THE OMAHA DAILY BEE.

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BATTLE IN BRAZIL

Three Thousand Soldiers Are Killed During Engagement.

FANATICS ATTACK GOVERNMENT TROOPS

Forces Compelled to Flee, Leaving Their Dead Behind Them.

BATTLE OCCURS NEAR SITE OF CANUDOR

Attacking Party Numbers More Than Ten Thousand Men.

BRIGADES SWEPT DOWN AND DESTROYED

Fighting Has Been in Progress for Several Weeks—Four Thousand Troops Will Be Sent Out as Reinforcements.

RIO DE JANEIRO, July 29.—More than 3,000 soldiers have been killed in a big battle near the site of Canudor. The fanatics, numbering more than 10,000 men, all well armed, attacked the government troops. Whole brigades were swept down and destroyed, and the soldiers were compelled to flee, leaving their dead on the field.

The president and ministry have decided to send the minister of war to the scene next week with 4,000 men.

Fighting has been in progress at Canudor for several weeks. While the fanatics fought apparently with little heart, they had been gathering their forces from all directions for this final attack.

LOOKS BAD FOR THE GARRISON.

English Troops at Malakand Short of Ammunition.

BOMBAY, July 29.—The situation at Camp Malakand has become very serious. Word has been received that the natives in large force made a second attack on the fort yesterday. The fighting was severe. Thirteen of the British were killed and thirty wounded, among the latter being Lieutenant Castello. The tribesmen lost 100. The worst feature of the situation now is that the garrison is short of ammunition, and it is feared the whole supply will be exhausted before reinforcements arrive. The government is making the greatest efforts to get these through in time. It is reported that Mad Mullah has mustered at least 40,000 tribesmen.

SIMLA, July 29.—The north camp at Malakand was abandoned yesterday afternoon, the troops concentrating on Kotal. The attack began at 8:30 on the previous evening and lasted until daybreak yesterday. Desultory firing continued throughout the day, the tribesmen driving in the pickets, of whom thirteen Sepoys were killed and forty-three wounded. The Punjab infantry, led by Lieutenant Climo, in a succession of brilliant charges, drove back great masses of the tribesmen, killing ninety. The enemy is collecting in large force and severe fighting is anticipated.

Reinforcements have been sent to Dural.

LONDON, July 30.—The Times this morning publishes a dispatch from Simla saying the road from Malan to Malakland seems free, as an officer with an escort of only four men passed safely along the road to the camp on Wednesday. In the fighting on Monday the tribesmen were repeatedly repulsed, but repeatedly returned to the attack, and finally succeeded in penetrating to the part of the camp where the commissariat sheds, the engineer's field park and the bazar are situated. The native losses must have been severe, as thirty bodies were found at daylight when the attackers retired into the valley.

The Daily News prints a dispatch from Malakland showing that the rising is on a large scale. Each night, the dispatch says, a determined attack has been made, lasting until daybreak, while during the daytime the garrison is harassed by parties on hills within range of the British pickets. These tactics prove a severe strain to the troops, who, fatigued with night fighting, cannot assume the offensive.

Following is a description of the British position. On a ridge is a fortified position, which is held by the main body of the garrison, with outlying posts on the Buddhist road to the right and on the hill to the left. Down below, on the Chakdara road, is an open space called the crater, which is overlooked by a rocky eminence. The north camp, which the troops evacuated Wednesday afternoon in order to concentrate upon the ridge, is a mile distant, and owing to a lack of camels the troops were compelled to abandon their tents. These were set on fire by the tribesmen. The conflagration must be taken as an evidence of success which will be likely to bring thousands of tribesmen flocking to Malakland. On Tuesday Colonel Meikeljohn was busy with his troops in moving the stores to the ridge and building breastworks there. While this was being done, the tribesmen assumed a threatening attitude, but did not make an attack. Five hundred reinforcements arrived at the camp Wednesday afternoon.

A dispatch from Simla says that on Wednesday the enemy returned with reinforcements and at 10 o'clock renewed the attack with equal determination, charging as on Monday night right up to the breastworks. They were repulsed, however, at all points. The loss was much less than on the previous night, being only three officers wounded and two native soldiers killed and eight wounded. The enemy retired at daybreak, carrying off their dead, but the British soldiers were too much fatigued to pursue. Another attack is expected tonight (Thursday), but the troops are so strongly entrenched that no fear is felt. Major Lemor has died from his wounds.

The Daily Mail's Bombay correspondent says: The excitement here over the arrests recently made of Indian leaders is unabated and is circulating among the Brahmins. Thirty or forty more arrests of prominent men are imminent.

GETTING AFTER INDIAN EDITORS.

British Government Still Endeavors to Stamp Out Sedition.

BOMBAY, July 29.—The editor of the newspaper Vaibhum, published at Poona, has been arrested and brought here on charge of sedition.

Sirdar Balwantrao Natu and Harupant Ramchunder Natu, who were arrested yesterday on a charge of disloyalty and escorted outside the limits of the Poona collectorate, have been deported under the act empowering the viceroy to issue a warrant for the arrest and deportation, without trial, of persons known to be engaged in disloyal practices. This power has not been exercised for many years. It was last employed during the viceroyalty of Lord Dufferin, when Dhuleep Sing was arrested at Aden, while en route to stir up discontent in Punjab in furtherance of plans formed during a sojourn in Russia. Its present employment has made a great sensation among Europeans and natives alike.

It is believed that the hostility of the Natu family is due to the fact that one of the brothers, who had been afflicted with the plague, was sent to the Poona segregation camp along with the low castes. The neighbors of the Natus could not understand why a wealthy Sirdar should be treated like common people, and on all sides was heard the significant remark: "You will see what will happen when Natu comes out."

LONDON, July 30.—A dispatch from Bombay says that the notorious Prof. Gokhole, an agitator against the British administration, has just landed there. A crowd of Mahrattas cheered him upon his arrival. The English papers will invite him to withdraw his allegation against the conduct of the British soldiers in their efforts to stamp out the plague. Gokhole is a professor in the Deccan college. He wrote to the Poonah papers accusing the British soldiers of having violated two women, one of whom subsequently committed suicide.

JEWS TO RETURN TO PALESTINE.

Hertzl Scheme Discussed by Baron Hirsch's Representative.

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LONDON, July 29.—(New York World Cablegram — Special Telegram.)— Baron Hirsch's representative seems to take the scheme of Dr. Theodore Hertzl of Vienna very seriously. This is not less than the formation of an independent Jewish state in Palestine. He says the Jews are organizing in all parts of the world. He intends first to send an exploring expedition to thoroughly overhaul the land from end to end and establish telephone, telegraph and other modern scientific conveniences before opening it to general settlement.

To obtain the sovereignty of Palestine, he says, will be easy, as the Turks are glad to let go. He points to his decoration by the Turkish government as evidence that they think favorably of the scheme. If Turkey refuses, he says, it will surely disintegrate and then the Jewish company can take over Palestine when the powers divide up Turkish territory. If impossible to get Palestine he will turn to Argentine. To confer on this point a congress is to occur at Basle on August 29. He says there is no doubt that this congress will be the redeemer of the Jews.

There is no intention to adopt socialistic lines, but he proposes a limited monarchy like England's. The capital of the Jewish company is to be 1,000,000,000 marks.

CROKER WOULD MAKE GOOD MAYOR

Judge Truax Arrives in London and Discusses New York Politics.

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LONDON, July 29.—(New York World Cablegram—Special Telegram.)—Judge Truax and wife have arrived at the Hotel Cecil. When seen this morning Judge Truax said: "My visit to London has no political significance. I come simply as I have done for the past twelve years, for recreation."

Asked if he proposed to consult with Croker he replied: "I have no special mission to consult with him, but shall of course see him. In fact, I am going to Goodwood tomorrow and will meet Mr. Croker there, I believe. I cannot say what Mr. Croker's ideas are on the political situation in New York. To me it seems that to insure democratic success it is only necessary for that party to forego dissension and join forces in the local elections. If they do this we can undoubtedly carry the mayoralty of Greater New York."

Asked if he thought Mr. Croker desired the nomination, he said: "I have no means of knowing. Mr. Croker would make a good mayor, as he has done everything else well. There is no doubt he could have the nomination if he so desires. He might, indeed, have had it any time during the past six or eight years. If, as I said, the party joins on local issues he could be elected easily."

ARRANGING PEACE NEGOTIATIONS.

Demand for European Financial Control Arouses Opposition.

CONSTANTINOPLE, July 29.—The demand of the German ambassador, Baron Saurma de Jeltsch, that a provision be inserted in the peace treaty between Greece and Turkey for a European control of Greek finances, meets with dissatisfaction among the other ambassadors. They consider that it is not covered by their instructions, but should be made the subject of direct negotiations between Germany and the other powers. Even the Turks oppose this project, as they regard it as an attempt to take advantage of the peace negotiations in the interests of the German bondholders. While it is thought improbable that Greece could raise the indemnity loan without such guarantees as would be provided by European control of its finances, the proposed stipulation is not regarded as in order with the treaty to which Greece and Turkey are parties.

At a meeting of the ambassadors today the indemnity clause in a form satisfying the views of Germany was agreed upon. It now awaits the approval of the respective foreign offices. Another meeting will be held on Saturday, when, so far as the ambassadors are concerned, the negotiations will be concluded.

AS TO ANDREE'S EXPEDITION.

Superintendent Says the Explorer Got Away in Good Shape.

PARIS, July 29.—M. Machuron, who superintended Herr Andree's preparations for his expedition in search of the north pole, has returned here. He says that all the preparations were entirely successful and that it is impossible that Andree's balloon could have fallen into the White sea. Herr Andree, M. Machuron adds, regarded it as quite possible that he might not be heard of for a year.

STOCKHOLM, July 29.—Dr. Ekholm (Ekola), who was associated with Herr Andree in his projected balloon voyage last year, writes to the Aftonbladet that he declined to join in the present attempt because the impermeability of the balloon was unsatisfactory. He says it lost fifty-one cubic meters of gas daily from the time of inflation. In his opinion it would not last longer than from twenty-two to twenty-four days. Inasmuch as the voyage, under ordinary conditions of wind, would take at least twenty-four days, Dr. Ekholm believes Andree will be remarkably fortunate if he succeeds at all.

ANARCHISTS TELL TERRIBLE TALES.

Report Having Received Inhuman Treatment in Spanish Prisons.

LIVERPOOL, July 29.—A band of anarchists who had been exiled from Spain arrived here today on their way to London. Several of the members of the party were interviewed and related their experiences in Spanish prisons. They said they had been fed upon salt fish and had been deprived of water for eight days at a time. The prison authorities promised to give them water if they would make confessions. Owing to this treatment one of their number went mad and was shot down in his cell. Others were branded with hot irons, had their nails pulled off and were tortured in other ways.

Want Lady Somerset to Stay.

LONDON, July 29.—By an overwhelming majority the executive committee of the British Woman's Temperance association has voted to request Lady Henry Somerset to withdraw her resignation of the presidency of the association, which she tendered as a protest against the refusal of the branch associations to be governed by her desire expressed in a recent circular to the presidents of the branches that they should not approve or sign petitions to Lord George Hamilton, secretary of state for India, against the renewal of the contagious diseases acts for India.

Lose Their Commissions.

LONDON, July 29.—In the House of Lords today the marquis of Lansdowne, secretary of state for war, in reply to a question by Earl Carrington, said that the commissions of officers who had served under Dr. Jameson in the raid into the Transvaal, and of which these officers had been deprived, would not be restored.

Storm Damages Spanish Vineyards.

MADRID, July 29.—A dispatch from Barcelona says that severe storms have prevailed throughout Catalonia for the last few days with devastating effect among the vineyards. Out of 120,000 hectares of vine-

(Continued on Third Page.)

JAPAN MAKING INQUIRIES

Wants to Know Something About the United States.

CIRCULAR SENT TO AMERICAN RESIDENT

Taken to Mean that the Eastern Empire is Preparing for the Possible Contingency of War with This Country.

LOS ANGELES, July 29.—The Times today says: While the majority of people laugh at the idea of Japan going to war with the United States over the annexation of the Hawaiian islands, there is no denying the fact that the mikado and his ministers are making inquiries and seeking information concerning the country which they have never heretofore apparently considered of value. On the last steamer direct from Japan there came a message to a well known Japanese in this city in the shape of a circular of interrogations. The document came from the State department of the imperial government and freely translated is as follows:

You are commanded by the imperial government to carry out at the earliest possible date the following instructions: Ascertain how many Japanese are in the country in which you live. Do not take United States census, but ascertain by actual work by yourself.

How many Japanese in your country are American citizens? What is the average age of the male Japanese living in your country? How many Japanese are engaged in pursuits where capital is invested by themselves and what amount of capital is invested? What is the nearest seaport in your county, and if none what is the nearest seaport to be reached by you? State number of railroads, steamship lines or sailing vessels available from your county to the nearest port of embarkation for Japan, together with the cost of fare and the time necessary to reach said nearest port.

Give names of principal members of the Japanese colony in your county, with location, business and postoffice address. The above questions need your immediate attention and reports should be forwarded at the earliest date.

This circular is confidential and directed to you by order of his imperial majesty, the emperor.

Several Japanese of more or less prominence were seen regarding the document. Some denied all knowledge of it, others admitted they had heard something about it, but none of them would admit that it had any particular significance at this time.

FALSE REPORT.

WASHINGTON, July 29.—There was some comment here over statements said to have been made in a report to the Navy department by Admiral McNair, commanding the flagship Olympia at Yokohama, Japan, that not one of the numerous Japanese vessels in the harbor dressed ship on the Fourth of July, although both a British and a French flagship observed the day by duplicating every incident of the celebration of the day by the Olympia. It is asserted in the same connection that this lack of courtesy to the American national holiday was a deliberate and premeditated insult to the United States by the Japanese, and that it had the tacit assent of the government. There is nothing in the report to show that there were any Japanese ships of war in Yokohama on the occasion referred to. The construction put on the alleged lack of courtesy by the Japanese vessels is ridiculed by Admiral Crowninshield, who was asked about the matter tonight. He characterized it as pure nonsense and said there was no ground for such assertion. "Yokohama," he continued, "is a commercial port and there was no particular reason why war ships should be there."

LATE ADVICES FROM HONOLULU.

Minister of Foreign Affairs Cooper Makes a Statement.

SAN FRANCISCO, July 29.—The following Hawaiian advices were received here today per steamship Alameda, which left Honolulu on the 22d inst.:

Minister of Foreign Affairs Henry E. Cooper has given out a synopsis of the correspondence in the Japanese immigrant controversy. This was done in deference to the wishes of the supporters of the Hawaiian republic, who were at a loss to know why this government made an offer to arbitrate with Japan. The letter of June 25, written by Minister Cooper, containing the offer to arbitrate, remarks: "Referring to the subject of correspondence between his imperial Japanese majesty's government and the government of Hawaii, relating to the controversy that has arisen in regard to the rejected immigrants, permit me to add to my letter of the 25th inst. that while still maintaining the integrity of the position taken by this government, yet should the parties fail to arrive at a settlement of the question I am authorized by this government, in view of the friendly relations that have so long existed between the two countries and the mutual benefits of a continuance of such friendly intercourse and the fact that important questions involved have to do with the construction of the treaty and convention existing between the two countries, as well as a discussion of the laws of this country, to suggest that the matter at issue be referred to a disinterested arbitrator or arbitrators for settlement, and in case such suggestion is accepted by his imperial Japanese majesty's government, to say that the Hawaiian government will abide by the result." The next mail from Japan will be due on the 27th, when it will be known definitely whether or not Japan will accept Cooper's offer.

In speaking of Count Okuma's document, Cooper said: "Under date of Tokio, April 19, and received by me at the hands of Mr. Shimamura on May 11, was a letter written by Count Okuma, Japanese minister of foreign affairs, in which he regretted the fact of the nature of the emigrants by the Shinshiu Maru on April 9. In this communication Count Okuma informs the government that he has given thoughtful and deliberate consideration to all the questions involved, and although influenced by a friendly desire to accord due weight to every extenuating circumstance, the government considers that the inhospitable acts complained of were in derogation of the conventional rights of Japanese subjects."

Directly under the treaty of 1871, and indirectly by application of most favored nations principle to treaties now in force between Hawaii and other countries, Japanese subjects absolutely and equally with Hawaiian citizens are at liberty freely and severally to enter with their ships and cargoes all places, ports and rivers in Hawaii which are open to foreign commerce.

2. They have the right to travel, trade, reside and exercise every profession or industry in all parts of Hawaii.

3. They are entitled to constant and complete protection from the Hawaiian government for their persons and property, as well as in regard to the civil rights.

4. They are also entitled to free and easy access to the courts of justice of Hawaii in prosecution and defense of their rights, in every instance and degree of jurisdiction, established by the laws.

5. They are at liberty, under any and all circumstances, to choose and employ lawyers and solicitors, advocates or agents from any class who they may see fit to authorize to act for them or in their name.

"In disregard of these rights," wrote Count Okuma, "460 Japanese subjects, after being confined for some considerable time and without any judicial determination, without having access to the courts, without having permission to consult with our representatives, were ignominiously expelled from the country.

"It is not suggested that similar treatment would under any circumstances be meted out to Hawaiian citizens. In fact, the action was based upon the fact that persons concerned were aliens, who by statutory fiction were deemed to be without the territorial limits of Hawaii."

Count Okuma said, also, that his government was convinced that act 17 of 1896 and act 66 of the preceding year, if correctly interpreted by Hawaiian authorities, is in contravention of the existing treaty between the two governments. The proper regulation of immigration, he admits, is the legitimate exercise of the police power of the state; the reasonable laws on that subject, reasonably administered by Hawaii, will promote no remonstrance from Japan. In the present case the laws were a reversal of the existing precedence arbitrarily and capriciously enforced and that the extra judicial proceedings of the Hawaiian authorities were not conclusive and the refusal of the court appealed to to intervene was a denial of justice. The conclusion being that the Japanese government entertained the expectation that this government will recognize the principle of indemnification; and, further, they ask for the additional assurance that these acts will not be repealed.

The particulars regarding the amount of the claim, Count Okuma wrote, would be made the subject of a further communication, but I may say here that the communication has not been received.

Mr. Cooper said: "You will understand that my first letter was not one of argument or defense. It was a mere statement of facts. The correspondence which has followed has brought out other points and now shifting its policy to suit the occasion."

All Quiet at Honolulu.

SAN FRANCISCO, July 29.—The steamship Alameda arrived from Australian ports this morning via Samoa and Honolulu. Nothing of importance has occurred at Hawaii since the departure of the previous steamer on July 22, when Foreign Minister Cooper made public the Hawaiian side of the recent diplomatic correspondence with Japan. The Hawaiian government in this crisis maintains its right to regulate Japanese immigration, and finally offers to leave the settlement of the difficulties to arbitration. T. F. Lansing has been appointed minister of finance, to succeed S. M. Damon, who is now in the United States. Mr. Lansing will probably retire upon Mr. Damon's return.

START OVERLAND FOR KLONDYKE.

Two Young Men from Inavale Follow a Pioneer's Instructions.

INAVALE, Neb., July 29.—(Special.)—Emmet McKean and John Gray, two young men living south of town, started today for the new gold fields of Alaska. They took nothing with them, but expect to lay in stores at some point in British Columbia and go overland all the way.

McKean has a cousin in the Klondyke regions and he received a letter from him last week giving minute directions as to route, etc., he having left Seattle last August and traveled all the way overland. He reached Circle City in November. He writes that to any one who can endure the hardships of the route it is by far the cheapest of any and that if they reach Klondyke or Indian creek by winter he can locate them on claims that will yield them fortunes by spring.

He says that 10,000 men can locate good paying claims and make fortunes during the year. As to provisions, flour is the greatest necessity, as fresh fish are in great abundance and can be packed so that they will keep fresh all winter. Some kinds of game are also abundant. The heat at this time of the year is quite intense, as the sun shines nearly all the time.

Any one can get plenty of work at big wages if he can be induced to work at other things besides mining.

PICKING UP MONEY IN KLONDYKE.

Former Ottumwa Resident Writes of the Wonderful Finds.

OTTUMWA, Ia., July 29.—(Special.)—Cris Tolman, formerly of this city and later of Montana, is in Circle City, Alaska, having gone there with a quantity of liquors to sell to the gold miners. He found Circle City deserted and writes home that he has started for the Klondyke country. He says in his letter that there are not more than 200 people in Circle City now, and describing the Klondyke country he says:

"Claims run from $3 to $850 per pan, and lots of pans run from $200 to $500. Of course nearly everything is taken in the district and was before I got into it. Wages are $15 per day, without board. I just saw two men come in from the mines with 150 pounds of gold dust and nuggets. They weighed it on the scales the same as you weigh wheat and have it sitting around in syrup cans and old kegs. The largest piece I saw weighed $200. Men who never had $500 in their lives are now worth $150,000 to $200,000. Three men bought a claim for $75,000 from a man who had all the money he wanted and desired to return to the states. The trio borrowed $5,000 to pay down on it and had thirty days to pay the remainder. They took the amount out of their pans and paid for it in twenty-five days."

Customs Officers on Deck.

VICTORIA, B. C., July 29.—There is a crowd of indignant gold seekers in town. Two hundred of them came from Seattle with their outfits to take the steamer Islander for Dyea. Arriving here they found that not a pound of goods would be allowed to enter the Klondyke district without paying the regular Canadian duty. Some of them decided against payment of the duty here, but are not going with the expectation of evading the customs officers. This is hardly possible, as the customs officers are going up on the Islander, accompanied by a force of constables, who will assist the mounted police now there to enforce the laws.

Better Stay Away.

BENTON HARBOR, Mich., July 29.—The widow of Lieutenant Schwatka, the Arctic explorer, being interviewed here concerning the Klondyke gold regions, which country she has repeatedly visited with her husband, declared that the government should stop the tide of immigrants' pouring into the gold fields in Alaska. She says that the mountain passes are strewn with the skeletons of unfortunate miners who perished from either cold, heat, malaria or starvation while trying to reach the golden region.

Will Send Two Men to Klondyke.

CHEYENNE, Wyo., July 29.—(Special.)—A number of Union Pacific officials here have formed a company which will send two men to the Klondyke gold district for the purpose of prospecting and securing claims this coming winter. Division Superintendent Malloy, Superintendent of Shops O'Hearn, Doctor Rohrbaugh and others are the members of the company.

FOREIGNERS MUST ENTER ARMY.

Bill Passes One House of Belgian Congress.

BRUSSELS, July 29.—The Chamber of Deputies has passed a bill compelling all foreigners who have had a year's residence to enroll themselves in the civic guard. The measure is the result of the very great increase of late in the foreign colonies at Antwerp and in this city. It is expected the Senate will kill the bill, but M. Schollart, the minister of the interior and public instruction, threatens to resign his portfolio unless the measure is passed into law.

Movements of Ocean Vessels, July 29.

At Fastnet—Passed—Bovic, from New York, for Liverpool.

At London—Arrived—Elysia, from New York.

At Genoa—Sailed—Werra, for New York.

At Queenstown—Sailed—Belgenland, for Philadelphia; Germanic, for New York.

At Boulogne—Sailed—Obdam, from Rotterdam, for New York.

At Stettin—Arrived—Island, from New York, via Christiana, etc.

At Antwerp—Arrived—Pennsylvania, from Philadelphia.

At Hamburg—Arrived—Bolivia, from New Orleans.

At Cherbourg—Arrived—Fuerst Bismarck, from New York, via Plymouth, for Hamburg. Sailed—Saale, for New York.

At New York—Arrived—Havel, from Bremen.

At Philadelphia—Sailed—Netherland, for Antwerp.

At Bremen—Arrived—Trave, from New York, via Plymouth.

At Hamburg—Arrived—Pennsylvania, from New York.

PUT ON THE AUCTION BLOCK

Great Railroad System to Be Sold to the Highest Bidder.

SALE OF THE UNION PACIFIC IS ORDERED

Decrees Signed by Judge Sanborn and Judge Cornish Appointed Special Master to Fix Date and Conduct Sale.

Decrees of sale of the Union Pacific railway under the foreclosure proceedings instituted against it by the United States were passed upon by Judge Walter Sanborn in United States court here yesterday. There was no objection to the entrance of the Ames-Dexter decree, and after a few corrections had been made in the printed copy of the decree, it was passed upon by the court. The entrance of the government's decree drew forth a vigorous debate between ex-Governor Hoadly, special counsel for the United States, and Winslow S. Pierce, counsel for the reorganization committee. The debate was upon the right of the court to reserve to the United States all rights of the government not expressly stated in the decree. It was decided in favor of the government. The upset price under the first mortgage will be $50,637,455. Judge William D. Cornish of St. Paul will act as special master in the matter. He will sell the main line, the 1,034 miles of road from Council Bluffs to Ogden, and its immediate branches, in this city. The date of sale will not be fixed until twenty days shall have expired, the court giving that much time to the Union Pacific Railway company to redeem the property. The date of sale and other matters connected with the sale will be fixed by Judge Cornish. Similar decrees were entered in Council Bluffs yesterday afternoon, and later will be entered in the states of Wyoming, Colorado, Utah and Kansas.

The entrance of the decrees of sale drew together an assemblage of as many prominent judges, attorneys and counsellors as ever met in Omaha. Judge Sanborn sat on the bench with Judge Munger, and passed on the decrees. The government was represented by ex-Governor Hoadly of Ohio, now of New York City, and by General John C. Cowin of this city. With the exception of ex-Governor Hoadly, the most prominent figure in the court room, at least the attorney who attracted most attention, was Winslow S. Pierce of New York City, the youthful but brilliant attorney who is said to have evolved the scheme of reorganization of the Union Pacific. He with Lawrence Greer, also of the greater city, looked after the interests of the Dexter-Ames trustees of the Union Pacific first mortgage. R. S. Hall of this city, associated with Mr. Pierce, was also on hand. Three of the receivers of the Union Pacific system were in attendance; they were: Oliver W. Mink, John W. Doane and E. Ellery Anderson. Mr. Mink is second vice president and comptroller of the Union Pacific Railway company, and has been frequently mentioned in connection with the presidency of the reorganized company. Judge William D. Cornish of St. Paul, who was appointed as special master for the sale of the Union Pacific and who since the commencement of the receivership of the Union Pacific in October, 1893, has acted as special master-in-chancery for cases arising under the receivership, was also present. Charles Blood Smith of Topeka, who is in charge of the foreclosure proceedings of the Kansas Pacific, the branches of the Union Pacific in Kansas, was there. General Solicitor Kelly of the Union Pacific Railway company was on hand to look after the interests of the company.

In addition to these brilliant representatives of the law, there was a regiment of secretaries, chief clerks and stenographers in attendance upon their superiors, and a considerable number of prominent Omaha attorneys and other professional men dropped into the big court room to hear the passage of the decrees of foreclosure sale of the great Union Pacific main line.

NO OBJECTIONS TO DECREE.

It was just seven minutes after 11 o'clock when the court assembled and the legal proceedings antecedent to the foreclosure sale were commenced. Judge Sanborn stated that he understood that a motion for a decree of foreclosure was to be made at this time, and asked what parties requested it. Lawrence Greer, representing the trustees of the Union Pacific first mortgage, presented papers giving a written answer to this query. The proceedings were then interrupted for the space of ten minutes while a brass band, a steam organ and other discordant accompaniments of a circus parade passed by the government building.

There were no objections to the entrance of the Dexter decree for the sale under the foreclosure of the first mortgage, and after several minor corrections of the printed copy it was passed upon by Judge Sanborn.

Then the government decree of foreclosure sale under the second mortgage of the United States was taken up for consideration by the court. Before this decree was passed upon there was a lively legal tilt between ex-Governor Hoadly for the United States and Winslow S. Pierce for the reorganization committee. The venerable representative of the government said that he had had a consultation on the matter with the attorney general on Tuesday of this week. At that time the attorney general had expressed some fear that all the rights of the United States had not been expressly stated in the decree. The attorney general had therefore requested him to ask the court to reserve to the United States all the rights not expressly stated or necessarily disposed of by the decree.

This request for a reservation to the government of all rights not disposed of by the attorney general through ex-Governor Hoadly brought Mr. Pierce to his feet. He protested most emphatically against the granting of this additional clause to the decree. He said that it would mean the research of all congressional legislation on the Union Pacific matter. He believed the additional clause asked for was altogether unnecessary, as the rights of the government had been, he believed, fully enumerated and protected by the decree prepared.

GOVERNMENT RIGHTS PROTECTED.

Ex-Governor Hoadly said that he had gone over the decree very carefully, and he believed that all the rights of the government were protected by it. At the same time, he said, the attorney general was exceedingly anxious that there should be no opportunity at a future date for any of the government's rights to be sacrificed on account of omission from the decree. While he knew of no omissions of the government's rights in the decree, he thought the solicitude of the attorney general that the government should be amply protected by the insertion of the clause requested was most seemly on account of the gravest importance of the transaction.

For the reorganization committee, Mr. Pierce, in his quiet but effective manner, again protested most earnestly against the insertion of such a clause as had been requested by the attorney general. E. Ellery Anderson, one of the receivers, moved over close to Mr. Pierce and the other receivers present held a consultation and appeared somewhat excited lest the court should grant the request for the insertion of the government protective clause. Mr. Pierce said that the addition of such a clause might be very harmful to the purchasers. He declared that such a clause would hang like a sword over the new company. He again declared that all government rights were already fully reserved and said that the clause under debate should certainly be omitted.

Ex-Governor Hoadly replied that if all governmental rights had been fully reserved, such a clause could not hurt Mr. Pierce, or those whom he represented. While ex-Governor Hoadly believed such a clause unnecessary, he said the request came from the attorney general, whose authority in the matter was greater than his, and whose wish should be respected. He said the only effect would be to prevent Mr. Pierce from claiming what was not his.

Judge Sanborn said that he had previously expressed his opinion on the relation existing between the government and the Union Pacific. He said, regarding the transfer of the benefits and the burdens of the Union Pacific to the purchasers, it was a matter that the court could not deal with at this time. He said, however, the government did appear at this time as a mortgagor and its rights as mortgagor must be considered. He said that the attorney general, as a matter of caution, had asked that all rights not disposed of in the decree should be reserved to the United States. He believed that this was a fair and just request and he therefore granted the application for the insertion of the clause requested.

It was nearly 1 o'clock when these formalities were completed, and Judge Munger then adjourned court. The attorneys in the case spent another hour correcting the copies of the decree to conform to the changes made by the court, and the papers were then filed. The decree for the first mortgage bondholders covers forty-four printed pages. It recites the history of the road, with the several acts of congress governing the same, the issue of the different series of bonds, and the litigation leading up to the suit for foreclosure.

WILL BE SOLD IN OMAHA.

It is then decreed and ordered that all the property and rights of the company shall be sold at auction to the highest bidder, upon the mortgaged premises at the freight station of the railroad company in the city of Omaha, on a date to be fixed by the special master. A notice of the sale is ordered published at least once a week for four successive weeks in at least one newspaper in New York City, Boston, Omaha, Denver, Cheyenne and Salt Lake City.

The receivers of the road are ordered to file within ten days of the entering of this decree an approximate statement of the amount of money in their hands, the amount of moneys due to them, and all their liabilities due from the operation of the mortgaged premises.

The decree appoints William D. Cornish as special master to make the sale, and he is given power to postpone the sale from day to day if circumstances require. Prospective bidders are required to deposit with the master five days previous to the sale the sum of $2,000,000, and the successful bidder must deposit within five days after the sale a sum equal to 25 per cent of the bid as a pledge that he will make his bid good. No bid will be accepted for a less amount than $50,637,455. The purchaser may pay for the property in cash or in cash and first mortgage bonds, and the amount remaining after the application of the two deposits made must be paid as follows: Twenty-five per cent within thirty days after the confirmation of the sale; 25 per cent in forty days; 25 per cent in fifty days, and 25 per cent in sixty days. Payments may be made in bonds at the value of the principal and the interest due.

The money received from the sale is to be used first for the payment of the first mortgage bonds, and second, if there be a surplus, to the payment of any debt due the government. The purchaser pays all costs of the case, the expenses of the sale, compensation of master, balance due the receivers on salary, and unpaid indebtedness of the receivers incurred in the management of the property.

The decree in favor of the United States is similar in form to the one for the first mortgage bondholders, except that it provides for a sale of the property subject to the prior liens represented in the other decree. It provides for a double sale, to wit: of the subsidy bonds of $27,236,512, with interest amounting to $30,525,430, making a total of $57,762,430, the upset price being $22,000,000; the other is the sale of $12,645,250.80 in bonds in the United States Union Pacific sinking fund, which cannot be sold for less than par value.

ON A FORECLOSING TRIP.

Probably the most handsome and elaborately appointed railroad train seen in this city since the Vanderbilt-Webb special train that was here last summer was that which pulled out of the union depot at 10:40 o'clock last evening for Topeka. It was the special train for Judge Walter Sanborn, the receivers of the Union Pacific, the attorneys of the railway company, the special counsel of the government and the representatives of other interests affected by the approaching foreclosure sale of the Union Pacific system. The party numbered about thirty, many of the prominent railroad men and leading barristers being accompanied by their wives.

The train was a handsome one from the headlight of the brand new engine which pulled it back to the signal light on the private car of the Union Pacific system, known as 04. Two other elegantly appointed private cars of the same company, 01 and 010, were attached to the train. The sixteen-section sleeper, "Mercutio," one of the finest Pullman cars in the west, and a well-stocked baggage car, completed the equipment of the train. It was drawn by engine No. 890, just out of the Union Pacific shops and resplendent with bright brass and glistening steel. It is understood that no time will be wasted along the line, and the new locomotive certainly looked as though it could make a record with the special as it left here last night. Before returning to Omaha the party will visit practically all points on the Union Pacific system. It may be the last trip of the receivers over the "Overland Route," and it will be a grand one.

Burlington's June Earnings.

CHICAGO, July 29.—The net earnings of the Burlington road for the month of June were $61,360, an increase of $135,243 over the same month of last year, when the earnings showed a deficit of $73,886. For the six months from the beginning of the year to June 30 the net earnings of the road have been $938,694, an increase of $1,228,256 over the same period of the preceding fiscal year, when the earnings showed a deficit of $289,564. The greatest part of the increase has been in the freight earnings of the road, which have been for the six months $1,334,127 over the previous six months.

Passenger Association Goes to Pieces.

CHICAGO, July 29.—The Southwestern Passenger association is apparently going to pieces. The St. Louis & San Francisco has withdrawn. The Rock Island and Santa Fe, it is reported, are about to do so and there will seemingly not be enough lines to maintain it. The reason for the collapse is the refusal of the Southern Pacific to have anything to do with the association.

Sale of Colorado Midland.

DENVER, Colo., July 29.—The sale of the Colorado Midland railroad and all property appertaining thereto, is advertised to occur at Colorado City September 8, at 12 o'clock noon, according to the decree of the United

(Continued on Fifth Page.)

COOLER WEATHER IS PROMISED.

Mercury Coquetted with the High Places Yesterday.

Hour.	Deg.	Hour.	Deg.
5 a. m.	72	1 p. m.	90
6 a. m.	71	2 p. m.	90
7 a. m.	72	3 p. m.	91
8 a. m.	74	4 p. m.	93
9 a. m.	81	5 p. m.	92
10 a. m.	83	6 p. m.	93
11 a. m.	85	7 p. m.	90
12 m.	88	8 p. m.	88
		9 p. m.	85

It was hot enough yesterday afternoon, but still it was not as hot as some of the days during the early part of the month, as the mercury failed to get above 95 degrees. A stiff breeze blew from the south during the evening, making sleep one of the possibilities. Out at North Platte during the afternoon the record of the season was broken, for there the mercury climbed to 102 degrees. Local Forecast Official Welsh ventures the opinion that today it will be fair and cooler. He says that there is little prospect of rain. Yesterday the humidity marking was 33 degrees. The table at the head of this column tells the tale of yesterday's weather.

ARMY OF STRIKERS

Marching Miners Invade the Country About DeArmitt's Mines.

SEVERAL THOUSAND CAMP ON THE HILLS

Nearly All Carry Walking Sticks and Some Are Armed.

KEEP QUIET, BUT PREPARED FOR TROUBLE

Hoot and Yell at the Men Who Go to Work in Mines.

ARMED DEPUTIES APPEAR ON THE SCENE

Big Mass Meeting is Held at Which Debs is Prominent Figure—Bulletin by Mine Workers' Officials.

PITTSBURG, July 29.—Oak Hill, in the vicinity of Turtle creek, Plum creek and Sandy creek, of De Armitt's mines, were invaded after midnight by an army of strikers who came to attend the great mass meeting held near here today. It is estimated that by daybreak there were several thousand miners encamped on the hills surrounding the property of the New York and Cleveland Gas and Coal company's property. They came from every direction, headed by brass bands. Nearly all of them carried heavy walking sticks and some were armed. There were no threats of violence, however, and no indication of drinking. Immediately upon reaching Oak Hill the strikers proceeded for camp. The scenes around Turtle creek after midnight were strange. Poorly clad miners stretched themselves out in the softest spots they could find. Each detachment was in charge of men selected before the march was begun. Orders were implicitly followed. In the valley leading up from Turtle creek to one of the New York and Cleveland mines the company had a powerful searchlight. It was kept shifting about in hopes of flanking any movement of the strikers to creep within reach of the mine unknown to the deputies, who guarded every approach.

Long before daylight the strikers were up, and after eating their frugal meal prepared for the day's work. The intention was to see as many of De Armitt's men before they got into the pits this morning as possible. About 4 o'clock 1,500 strikers assembled at Turtle creek, and headed by three brass bands, with flags and banners flying, marched past the houses occupied by De Armitt's miners. The strikers hooted and yelled and then marched to the mines, where they planted themselves before the pits, thus compelling De Armitt's men to run the gauntlet to get to work.

ARMED DEPUTIES APPEAR.

A short time later Sheriff Lowry, who had been wired to for assistance, arrived from Pittsburg with fifty deputies armed with rifles. The strikers quietly withdrew and the new deputies were placed on guard. Everything is quiet now.

When the meeting was called to order at 10 o'clock this morning there were 3,000 striking miners in attendance, and before it was well under way there were 5,000 people in the vicinity of the school house. At about 10:30 o'clock the miners from Sandy creek mines marched to the meeting and quite a large number came from Turtle Creek.

When the strikers reached Plum Creek and started on a run down the road toward the tipple to catch the men before they entered the mine five shots were fired from rifles held by the deputies. In reply to this the drum corps struck up a lively air, but no return shots were fired. The miners, who were hurrying into the pits, were overtaken and asked not to go to work. Most of them said they were afraid they would lose their jobs if they stayed away from work to attend the meeting. They decided after a short parley to go into the mine. The miners were carrying dinner buckets. As they turned to leave the strikers their dinner buckets were taken from them. The frightened miners, without stopping to attempt to regain their buckets, turned and ran for the pit and did not stop until they were behind the shelter of the deputies' rifles. The mine is in full operation. Sandy Creek mine has closed down and about one-third of the Turtle Creek miners quit work and went to the meeting.

Previous to the meeting Mr. Debs, District President Dolan, Secretary Warren and M. P. Carrick went among the strikers and counseled them to keep within the bounds of the law and preserve good order throughout the day. Their advice was received with good grace by the men who cheered the officials enthusiastically. The meeting is without doubt the largest held during a strike in western Pennsylvania and the leaders are hopeful of its effects on De Armitt's men. The speakers told the miners they were jeopardizing the success of the strike by continuing at work and urged them to come out and make the suspension complete. Two hundred deputies are now on guard about the mines, but no trouble is apprehended.

President Dolan was made chairman of the meeting and in a short speech he accused Mr. De Armitt of insincerity. He said that if De Armitt's men didn't come out there would be a sympathy strike all over the United States.

WARNED AGAINST VIOLENCE.

M. P. Carrick was next introduced, and he said that workingmen all over the United States are interested in this strike because it will have a tendency to raise wages everywhere. "If you men of the De Armitt mines will not come out now we will march 50,000 men here and compel you to come out, not by force, but by shame. We will shame you by our starving women and children. You are clogging the wheels of commerce, and the whole labor world will strike in sympathy with us if need be. Resort to no violence, my friends. Trust in your leaders and we will win this strike in other ways than by violence."

When Eugene V. Debs was introduced there was great enthusiasm. He said in part: "I am here, not to encourage passion, but to appeal to reason. You are in the midst of the greatest contest the world has ever known. Whether you succeed or fail depends on yourselves. In order to win you must remain absolutely sober until this contest is over. Whisky clouds the brain, robs you of your money and makes you brutal, and also makes you do just what your enemies want you to do."

After the meeting the Sandy Creek miners returned to work and the strikers went into camp and had lunch. The presence of the deputy sheriffs was not needed, as there was no trouble of any kind. President De Armitt said this afternoon that all the mines of the company were in operation and he was certain that his men could not be induced to strike.

STATEMENT BY DEARMITT.

Mr. DeArmitt tonight makes the following statement: "A few of our men from the Turtle creek and Plum creek mines attended the meeting. About forty of the younger men in the Sandy creek region were present. As far as the effect of the meeting on our men is concerned, it was a flat failure. All of our mines were in operation and will be tomorrow."

A large force of deputies is on duty and developments of a sensational character are liable to occur at any time. The men in the camp will be supplied with food.

Late tonight William Warner, secretary of the Miners' union, telephoned that a break in DeArmitt's men has taken place. He says that after the day meeting another meeting was arranged for tonight and it was attended by many of the men who