Mosher while he was sup posed to be an inmate of the county jail. The stories of abortion and night visits to the jail had been investigated at the ex-pense of a great deal of time by members of

the reportorial staff and by outsiders whose services were also secured. On cross-examination thewitness told of the reports of threats against the person and life of Mr. Rosewater, and said that on at least two occasions police officers had been sent to The Bee building to guard against any such attempt. These stories were current on the street and the witness had been repeatedly met with inquiries as threatened assault and assassination. He testified as to the statements made to him by conductors on the Hanscom park line, who had told him of hauling the prisoner Henderson and Jailer Bennett or Jailer Ernest out to Park avenue, when the officers were taking the prisoner out to see his wife. The witness also testified concerning affidavits touching matters affecting the sheriff and his conduct of his office, and mentione the names of parties who had talked with him of the danger of assault or had made

inquiries concerning it. The hearing continued until after 5 o'clock, and the case was then continued until Monday afternoon at 2:30 o'clock.

HE WAS KNOWN. Checks Cashed for a Chicago Man Found to

Be Fraudulent. CHICAGO, Feb. 17 .- Frank H. Harper alias Henderson, walked into the Continental National bank yesterday morning and presented two checks, one for \$3,500 and the other for \$3,300. As Harper was known, the checks were cashed. It was learned that they had been raised from \$33 and \$35. Harper is missing.

The Death Roll.

LIVERPOOL, Feb. 17 .- Aynsley Cook, the well known English baritone singer, died here vesterday from bronchitis. SPRINGFIELD, O., Feb. 17 .- Dr. Dunlap died last evening. He was a delegate to the world's medical congress at London in 1881 and one of the earliest physicians to demon-strate the operation of laparotomy. PARIS, Feb. 17.—M. Francois Viette, a

member of the Chamber of Deputies, is dead.
CINCINNATI, Feb. 17.—Colonel W. T.
O'Brien, formerly passenger agent of the
Panhandle, died suddenly last night. He Pounded Prendergast.

CHICAGO, Feb. 17 .- George Craig, the murderer of little Emma Werner, was released from the county jall dungeon today where he has been confined for severely pounding his cell mate, Prendergast. The men quareled and Craig, who is the larger of the two, gave Prendergast a severe beating, the latter howling lustily for help until jail guards separated the fighters.

Thirty-Seven Found Guilty. PITTSBURG, Feb. 17 .- The jury in the case of the fifty-eight coal miners charged with rioting in the Mansfield region returned a sealed verdict this morning, finding thirtyseven guilty and twenty-one innocent. latter were discharged and the thirtyseven convicted were remanded to jail for sentence. Bridge Blown Down.

ELLIS JUNCTION, Wis., Feb. 17.-Frank

Walters was instantly killed and Gus John-

son and Martin Burke seriously injured by the collapse of a bridge which they were erecting across Outlet creek on the Chicago, Milwaukee & St. Paul road. The disaster was caused by a high wind. Killed His Brother. OTAHATCHIE, Ala., Feb. 17 .- At a dance here last night liquor flowed freely and ugliness followed. Calvin Hundley, to promote

peace, got a shotgun, whereupon his brother, James, gave him a dare. For reply Calvin fired, killing his brother instantly. The murderer is in Jail.

More Amendments Rejected. LONDON, Feb. 17 .- The House of Commons yesterday evening rejected without a division a number of amendments made by the House of Lords to the parish councils bills. There was a division in one instance and the government obtained a majority o

fifty-two. Charged with Embezzlement. OTTAWA, O., Feb. 17 .- E. B. Hathaway, assisstant cashler of the Exchange bank of this place, which a few days ago closed its doors, has been arrested, charged with en-bezzlement of \$5,000 of the bank's funds.

Lively Four-Round Go Pulled Off at Elkhorn Last Night.

BOTH MEN WERE EAGER FOR THE PURSE

McCoy, Though, Was Too Handy with Hir Fists for Burke, Who Had to Succumb to the Hard Punching He Got.

ELKHORN, Neb., Feb. 17 .- (Special Telegram to The Bee. A glove contest to a finish was pulled off here tonight. Jim Me-Coy of Omaha and Charley Burke of Chicago were the principals and fought for a purse of \$500 and 75 and 25 per cent of the gate receipts. There was an enthusiastic gathering of Omaha and local red hots. As a curtain raiser Billy Brown of Des Moines and Sam Porter of Chicago entertained the 200 or more speciators with three very hot threeminute rounds for points. They both scored knockdowns, but Brown was unable to withstand Porter's right-hand Jabs and lost the glory and decision. Young Ford of Omaha was behind Perfer and George Porter of Omalia seconded Brown.

The two premiers entered the ring at 9:30 and were loudly applauded. Hendrick and Fitzgerald did the honors for McCoy, while Taylor and Rollinger were in Burke's corner, Young Ford of Omaha held the watch and a local admirer of the sport referred the go. Round 1 opened with McCoy on the aggressive. Burke landed several bad blows, The men clinched twice. Honors about

even. Round 2 epened up with some fast and furious fighting, First knock-down for Burke. First blood for McCoy. Burke gets weary and clinches to avoid punishment. Both sparring for wind at the end of the

Round 3 was very tame indeed. Both contestants sparred for wind during three minutes and did not strike a blow. Round 4 was characterized by some mighty hard fighting by both parties. When Mc-Coy's furious onslaughts and right labs got too swift for Burke he would canter around the enclosure a la Mitchell. The fight was

finished in this round. McCoy had worn a smile up to this time, but when he saw his opponent's tactics his brow knit and his face assumed a stolid I-will-win-or-die expression, and he satled in and it was not a brace of seconds from that time until Mr. Burke was stretched on his back in the ring a dead duck. On the time keeper's counting the ten seconds as re-quired under the rules. Burke made an effort to rise to his feet, but was unable to

The referee awarded the fight and purse The referee awarded the light and purse, \$500, to McCoy. There was considerable money wagered on the affair, McCoy being the favorite. The winner was challenged by Taylor of South Omaha for a finish fight to ome off in April.

Curlers Almost Through.

WINNIPEG, Feb. 17 .- Winnipeg's curling bonspiel practically wound up tonight with several exciting games for the finals for the Grand Challenge cup and the Walkerville tankard. But two rinks now remain in each and those will play off on Monday. In the individual point competition Nettleton of St. Paul stands second, with a score of 36 points, A. Winnpeger being high, with 38, The St. Paul and Duluth rinks leave for home Sunday. The latter take with them Sir Donald A. Smith's beautiful trophy and will do battle with St. Paul for the ownership of it at Daluth's bonspiel this month;

Custom House Complications. DETROIT, Mich., Feb. 17 -Special Agent Wood of the Treasury department recently had occasion to look up some foreign manifests in the office of the custom house here, Itelwas astonished to find them all mussing. On investigation it is alloged that Deputy Collector Tal-man had sold the whole lot under permission from the old department to sell those, "useless

An investigation behind closed doors was begun this afternoon. Some merchants have alleged overcharges and the destruction of the mani-fests does away with the process on the sub-ject. Collector Maloney has resently succeeded ex-Collector Hopkins, and he says he signed an acknowledgment that he found the office in proper condition from the former officers.

William's Visit to Bismarck. FREIDRICHSRUH, Feb. 17 .- Emperor William will arrive here at 6 o'clock Monday

night and will take supper with Prince Bis3

marck and his family. Later will proceed to Wilhelmshaven. Later the emperor Paper Warehouse Burned. ST. LOUIS, Feb. 17.-The Graham paper warehouse was totally destroyed by fire last evening. Loss, about \$50,000; covered

by insurance. A panie in a Catholic church near by was narrowly averted.

Scanlan's Address Continued. CHICAGO, Feb. 17 .- Attorney Scanlan coninued his address for the prosecution in the Coughlin case today. He will finish Monday and will be followed by Attorney Donahue for the defense.

Destroyed Plums and Peaches BENTON, III., Feb. 17.-Investigation shows that the recent blizzard totally destroyed the peach and plum eron of southern while currants and cherries are badly damaged.

Six Drowned by a Collision. LONDON, Feb. 17 .- The steamers Cadoxon and Clytha, both British, have both een in collision in Barry roads. The Clytha sank and six of her crew were

COVERED HEAD & NEUK

Eczema of Worst Type. School and Society Abandoned. Felt Death Would be Relief. Cutlcura Soon Put An End to all Sufferings.

Ever since I was three years old I have been troubled with Eczema of the wornt type. It at thines completely covered my head and neek. I have tried all sorts of medicines, and have been declared by many very eminent physiciaus, but with no favorable result. Sometimes my head was one mass of thick senh that would ran and bleed, and in summer would he no much worse; my ears looked as though they would fall off. I could not go to school or mingh with society, as the disease smell so had. I felt at times that death would be a relief, suffering and liching until I hardly knew what to do. I got your Curreura Remanders the 28th of January Lut, and used then according to directions, and can now say that they soon put on and to all my suffering. Words can never tell my thanks to you and your valuable medicine, and fahall always recommend them to whoever I see suffering from the terrible disease. I had spent modey and tried the best of doctors with but little relief.

Miss HANNAH WARREN,
1437 George Street, La Crosse, Wis.

WAS IN CONSTANT AGONY I have suffered from a severe attack of what is called Frarigo. The disease produced an intense burning and taching sensation that kept me in constant agony all the while, so that I got but little reat that or night, Curicuaa cured me entirely in a low works. I cheerfully recommend it for like troubles.

CHAS, L. WAFFLE. Ottawa Station, Mich.

CUTICURA WORKS WONDERS Currenta Reneptes cleans the system by external and laternal medicarion of system rep-tion, longerity and disease, and constitute tha most effective treatment of readern three.

#2" How to Care Skin Diseases," mailed from PIMPLES, blackhoads, red, rough, shapped, and only skin cured by Concount soars.

ACHING SIDES AND BACK His, kidner, and attering palso and weaknesses relieved to one minute by the Cultura anti-Pals Plasfer, The first and only pain killing plaster.