the Law's Constitutionality.

TAX IS DIRECT IN MANY FEATURES

Pointed Out Wherein the Law Violated the Constitutional Provision for Equality in Taxation-Many of the Exemptions Unjust.

WASHINGTON, March 13.-At the opening of the session of the supreme court Mr. Choate resumed his argument against the constitutionality of the income tax. The inevitable income of all accumulated property, whether the rent of land or the interest on lands, is, he claimed, necessarily the subject of direct taxation and of no other. He hoped to establish this fact and to further show such tax was subject to the rule of apportionment. Whatever else was not included in the term direct tax, certainly real estate was included. There had been universal assent to this proposition and he would take this as the basis of his first step. He controverted the proposition that this idea was to apply only to unimproved land, but contended for its application to all property designated as real estate. He followed this argument with the assertion that the tax of income from the rent of real estate was indistinguishable from the tax on real estate itself and combatted the position of the attorney general that the income from rent, after it enters the pocket, is money, and is to be con- in support of his findings. sidered as such. For that matter, any tax on land was in substance and effect a tax on its rental. Returning to the position of the attorney general that the proceeds were not rentals, but money in the pocket, he de-clared it was a distinction without a difference, and was a fiction which had been stamped upon by the court with all its might, and quoted precedents to sustain this position. Furthermore, he controverted the right to tax "money in the pocket" as a taxation on personal property.

Mr. Choate contended that in exchange for

the surrender by states of the power to collect duties, imposts and excises, the general government had necessarily conceded the protection of all men in their equality before the law, and the rule of uniformity must be observed. This rule had been observed without exception by congress in all tariff acts. Justice White here asked if the observance of this rule would not destroy all specific

Mr. Choate thought not, and he also dissented from a suggestion that a difference was made in taxing men of different degrees of wealth. He declared that the construction put upon the word "uniformity" by the op-position counsel was mostly that of a Jacobin club, or a czar of Russia, who proposed to reign without restraint. Such a construction would involve a direct violation of the con-

LACK OF UNIFORMITY.

Mr. Carter had declared that there was no help for it if a mistake had been made in the law, but Mr. Choate contended that the court was here for the purpose of proffering help in such cases. He referred to what he designated as the breaches of the rule of uniformity made by the income tax, taking up first the limitation of the law to incomes in excess of \$4,000. Had we come to the point when there was to be one law for the rich and another for the poor? No wonder he said, the president, after ten days' delib-eration, had refused to put his name to the bill. No wonder the president and the sec-"Do you," asked Justice Harlan, "dispute

the validity of any exemption?"

Mr. Choate replied that he did not, but without explaining his reply took up the denial by the law of any exemption to corporations, contending for uniformity in the treatment of corporations and individual per-

Justice Brown made an inquiry upon the policy of the provision for domestic ex-penses in the \$4,000 expenditure, but Mr. Choate contended that in that respect the law was alike in its application to individ-uals and corporations, in that it made deductions for expenses in the business of both. Justice Brown replied, however, that he unprovision in the law for the deduction of the net expenses of the cor-poration was to stand in lieu of the \$4,000 exemption for domestic expenses. Mr. Choate characterized as "capricious" the exemption of the property of schools, churches and simflar institutions, as well as the savings banks. panies, and said that a far harsher term

"Was it just, for instance, to tax the people of Colorado and Nebraska for the support of Trinity church of Columbia college New York?" Referring to the other exceptions, he said

that Mr. Vanderbilt or Mr. Astor could put all his money into a savings bank and thus escape taxation under the law LOOKED LIKE A JOB.

he exclaimed, "it looks as if there were a job in it. Is it capricious? Is it arbi-trary? Is it wicked? Is that the way to protect poor men? Had some crafty repre entative of the mutual insurance companies of New York came to Washington and pulled the wool over the eyes of the senate mittee which inserted the exemption of those companies? If so be ought to have had an

mmense fee for his success."
Mr. Choate quoted from official records to show the enormous extent of the business done by the mutual companies, declaring there were no institutions in the land which were more noted grabbers for and hoarders of money than these mutual companies.

It was 3 o'clock when Mr. Choate, after having spoken three hours today and forty minutes yesterday, reached his peroration. He had, he said, felt a responsibility in this case such as he had never felt in any other case, and never expected to feel again, and he did not believe any member of the court, not excepting the venerable Justice Field, whose experience as member of the court extended from the early days of the war, who had been called upon to deal with many questions of vast importance, had ever sat in a case, or that any of them would ever live long enough hear a case of more vital consequence to the people of the country. The question involved was whether we could rely upon the guaranty given us by the fathers of the constitution and under which the nation had so far in its history prospered. If it true, as had been asserted, that a decision adverse to the law was liable to cause an army of 70,000 to march this way, to "see out it," then it was all the more important to the future welfare of the country that the court should see if it has the power to deshould exercise it to put a stop to such leg-Choate stopped so suddenly the audi-

ence did not at first appear to realize that the argument in the famous case had reached a finality and that nothing remained to determine the validity of the income tax except the decision of the court, which could not, of course, be then expected.

Idaho Mining Dispute Decided.

WASHINGTON, March 13.-Secretary Smith has rendered a decision in the case of the Last Chance Mining company vs the Tyler Mining company, being a claim made by the former company for Tyler lode in the Coeur d'Alene mining country, Idaho. A portion of the Tyler claim overlapping the Last Chance lapping portion, but the Last Chance asked that no patent be issued while there was pending in the supreme court a case affecting the title of the property. Secretary Smith holds that as the overlapping tract has been waived by the Tyler company patent shall issue for its claim.

Legal Holiday Does Not Count.

WASHINGTON, March 13 .- In the case of William Johnson vs Ellis Harris, Salt Lake City district, Utah, Secretary Smith has held be made. that when the last day allowed for filing an appeal in a land case falls on a legal holi-day the appellant has properly until the day the appellant has properly until the next business day to make such filing.

Indians Have Not complained. WASHINGTON, March 12 -Although it been as much complaint among the Indians to arrangements for the seventh congress of as usual. Usually there have been several tribes where especial effort has been made to prevent them from starving and freezing dresses.

INCOME TAX HEARING ENDED to death. Sometimes special appropriations have been passed to meet such emergencies, but during the present winter the Indian office has been able out of its general fund to care for different cases where rations have been short and suffering among the Indians. Pittsburg Phil and Dave Gideon Away

HAVE MADE THE MEETING PAY dence decided to impossible. has been more than usually severe.

> ANOTHER IMPORTANT LAND BULING ssioner's Decision in Reference to

Indemnity Lands Reversed.

WASHINGTON, March 13.-Secretary Smith has rendered an important opinion in a decision affecting the right of railroad companies to select indemnity lands. The North ern Pacific Railroad company made application to select 21.102 acres of land in the Yakima land district as indemnity for in the Coeur d'Alene Indian reservation, Idaho. This application was denied, first, because the selection was not arranged tract for tract; second, because the right of the company to make good in one state the losses in another is questioned and the question was also raised as to the right of the company to select indemnity lands occupied as an Indian res ervation. The company asked for a review and the secretary goes into the matter at some length. He holds that the grant to the Northern Pacific was not confined to state limits and that selections for indemnity can be made in any state for losses in another with the reservation that indemnity must b ommissioner is directed to ascertain whether lands are to be obtained nearer Coeur d'Alene than Yakima. He also holds that losses for an Indian reservation are subject to indem-nity. In the matter of the selection, tract by tract, the company claimed the reservation lands lost had not been surveyed so such selections could be made in the same way, but the secretary thinks sufficient surveys been made on the reservation to enable such a selection. The secretary quotes opinions by Attorney General Garland and Secretary Vilas Several Decisions Respecting Contentions

WILL NOT TROUBLE THE INDIANS

Question of Extending Time for Payment by Settlers as Decided at Washington. WASHINGTON, March 13,-(Special Telegram.)-It is not likely that any action will Under the new order the clubs will receive be taken by the Indian office with reference to the extension of time for making pay ment on purchases of lands on the Omaha last season the Indian reservation. It has been expected every player drafted. that an order would be issued calling a special council of the Indians to consider the question, but the report of the special agent states that the Omahas are unanimously against the extension, hence the department officials think it unnecessary to bring the matter again to their attention. Consequently the measure which recently became a lav will be void, since it provides for the exten sion with the consent of the Indians.

The Postoffice department today awarded to J. P. Stewart the contract for carrying United States mail between Deerfield and Hill City, S. D., at his bid of \$100. The following members of boards of examining surgeons for the Pension bureau were appointed today: South Dakota—Dr. William

H. Everhardt, Brookings; Dr. H. D. C. Rose, Millbank. Nebraska-Dr. Fred E. McKeeby, Red Cloud; Dr. H. B. Schull, Wilbur. Postmasters were appointed today as fol-ows: South Dakota—Baltic, Minnehaha county, Harry Lowald, vice Olaf Anderson resigned; Ourtown, Turner county, Martin, vice Andrew Schrag, removed.

Gus, Taylor county, C. N. Patterson, vice A. S. Wright, resigned. Postmasters were commissioned today as follows: Iowa-James J. Springer, Cambria. South Dakota-George Moore, Ardmore.

PLACE HUNTERS ON THE INCREASE. scramble for Government Positions is Be-

coming Greater All the Time. WASHINGTON, March 13.-There seems to be an increase in the demand for place, for whenever there are some new offices provided for by legislation there is generally a scramble for the positions. During the closing days of congress a bill was passed for the examination and classification of mineral lands in the grant to the Northern Pacific railway in Montana and Idaho. There were twelve officers created by this bill, to be paid salaries of \$2,400 a year. There will be three each for the three land unstracts in Montana and the one in Idaho, through which the road passes. The bill provides that at least one of the three assigned to each district shall be chosen from the district, but there is nothing to prevent all being so there is nothing to prevent all being so the sound of the further and the sound of three each for the three land districts in from all sections of the country and the Interior department is flooded with applications. Some men come to Washington to personally solicit these places. It is desirable that men with some knowledge of minerals shall be chosen and it appears to the officials of the department that there are mineral experts in every section of the country, and the appointing officers, should they believe all that is said to them, will become convinced that the country was one vast field of nineral resources. The examination of the land will occupy some time. Some of those interested say that in all there are 1,000,000 acres of land in the grant which might properly be classed as mineral.

INDIANS WHO HAVE TAKEN LANDS.

Commissioner Browning Does Not Think This Should Qualify Them for Citizenship. WASHINGTON, March 13 .- Indian Commissioner Browning regrets that the last congress failed to pass any law to meet the new question which has arisen to cause trouble among the Indians. Decisions last summer by the United States courts settle it that no prosecution would stand against a man for selling liquor to Indians who had under the allotment law taken lands in severalty. The courts held that this act on the part of the Indian under the law admitted him to citizenship and the selling of liquor to a United States citizen could constitute a crime. Commissioner Browning says he does not agree to the decision, for while the land is allotted to the Indian he is not allowed to dispose of it for twenty-five years and during that time he is under the protection of the government and the super-vision of the Indian office. He hopes to see in the next congress a law passed meeting government, whether on allotted land or not, he shall be considered an Indian in all things and making it a crime to sell liquor to him. The commissioner says there will be very little allotting done unless such a law is passed, as the authorities believe allotments under the ruling of the courts will do more harm than good.

Orders for Army Men. WASHINGTON, March 13 .- (Special Telegram.)-Following changes in stations and duties of officers of the Ordnance departduties of officers of the Ordnance department are ordered; Captain William W. Gibson will be relieved from duty at Watertown Arsenal, Mass., and will take station at the Kilby Manufactures company's works, Cleveland, O., for duty as inspector of ordnance, United States army; First Licutenant William S. Pierce will be relieved from duty at Watervillet Arsenal, West Troy, N. Y., and will report for duty at Sandy Hook, N. J., with station at New York City.

Captain Daniel C. Pearson, Second cav-ley, is granted ten days extended leave: First Lieutenant Joseph B. Batchelor, jr., Twenty-fourth infantry, six months.

WASHINGTON, March 13 .- Admiral Meade and squadron sailed last night from It Port of Spain, Trinidad, for La Guayra, Venezuela. In case of trouble there the United States will have three fine warships, the New York, Minneapolis and Cincinnati, ready to protect American interests.

Jim Sellers Beaten and Spectators Fought MARSHALLTOWN, Ia., March 13 .- Jim Sellers, the colored welterweight champion of lowa, met his first defeat last night, being knocked out in the fourteenth round by a white man named Greenwood, near Webster City. An all-round fight among the spec-tators followed the announcement of the re-sult and many eyes were blacked and heads A number of arrests will probably

Scotch-Irish Seventh Congress CHATTANOOGA, Tenn., March 13 .- Representatives of the national executive com-

mittee of the Scotch-Irish Society of America met here today to confer with the secre-tary. Mr. A. C. Floyd of this city in regard

Ahead on the Winter.

RILEY GRANNAN HAS MET HARD LUCK

Picked the Wrong Horses Often Enough to Drop the Biggest End of His Roll During the Present Session at Bay District.

SAN FRANCISCO, March 13 .- Small fortunes have been won and lost at the Bay district track during the past three weeks. Large sums have been wagered on several races. Riley Grannan, the celebrated Kentucky plunger who wagered a fortune on the Henry of Navarre-Domino race last year, has had a run of bad luck and is reported to have lost \$25,000 since his return to California last Grannan came to California last season and cleared up \$52,000 in less than two months. He went east with his pile and returned with \$8,000 more, increasing his winnings to \$80,000. Mr. Smith, better known as "Pittsburg Phil," has made as much as Riley Grannan has lost, and is \$30,000 ahead of the game, making a winning almost every He is not the reckless better that Grannan is, but, being a shrewd judge of horses, his judgment irrespective of talent, David Gideon of the famous racing firm of Gideon & Daly is reported to be \$20,000 winner on the season

WESTERN LEAGUE TAKING ACTION.

Points Arrived At. MILWAUKEE, March 13 .- At the meeting of the board of directors of the Western league at the St. Charles hotel Dennis Long of Toledo was elected to represent the Western league on the national board. \$1,000 for every player that is drafted from the Western league. Under the rules of last season the clubs received only \$500 for Under the rules of

The directors also acted upon the charge of "ringing" in soft balls by the management of the Minneapolis club at Minneapolis last season. It was voted that every ball used by the Minneapolis club must bear the stamp of the president of the league, otherwise the Minneapolis club would be liable to a forfeiture of the game. It was also voted that the umpires must

wear blue uniforms when officiating at a eague game. Another important point was the agreemen to divide equally the receipts of all holiday This was done in order to statisfy the demands of the western clubs, the latter

which are scheduled in the east. RESULTS ON THE RUNNING TRACKS.

Crescendo Again Shows Ris Worth in Sprint at Bay District. SAN FRANCISCO, March 13.-Nagle Burke's colt Crescendo again demonstrated that he was by far the best 2-year-old in California by winning the Rancho del Paso stakes, worth \$1,500, without extending himself. MacDonough's highly prized filly, Santa Bella, made a poor showing. Crescendo is entered in many of the eastern cendo is entered in many of the eastern
2-year-old stakes, and it will take a good
one to beat him. The other races today
were not particularly interesting. Summary:
First race, five furlongs, seiling, maidens:
Mabel, 161, Chorn (11 to 5), won; Zooladin,
S5, Isom (12 to 1), second; Kingsley, 101,
Hinrichs (25 to 1), third. Time: 1:02%,
Lodamo, Myron, Ontar'o, Monroe, Prince
Devine, Miss Willoughby, Soledad and Rosalle also ran.
Second race, seven furlongs, seiling: Marisalle also ran.

Second race, seven furlongs, seiling: Marietta, 88, Isom (7 to 5), won: Roma, 199, Griffin (9 to 5), second; Arno, 97, Sloane (7 to 1), third. Time: 1:29½, Mutineer, My Sweetheart, Steadfast, St. Jacob, Joe Winters, Esperance and Prince also ran.

Third race, 2-year-olds, Rancho del Paro stakes, five furlongs: Crescendo, 118, Weber (1 to 2), won; Leda filly, 115, Covington (20) to 1), second; Elsie Ferguson, 119, Chorn (50 to 1), third. Time: 1:92, Monitor, Rey del Bandidos, Santa Bella and Red Pike also ran.

(8 to 1), third. Time: 1:414. Realization, Pescador, Don Caster and Ingomar also ran. Fifth race, five furlongs, selling: Claquer, 193, Isom (9 to 5), won; Tim Murphy, 121, Carr (7 to 10), second; Mainstay, 195, Sloane (25 to 1), third. Time: 1:13½. Charger, Red Bird and Mollie R also ran.

NEW ORLEANS, March 13.—Weather fine; track dead. Results;
First race, six furlongs: Virgia (8 to 5), won; Princess Rose (6 to 1) second, Guilty (10 to 1) third. Time: 1:20.

Second race, four furlongs: Minnie Clyde (15 to 1) won, Leaseman (8 to 1) second, Sister Rosalind (12 to 1) third. Time: 0:50½.

Third race, six furlongs: Blue and White (6 to 1) won, Hopeful (6 to 1) second, Diamond Dick (15 to 1) third. Time: 1:21.

Fourth race, seven furlongs: Imp. Wolsey (6 to 5) won, Brakeman (12 to 1) second, Miss Gallop (10 to 1) third. Time: 1:22½.

Fifth race, six furlongs: Tramp (even) won, Manoa (25 to 1) second, Moloch (7 to 5) third. Time: 1:181½.

ST. LOUIS, March 13.—At East St. Louis: First race, three-fourths of a mile: George W. Bailey won, Barney Laraway second. Storleto third. Time: 1:22.

Second race, nine-sixteenths of a mile: Dunlap won, Jerquet second, Parole third.

Storicto third. Time: 1:22.

Second race, nine-sixteenths of a mile
Dunlap won, Jerquet second, Parole third.
Time: 0:59%.

Third race, five-eighths of a mile: Bolinger
won, Herndon second, Borderer third. Time:
1:06.

1:06.
Fourth race, handicap, thirteen-sixteenths of a mile: Text won, Schuylkill second, Mordotte third. Time: 1:25%.
Fifth race, three-quarters of a mile: Jim Head won, Seville second, Montell third.

Time: 1:20.

In the last race Blackburn fell and broke his leg, but Jockey Ross, who was up, escaped without injury.

KID M'COY DOES FOR SHADOW MABER Ten Rounds of Hot Work Gives the De

cision Against the Australian. MEMPHIS, March 13 .- After rounds of the fastest kind of fighting Charles (Kid) Mc Coy was awarded the decision in his contest with Australian "Shadow" Maber tonight from the first round and played in big luck instead of being to a finish. McCoy weighed in at 146½ pounds, while Maber stripped at 143. McCoy outfought Maber all through the first round, and his friends were wild with enthusiasm. Maber had slightly the best of the second round. McCoy from the third round to the end of the fight had matters his own way. At the call of time in the last round he was unhurt, while Maber was bleeding from hard blows in the mouth.

LITTLE ROCK, Ark, March 13.—A match has been made for a limited contest between Kid McCoy and Danny Needham, exchamplon welterweight, to take place here early in April.

NEW YORK, March 13.—Al Griffiths, better known as "Young Griffo," has issued a challenge announcing his intention of contesting for the lightweigh championship of America. This is regarded as a challenge to Jack McAuliffe, who holds the belt at present. instead of being to a finish. McCoy weighed

KEARNEY, Neb., March 12.—(Special.)— John Wilkes, the prize fighter, formerly of St. Louis, whom Tommy Ryan at South Omaha some time ago beat into a pulp, has made arrangements to take charge of the billiard rooms in the Midway hotel, and will open a gymnasium in a day or two. It is also his intention to give instructions in the art of boxing and general athletics.

Yale Freshmen to Fe Punished. NEW HAVEN, Conn., March 13.-The Yale faculty has voted to prohibit the freshmen class from playing any base ball this year outside of New Haven, or with other col-lege nines anywhere. This is a punishment for the action of the freshmen in creating a disturbance at the Glee club concert here

Hop- kip-and-Jump Championship DANVILLE, Ky., March 13.-The world's standing hop-skip-and-jump record was broken at Center college gymnasium tournament last night by Thomas A. Hendricks of Kentucky. He made thirty feet four inches

Josic Ray Sold for a Thousand. DANVILLE, Ky., March 13 .- G. and C. P. Cecil sold to P. Sweet of Milwaukee, Wis. Josie Ray, a 2-year-old filly by Nuthurst, by Mambrino, price \$1,000.

Hayward Witnesses Not Indicted. MINNEAPOLIS, March 13.-The grand

FINISHED THE

(Continued from First Page.)

lynched today is sure to make the matter more serious, and will doubtless result in more emphatic action by the representative of the Italian government in Washington. The exact details of Marquis Imperiali's protest are not yet known. He called at the Department of State this afternoon for the purpose of calling the attention of the department to the lynching, and also to make aquiries in regard to the matter. This. however, is really the first step in a move-ment toward a demand for indemnity and reparation, and the Italian government has been prompt to make such demands in the

Acting Secretary Uhl told the marquis that the State department was in receipt of no information but that which appeared in the press dispatches, but he promised to obtain such further facts as he could, and then the action to be taken could be decided upon. There the matter rests at present.

The Department of State does not anticipate any serious complications. The Italian covernment was quick to act in the case of the Mafia killings in New Orleans, but there were complications to that affair that do not exist here. That was made the topic of international negotiations extending through a period of over a year, and ended by Sec retary Blaine allowing \$25,000 in full settle of indemnity for the loss of the five men who were identified as Italians. In granting this sum Mr. Blaine distinctly disavowed any responsibility on the part of this government, the allowance being made and received as a courtesy or charity; an act of grace on behalf of the United States.

GOVERNOR TAKES PROMPT ACTION Trouble Was All Over, However, Before Be Knew it Had Occurred.

DENVER, March 13.-Governor McIntyre today received simultaneously from the authorities at Washington and the Italian consul at this point inquiries concerning the Walsenburg lynchings. The communication from Washington was a telagram from the acting secretary of state, asking for particulars, and that from Acting Italian Consul Cunneo at this point a demand for protection for any Italian citizens who might be in danger at Walsenburg. Immediately steps were taken by the governor to comply with both requests, and telegrams were sent out. To the sheriff of Huerfano county the gov-ernor directed a telegram demanding ful particulars of what had occurred, together with a statement of the feeling at the micment prevalent. To Washington the gdv-ernor telegraphed such partuculars as he then had and promised the fullest protection to all. He also stated that it is probable that the Italians lynched are American citizens that he had directed the sheriff to protect his prisoners and maintain order, and that he had a report from the colonel commanding th nearest place that he could put troops aboard cars in two hours. Quickly following th sending of these dispatches went others to Pueblo. One was to the commander of the military forces stationed there and the other to the railroad company. The militia office was ordered to report immediately and or exactly on what notice he could put his command in the field, and the railroad authorities were asked in what length of time a special train could be furnished and sent to the scene of the riots. It was found that within three hours of an order issuing the Pueblo roops could be landed in Walsenburg. The following is a copy of the communication tions passing between Governor McIntyre's department and the acting Italian consul:

department and the acting Italian consul:

DENVER, March 13, 1895.—To His Excellency, A. W. McIntyre, Governor of Colorado.—Sir: I have it from reliable authority that at the town of Walsenburg, Colo., this morning about 2 o'clock two Italians were taken from the jall by a mob and lynched, and also that there are seven more men, supposed to be Italians, still in the custody of the authorities of Huerfano county, who are threatened to be treated in like manner.

Therefore, I. Joseph Cuneo, acting Italian consul for this district, call on you as governor of the state to take such steps as may be necessary to insure protection for the be necessary to insure protection for the life and property of the Italians in custody of the authorities in said Huerfano county Very respectfully, your obedient servant, J. CUNEO, M. D.,

J. CUNEO, M. D.,
Acting Italian Consul.
DENVER, March 13, 1895—Sir: Replying to
your communication of March 13, 1895, just
received, I have the honor to say that I
have telegraphed to the sheriff of Walsenburg for information concerning the alleged
lynching and to protect his prisoners, and
will take such further steps as are necessary and can be taken within the authority
conferred on me by law to insure protection
to the life and property of the Italians in
custody in the said Huerfano county, the
same as if they were American citizens.
I have the further honor to say that it is
not yet known to me that the Italians in ot yet known to me that the Italians is question are not American citizens. Respectfully, your obedient servant,
ALBERT W. M'INTYRE, Governor.
Dr. J. Cuneo, Acting Italian Consul.

The report of the sheriff to the governo elated that one Italian had been killed enoute to Walsenburg and that two had es-Whether they are dead or not, he id not know. Two others were killed in the

Governor McIntyre immediately sent the ollowing telegram in reply: following telegram in reply:

Walter O'Malley, Sheriff Huerfano County,
Walsenburg, Colo.: Wire me at once
whether you are maintaing order and protecting prisoners, and whether you have
sufficient force to prevent further mob violence, and whether excitement has abated.
You are expected to prevent a recurrence
of violence to prisoners. Take every precaution to protect life and property, and as
soon as possible ascertain who composed
the mob doing the lynching, and, as soon
as practicable, arrest them.

A. W. M'INTYRE, Governor.

MINER KILLED BY A CONSTABLE. Another Bloody Sequel to an Attempt Rescue a Prisoner in Colorado.

CRIPPLE CREEK, Colo., March 13 .- The whole Cripple Creek district is greatly exthis phase of the case and providing that so The match was ten rounds, Marquis of cited over a lively running fight between an long as an Indian is under the care of the Queensbery rules. Maber was out-founght officer and a number of miners and former cited over a lively running fight between an railroad men, in which one man was killed that the fight was limited to ten rounds and another badly injured. Constable Frank Lupton had arrested a man named McQuaide at Victor for participation in the railroad strike last summer. A number of his com-panions objected and in the melee one man, Seth Ralston, was shot through the The officers finally got Raiston and McQuaide before a justice of the peace, where both were put under \$200 bonds, which they refused to ve. Lupton placed his prisoners on a train bring them to Cripple Creek, but friends of the men covered the engine with guns, pre venting the train's departure. When the con-stable approached the locomotive the engineer jumped off and ran. Pinally the train was started, but after going a mile was stopped, ostensibly to let of passengers. Patrick Looney and a couple of other men attempted to enter the rear car, where Lupton and his officers were. Lupton grappled with Looney. and as he was losing ground, pulled a gun and fired. Looney was instantly killed. The prisoners were safely landed in jail here with-

ut further incident.

The body of Patrick Looney was taken into Victor, and the coroner appeared at Victor today to take the body to Cripple Creek in order to hold the inquest there. Friends of the dead man gathered in force and prevented the removal of the body. Excitement is high and if the attempt to remove the body is persisted in there will likely be more bloodshed.

Italian Consul Has No Authentic News. DENVER, March 13 .- Dr. Cuneo, the Italian consul of this city, had not, up to a late hour this afternoon, been officially notified of the affair at Walsenburg. As all of the Italians belong to a national benevolent association, he is expecting full reports from the scene of the affair from responsible par-ties. Then he will communicate with the Italian minister at Washington and await in-Italian minister at Washington and await in-structions. If the men who were killed by the lynchers are not American citizens he will take charge of whatever properly they may have for the government he represents. The doctor had no information at hand to form any opinion whatever about the affair.

Bank Officials Indicted for Embezzlement. CHICAGO, March 13 .- Four of the officers of the Evanston National bank have been ndicted for the alleged embezzlement of funds jury has decided not to indict George Grin-dall and Maggie Wachter for perjury in the officers are President Henry Wells, charged

Hayward murder trial, and they have accordingly been set at liberty. The arrests were on warrants awarn out by Bliat's attorneys, and the jury after hearing the evicharged with the embezzlement of \$3,000. Wells is said to be in Pennsylvania. Hill to in Missouri somewhere on a farm, and Austin is represented as baving gone to California. Paul is a real estate dealer. The bank was

Paris, where the marriage laws are looked upon by most in the light of a useless enof Mark Twain were the latter in Paris-his tended.

TAKING GOLD OUT OF SAND.

Shores of the Pacific. SAN FRANCISCO, March 13.-Gold minng is being carried on almost within the corporate limits of San Francisco. On the lower than last season with an increased beach, three miles south of Cliff house, an surplus on hand. old squatter has for years toiled with shovel and pan sking out a scanty living by exand pan, eking out a scanty living by exers have frequently asserted that the entire placed a virtually prohibitive duty on Amerifree gold, and that its successful amalgama- her 500,000 bales. There will be no change lays' labor three chunks of amalgam are recurrence of the farmer and the

Three Local Districts Are Now All that

Remain True to the Old Order. PITTSBURG, March 13.-General Master Workman W. B. Wilson of the Independent Order of Knights of Labor, who is in the city, is very enthusiastic over the prospects of the order. He says that originally the Knights of Labor had a membership of 75,000 and that fully two-thirds of these have joined the new organization. The only districts of any consequence remaining true to the order are locals in St. Louis, New York and Brooklyn. The first general assembly of the new Knights of Labor will be held in Washington, D. C., in January, 1896. At that time it will likely be decided to establish national headquarters in this city. He also states that the proposed action to get possession of the property of the old order is in the hands of attorneys and nothing will be done in the matter for a year at least.

FOUR TICKET FORGERS INDICTED. Their Work So Skillfully Done as to Deceive

the Oldest Conductors. ST. JOSEPH, March 13.-The grand jury Kelley, Joseph Ludwig and Charles and Frank Cronin, charged with utterign and disosing of forged coupon tickets, purporting There are four counts against them. These men are thought to be some of the smoothest forgers in this line in the country, and local railway lines have taken up scores of the ickets, the forgeries in every case being so skillful as to deceive the oldest con-

NEW PARTY'S TWO LEADING PLANKS. bolltion of Drink Traffic to Go Hand in

Hand with Free Silver. PITTSBURG, March 13 .- Delegates are ariving to attend the conference in this city omorrow to discuss the formation of a new national party, which shall have for its prinipal objects the abolition of the drink traffic and the free coinage of silver. Among the speakers who will be present are Mrs. A. M. Rice and Mrs. S. M. Perkins of Cleveland. The conference will be held in Lafayette hall which is of historical interest as being the birthplace of the republican party.

Tried to Kill Off the Family. SANTA ANA, Cal., March 13 .- A sensaion was caused by the arrest at Anaheim of Frank Littlefield and the subsequent revelations. On investigation it was found Littlefield had tried to exterminate an entire family by shooting first at his brother, Sheldon, next t his brother's wife and then at the latter's mother, Mrs. Adams. Fortunately his aim was bad and he missed each of his human targets. The motive for the shooting is to have been Littlefield's belief that his prother had disgraced the family by marrying Miss Adams. To clear the family reputation he proposed to kill his brother and and then shoot the mother-in-law on general

principles. Suicide of a Chicago Broker.

CHICAGO, March 13.-A. Bowman, proker, shot and killed himself in his office at 126 Dearborn street this afternoon. Bow man conducted the Union Mortgage company, and his suicide is supposed to be the result of financial difficulties. He had been in Chicago but a few months, having com-here from Ashland, Wis., where his father is said to be a wealthy banker. Bowman left his wife several days ago, and it is thought by his friends that domestic trouble may also have had something to do with the suicide. He was alone in his office when he shot himself, and was dead when found by a porter.

Wreck Caused by a Broken Wheel. HAZELTON, Pa., March 13.-It was noor today before the wreck on the Lehigh Valley between Lofty and Silver Brook was cleared sufficiently to permit trains to pasa. The fact that no one was killed seems miraculous, as the cars turned completely over and on the edge of a high embank of a wheel. The passengers brought to this city on the Pennsylvania road were able to leave town today, their injuries being slight.

Myron D. King in a Dangerous Condition. INDIANAPOLIS, March 13.-Myron D. King, the governor's secretary, who was in the riot at the house of representatives Mon day, is no better today. Early this morning he had a bad spell. His physician was hurriedly summoned and applied restoratives and expressed the opinion that the faint resulted from the effects of medicines. The doctor says the chief danger of his patient will be in the event of inflammation. Old Midway Church Celebrating.

ATLANTA, Ga., March 13.-The old Midway church in Liberty county, the most ancient house of worship in the south, having been built in 1752, is the scene today of the 103d annual reunion of the Midway society, an organization whose mission it is to per-petuate the historical associations of the venerable structure. Negroes now own the

FICTITIOUS COTTON VALUES ITS TRACES LINGER LONG

Planters Warned Not to Be Deceived by the

May, 1893, it had liabilities to the extent of size amount, but which have since failed to materialize.

CALLS MIX O'RELL A FAKIR

Chief of Police of San Francisco Denies His Aspersions on That City.

San FRANCISCO, March 13.—Chief of Police Crowley vigorously denies the assertion of Max O'Rell that the illegitimate children born in Paris annually was not more than one-third the number of unnatural children born every year in San Francisco.

Chief Crowley says this city is not half so immoral on the lines suggested as a say of the large manufacturing cities of the United States. England or the continum, where young girls and women are thrown in daily contact with irresponsible males of their own ago. The chief does not know where M. Blowet obtained his dats, but pronounces the conclusions false, whatever the source of his so-called statistics.

"If we who have lived here all our lives have to deal with crime and the element of his so-called statistics.

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"If we who have lived here all our lives have to deal with crime and the element of the position of illegitimacy, who could a stranger and a foreigner obtains such data? This allegal French humorist is a fakir of the rankest kind. It is an insult to compare San Francisco to Paris, where the marriage resort to this case of running values up cumbrance. If O'Rell were here he would simply as a device to induce the farmers get what he promises would be the treatment to plant more cotton than possibly they in-

"I warn the farmers of the south that the price of the last few days is fictitious, and is the product of a conspiracy of men to Rich Deposits of Valuable Ore Found on the systematically rob the producer of his legitimate gains. It is a delusion and a to catch the unsuspecting farmers, to inveigle him into the toils of another 3,000,000 surplus, so that they can bear down value

legitimate reasons shown for this resort t tracting gold from the deposits on the shores fictitious values. The production has exceeded by the currents and tides. Experienced min- the most sanguine expectations. Russia has coast, from Alaska to Cape Horn, is full of can cotton, so we can no longer expect to sel ion was the sole obstacle to working it. made in the next session in the national laws. Several weeks ago a newly invented amalga- What is the legitimate cause for this rise, if nator was employed by a company organized cotton has been selling at legitimate figures or the purpose, and as a result of fifteen. It is simply the old spider and fly game, a now at the United States mint from which a steerer, and I am constrained to exclaim, value of from \$1,000 to \$1,200 is expected 'How long, oh, Lord, how long!' Is it to be o be developed. Four men are required for ever thus, that our people are to be waylaid and analgamator. A machine will run and robbed of their meager subsistence? I deny the proposition and defy the man who being estimated at \$2.50 per ton. The ocean made it—that any man can produce cotton there, wherever the black sand exists, is now legitimately for 5 cents with any reasonable considered as good as any quartz mine, and profit; and I state advisedly and emphatically camps are being established along the beach. that the southern grower—I mean, literally, a man who digs the ground, the unfortunate NEW ORGANIZATION A SUCCESS. who 'pulls the bell cord over the mortgage mule'-is not realizing 12 cents a day for hi labor the year around. What is to be fate of this man if cotton goes down 1 or 11/2 cents this fall, which is not at all im probable when we recognize the conditions that confront us and take into consideration the fact that we had a most phenomenal season for picking our crop this last meason, and ts classification was higher than ever known nardly any grading less than low middling. "Still it averaged under 5 cents, and though we may make a smaller crop the ensuing ceason of 1895-96, if we have a rainy or un-

propitious gathering season, cotton in all probability will grade lower and mayhap will have a recurrence of the season of 1881, whe we had a superabundance of the poorer quali-ties. We could then expect the same relative difference in the grades, which must, course, result in considerably reduced re-turns from the whole crop.

"I invoke the most carnest attention of cot ton growers to this nefarious scheme and address you this letter as a caveat, that you may not be deluded by this 'wolf in sheep's or in other words, this bear in bull's clothing.

OUTPUT OF THE PACKING HOUSES Marketing Continues Liberal, Although No.

CINCINNATI, March 13.-(Special Tele gram.)-Tomorrow's Price Current will say The offerings of hogs continue liberal Packing in the west for the week 310,000 compared with 330,000 the preceding week, and 240,000 last year. Total from March

| 1 is 540,000, against 445,000 a year ago, | Prominent places compare as follows: | Places. | 1895. | 1894. | Chicago | 225,000 | 145,000 | Kansas City. | 75,000 | 80,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 165,000 | 16

Sent the Priest Out of the Church. AUBURN, N. Y., March 13 .- The funera services of the late Very Rev. Dean Seymour here were the most impressive rites ever witnessed in local church circles. At the commencement of the services Father Flaherty of St. Morris, recently silenced by Bishop McQuaid, entered the vestry, carrying his missal and a silver headed cane, appar ently intending to take part in the celebra-tion of the mass, when he was stopped by Vicar General O'Hare who commanded him to "go where he was wanted." Without answer Father Flaherty left the church through the vestry and re-entered the auditorium shortly after, taking his seat among the worshipers.

SOME FACTS Relating to a Valuable Discovery.

Which It is Claimed Will Cure Every Form of Piles.

Interesting Statement of a Well Known Druggist of Ypsilanti, Mich.

Mr. Frank Smith, the well known and popular druggist of Ypsilanti, Mich., in speaking of the Pyramid Pile Cure says: "A year ago I sold C. C. Potter, 119 Hamilton street, Ypsilanti, Mich., a box of the Pyramid Pile Cure. He made the following statement to me today: 'I have been troubled for twenty me today: years with itching piles. Have tried nearly everything that promised relief, but got very little help until one year ago I called on my druggist, Frank Smith, and got a box of the Pyramid Pile Cure. The one box used ac-cording to directions was, in my case, a parfeet cure, as a year spent without any symptoms of the trouble has convinced me."

The Pyramid Pile Cure not only gives in-

stant relief in every form of piles, but the relief is permanent. The piles are cured and cured, and whether itching, protruding or bleeding piles, the results are equally satisfactory. It is rapidly taking the place of ordinary salves, ointments and lotions, as well as surgical operations; first, because it cures, and further because it is cleanly, convenient, painless. One can use it and go about his daily occupation, as it is applied at night and no attention is required during the day. Furthermore it is absolutely safe, containing no opium, cocaina or mineral poisons so common in ordinary pile cures. Send to the Pyramid Drug Co., Albion, Mich., for a treatise on cause and cure of piles and hundreds of testimonial letters from people who ave tested the Pyramid and found it a complete cure, or better yet, ask your druggist Rats and cockroaches agree that one free for a package and give it a trial. Sold lunch of Stearn's Electric Paste is fatal; 25c. overywhere at 50 cents and \$1.00 per package.

Why the Grip Is So Much More Feared Than Many Other Diseases That Affect Um



This extraordinary Rejuvenator is the most wonderful discovery of the age. It has been endorsed by the leading scientific men of Europe and America.



BEFORE LOST AFTER MANHOOD

Constipation, Dizziness, Falling Sensations, Nervous Twitching of the "yes and other parts. Strengthens, invigorates and tones the entire system. Hudyan cures Debility, Nervousness, Emissions, and developes and restores weak organs. Pains in the back, losses by day or night are stopped quickly. Over 2,000 private endorsements.

Prematureness means impotency in the first stage. It is a symptom of seminal weakness and stage. It is a symptom of seminal weakness and barrenness. It can be stopped in 20 days by the use of Hudyan.

use of Hudyan.

The new discovery was made by the Specialists of the old famous Hudson Medical Institute. It is the strongest vitalizer made. It is very powerful, but harmless. Sold for \$1.00 a package or 6 packages for \$5.00 (plain scaled boxes). Written guarantee given for a cure. If you buy six boxes and are not entirely cured, six more will be sent to you free of all charges. Send for circulars and testimonials. Address

HUDSON MEDICAL INSTITUTE, 1032 MARKET ST., SAN FRANCISCO, CALIFORNIA.

PIPER HEIDSIECK PLUG TOBACCO



Consumers of chewing tobacco who are willing to pay a little more than the price charged for the ordinary trade tobaccos, will find this brand superior to all others BEWARE OF IMITATIONS.

NEW FACES ALL ABOUT CHANGING the Features and Removing Blemishes, in 150 p. book for a stamp.

John H. Woodbury, 17W, 240 St. N.Y. Inventor of Woodbury's Facial Song.

RAILWAY TIME CARD

Leaves | BURLINGTON & MO. RIVER | Arrives Omaha Union Depot, 10th & Mason Sts. | Omaha 10:15am. Denver Express. 9:40am 4:35pm Blk, Hills, Mont. & Puget Snd. Ex. 4:10pm 4:35pm. Denver Express 4:10pm 6:45pm Nebraska Local (except Sunday), 7:45pm 8:15am Lincoln Local (except Sunday), 7:45pm 2:45pm. Fast Mail (for Lincoln) Daily Leaves (CHICAGO, BURLINGTON & Q. Arrives Omaha Union Depot. 19th & Mason Sts. Omaha 4:45pm. Chicago Vestroute. 9:50am 9:50am Chicago Express 4:15pm 7:50pm Chicago and St. Louis Express 8:10am 11:35am Pacific Junction Local 6:10pm Fast Mail 2:40pm Leaves CHICAGO, MIL. & ST. PAUL Arrives Omaha Union Depot, 19th & Mason Sts. Omaha 6:00pm. Chicago Limited. 9:30am 11:10am. Chicago Express (ex. Sun.). 6:00pm Leaves CHICAGO & MORPHWEST'N. Arrives Omaha Union Depot, 19th & Mason Sts. | Omaha 11:%am Eastern Express.
4:00pm Vestibuled Limited
6:55am Mo Valley Local
5:55pm Omaha Chicago Special Conaha Union Depot 19th & Blason Sts. Omaha

Oranha Union Dept. 1947 & Manage Star Omana EAST. 11:00am Atlantic Express (ex. Sunday), 6:05pm 6:25pm Night Express 9:50am 4:35pm Chicago Vestibuted Limited 1:05pm 11:35pm Okiahoma Exp. (to C. B. ex. Sun):11:30pm WEST

Omaha Depot 15th and Webster Sts. | Arrives

2 Ppm Fast Mail and Express 4 55pm 2 10pm (ex. Sat.) Wyo. Ex. (ex. Mon.) 4 55pm 5 50am Norfolk Express (ex. Sunday) 10 30am 10 35am 10 35am Leaves K. C., ST. J. & C. B. Arrives Omaha Union Depot, 10th & Mason Sts. Omaha 9 foam ... Kansas City Day Express ... 6 10 pm 9 fopm K. C. Night Ex. via U. P. Trans. 6 150 am Creates | Missoulli Pacific. | Arrives Omaha | Depot 15th and Webster Sts. | Omaha

Leaves SIOUX CITY & PACIFIC. Arrives Omaha Depot 18th and Webster Sts. Omaha 6 10pm St. Paul Limited 16:35an Leaves SIOUX CITY & PACIFIC. Arrives Omaha Union Depot, 10th & Mason Sts. Omaha Leaves | UNION PACIFIC. Omaha Union Depot, 10th & Mason Sts. Omaha

10 feam Kearney Express
2:10pm Overland Flyer
1 00pm Hea'toe & Stromary Ex (ex Sun)
7:30pm Pactic Express
6:15pm Pact Mail

Ceaves WABASH RAILWAY Onaha Union Depot, 19th & Mason Sta.