HARMON SPEAKS IN DEFENSE

Ex-Attorney General Talks on the Union Pacific Situation.

UPHOLDS THE ACTION OF CLEVELAND

Shows Fallacy of Recent Criticisms Concerning Government's Action on Proposed Sale of the Road.

CINCINNATI, Oct. 28.—Judge Judson Harmon, who was attorney general under the last administration of President Cleveland, today gave out the following statement regarding the proposed sale of the Union Pacific railroad:

"Among the criticisms of the Union Pacific situation it is publicly declared by some that the foreclosure of the government's lien on the main line and that of the Kansas Pacific line should have been in a single suit, and that possible loss by breaking up the unity of the properties might have been avoided by afterward consolidating the several suits.

"This statement is wholly unfounded. As the property is in seven different states and judicial districts, a separate suit had to be brought in each. The disadvantage of this to the government was plain from the start. Accordingly, in a bill for a settlement presented at the request of congress by Mr. Olney, he inserted a provision authorizing foreclosure of all the government liens in a single court, if suit should become necessary. The bill failed and this provision with it.

"In the attorney general's report for 1895 (page 25) the subject was again urged upon the attention of congress as follows: 'As it may become advisable or necessary for the government to institute legal proceedings against one or both of the companies above named, I beg to call attention to the necessity of a law giving some proper court in the District of Columbia jurisdiction of the entire property and of all the property in interest. What has been hereinbefore said as to the general necessity of giving one court full jurisdiction in such cases applies with especial force here. Such a provision was included in the bill prepared by Attorney General Olney at the request of the last congress. (See his report for 1894, page 26.) It should now be put in the form of a separate act, so as to be made independent of any particular plan of reorganization. Until the passage of such an act any attempt of the government to protect its rights by litigation will be greatly hampered.'

"A general law for all like cases was recommended (24). The attorney general followed his report by preparing a bill which was introduced by both Senators Morgan and Brice on December 20, 1895 (54 cong. 1st session, volume 28, record pages 268, 269). It was not passed, although it was again recommended (report 196, page 25.)

"Consequently, when the president directed foreclosure, provided the too common fate of junior liens could be avoided by a guaranty, as he had promised to do in his message of December 7, 1896 (2nd session, 54 cong. p. 1.) in case congress should fail to act, the necessity of separate suits could not be avoided.

GOVERNMENT'S GUARANTY.

"The guaranty secured by a large deposit of money assured to the government in cases on its second lien, in the distribution of proceeds of sale, at least the principal of all its subsidy bonds and more than half the interest which ran at 6 per cent for thirty years and, unlike the principal, was not invested in the property, but went to the bondholders. To make this guaranty good required a bid at the sale of about $45,000 per mile for the entire system, or $50,000 per mile for the part subject to the government's lien, including the sinking fund, to the benefit of which, of course, the company was entitled. The arrangement was recommended in writing by every government director and receiver. The government's lien did not cover the entire property of the company, nor even all its lines of railroad and the remainder of both property and lines was heavily mortgaged to others. Whether by the terms of the act the government created for itself more than a mere lien is by no means clear under the decisions of the supreme court, but its claim as a general creditor was not qualified or surrendered.

"The sale was to be at public auction subject to the approval of the court and free and open to any and all bidders without restriction or condition, as shown by the terms of the agreement submitted to congress at the time, January 28, 1897, (2nd session, 54 cong. page 1241). The suits were brought in February and had to remain separate like those brought to foreclosure the prior mortgages, making a unit sale of the entire property possible only by concurrent action of the various courts, with the consent of all parties. The consolidation of the suits has always been as much out of the question as foreclosure by a single suit was in the beginning. JUDSON HARMON."

OFFERS TWENTY MILLIONS MORE.

English Syndicate Will Raise Bid if Sale is Postponed.

LONDON, Oct. 29.—Long cable messages have been sent to United States Attorney General McKenna in the matter of Union Pacific railway sale in behalf of the syndicate making offers. The syndicate claims that it would produce $20,000,000 more to the government than any other bid, and urges the sale to be postponed until December 15, to enable congress to determine as to the validity of the acceptance of the bond in part payment. Coates, Son & Co. contend that by the sale of the Union Pacific separately the United States will be loser, while they (Coates, Son & Co.) propose to pay the government in full for both roads.

The final cable message sent yesterday claims that the latest Schiff bid is very little better than the previous bids, and that once Mr. Schiff has secured the Union Pacific he will have the Kansas Pacific division at his mercy and buy it at his own price. The dispatch concludes:

"If the government secures a postponement of both sales until December 15, the Coates syndicate will furnish guarantees to pay in full the government claims on both roads. Congress can then determine whether both roads should not be sold concurrently. By our bids we have already earned $8,000,000 for the government and are therefore entitled to a fair opportunity to more than four weeks' notice of the sale of these great railroads to secure the property on the basis of getting some millions more for the government."

The Times in its financial article this morning thinks "it certain that the reorganization committee will obtain unopposed possession of the main line November 1."

GIVES THE CREDIT TO M'KINLEY.

Twelve Millions Saved to the Government on Union Pacific Sale.

DES MOINES, Oct. 28.—Senator Gear, chairman of the Pacific railroads committee of the United States senate, passed through Des Moines today on his speaking tour in the Iowa campaign. In the matter of the sale of the Union Pacific he said:

"The government had a claim of $58,000,000, a small part of which is principal and the remainder interest. It became necessary for Mr. Cleveland to take steps to secure the payment of the claim. The reorganization committee offered $45,750,000. Bills were introduced authorizing a settlement with the approval of the president. No action was taken for the reason that congress was busy with the tariff. President McKinley found he had to deal with the question. The reorganization committee then offered $51,000,000 for settlement. Through Attorney General McKenna he notified the committee he would not authorize the sale to be made at that price. The attorney general threatened to appeal the suit and now the committee has offered to pay $58,000,000, the claim of the government in full.

"The government does not lose a cent. It will realize every dollar. President McKinley and his cabinet are entitled to the thanks of the nation for the able manner in which this question has been adjusted to the entire satisfaction of all. The fact is the government is $12,000,000 better off than it would have been had the original proposition been accepted."

Senator Gear said it was fair to presume the same sort of settlement would be made with the Central Pacific, which owes the government nearly $80,000,000.

Kansas Pacific Not In.

CHICAGO, Oct. 28.—The Tribune tomorrow will say: High railroad authority in Chicago today gave out the declaration that the reorganization committee of the Union Pacific road has given up the idea of buying in the Kansas Pacific branch. The syndicate owns $7,000,000 in first mortgage bonds of the Kansas Pacific and would get the road by paying the amount due the government—namely, $12,998,272. But the committee does not want the road, and is only trying to keep out other bidders. Instead of paying $13,000,000 or more to secure the Kansas Pacific, the reorganization committee, it is claimed, has determined to use that money in securing control of the Union Pacific, Denver and Gulf railway.

Philadelphia & Reading Statement.

PHILADELPHIA, Oct. 28.—A statement of the Philadelphia & Reading railroad for the month of September compared with the same period of 1896 shows: Gross receipts $2,024,274.51; expenditures, $1,042,322.59; net earnings, $981,951.92. September, 1896: Receipts, $1,841,757.23; expenses, $1,012,975.03; net earnings, $828,781.80. Coal and Iron company for the same periods: Receipts $2,421,811.51; expenses, $2,325,204.06; net earnings, $86,607.47. September, 1896: Receipts, $2,172,411.31; expenses, $2,069,789.01; net earnings, $105,622.30.

Fail to Agree on Rates.

ST. LOUIS, Oct. 28.—The special committee of lines interested, which was appointed to meet here and agree upon a basis of rates that should govern on shipments of grain from southwest Missouri river points to the gulf and to the Mississippi river, after a two days' session failed to come to any understanding. The best proposition in the line of an advance on grain rates from Kansas City to the gulf, in order to equalize the situation from the Missouri to the Atlantic seaboard, was that of 18 cents, 3 cents above the existing rate to the gulf. Adjournment was taken until Monday, November 8, in Chicago.

The verdict of the people is that Dr. Bull's Cough Syrup is the best remedy for coughs, colds, sore throat, asthma, etc.

Subscribe for The Sunday Bee and read Anthony Hope's great story—"Simon Dale."

HAS A STORMY ALL-NIGHT SESSION.

Reichsrath Discusses Impeachment of Cabinet Ministers.

VIENNA, Oct. 29.—The Reichsrath has had another stormy night session. The leaders of the German parties protested against the policy adopted on the suggestion of Dr. Kramarcz of discussing motions for the impeachment of the ministry at the morning sittings and of devoting the evenings to the bill for the extension of the compromise with Hungary for a year. They protested against it as a violation of the standing orders of the house and of the Austrian constitution and, amid loud applause from the left and the socialists' seats, they declared they would continue to resist with all their might the decree authorizing the official use of the Czech language in Bohemia.

The vice president declined to allow a motion for the impeachment of the cabinet with reference to the sugar bounty law and called upon the house to proceed to discuss the compromise bill. This provoked an angry tumult. The vice president suspended the sitting for ten minutes. When it was resumed Herr Lecker tried to address the body, but Herr Wolff, a German liberal, clamored for a vote on a motion to close the sitting and, being ignored by the vice president, began to thump his desk violently with a ruler. This chaotic state of things continued for half an hour, when Herr Wolff declared that as the vice president refused to hear him he would proceed without permission. The result was that Herr Lecker and Herr Wolff were speaking simultaneously, the former almost inaudibly and the latter at the top of his voice. Finally Herr Lecker moved that the sitting should be closed on condition that if the house rejected this motion he should be allowed to continue his speech. The vote was taken and the motion to close the session was rejected.

Herr Lecker resumed his speech at 10:50 p. m. and was still speaking at 2:30 o'clock this morning.

TORPEDOES PERFECTLY HARMLESS.

Unearth a Great Scandal in the Greek Navy.

ATHENS, Oct. 28.—A profound sensation has been caused here by a naval scandal of formidable dimensions. It has just been ascertained that all the cartridges fitted to the torpedoes during the war between Greece and Turkey were not provided with percussion caps and fulminating mercury. Hence, if the torpedoes had been wanted they would have been perfectly harmless. The committee of investigation which was appointed to inquire into the matter has already decided that two officers, Arastople and Anastasia, must be tried by courtmartial on the charge of culpable negligence.

The anti-dynastic newspapers are making violent attacks upon Prince George of Greece, who was the commander of the torpedo flotilla. The prince, who was a great favorite with the masses previous to the war, is deeply affected by these attacks. The Asty observes that the scandal surpasses any that could be imagined, adding that Prince George emerges from it with diminished prestige.

WEYLER SAILS FOR HOME TODAY.

Demonstration in His Honor Before He Starts.

HAVANA, Oct. 28.—General Weyler will leave tomorrow on the Monserrat. He will be accompanied by his general staff officers and aides-de-camp. There will be no other passengers on the steamer. At 3 o'clock tomorrow afternoon, previous to the embarkation of the general, there will be a great manifestation in his honor. The volunteers, according to the program, will take a prominent part in the demonstration.

PROMOTION OF BARON VON BULOW.

Appointed as German Minister of Foreign Affairs.

BERLIN, Oct. 28.—The Reichsanzeiger today publishes formal notice of the appointment of Baron von Buelow, recently German ambassador at Rome, as minister for foreign affairs with the rank of minister of state and member of the Prussian ministry.

Huntington Does Not Get the Road.

MONTEREY, Mex., Oct. 28.—A. A. Monett, general manager of the Monterey & Mexican Gulf railway and personal representative of the Belgian syndicate which owns the road, arrived here from New York and Europe, where he went for the purpose of concluding the deal for the sale of the road to C. P. Huntington of the Southern Pacific company. The negotiations were not successful.

To Settle Colonial Disputes.

PARIS, Oct. 28.—The British and French commissioners appointed to discuss the territorial disputes in West Africa between France and Great Britain will begin their sessions tomorrow, the French minister of foreign affairs, M. Hanotaux, and the British ambassador to France, Sir Edmund Monson, having decided upon the general lines of the discussion.

RUMOR THAT THE MEN SULKED.

Sensation Concerning Withdrawal of Second Battalion.

LONDON, Oct. 29.—The Daily Chronicle this morning prints a sensational telegram from Bombay, which says: There is much speculation here as to the reasons for the withdrawal of the Second battalion of the Royal Irish regiment from Samana to Rawalpindi. It is asserted, on the one hand, that the men sulked at the critical moment and refused to march further. On the other hand, Colonel Lawrence says two companies were at the front with the other troops on the day in question, while the other troops were retired by order of a staff officer. This latter statement is contradicted from headquarters by saying the order was to advance and not to retire. Eighty-five per cent of the men were quite healthy.

The Daily Chronicle says, editorially: "Evidently some one has blundered and the case is one that demands inquiry. It is a singular fact that there are numerous Scotch battalions on the northwestern frontier and there are only one or two Irish battalions."

MOB SEIZES CLOTHES AND FOOD.

Rioting in Athens Which Causes Great Excitement.

BRINDISI, Italy, Oct. 28.—A dispatch from Athens, which the censor there refused to allow the operators to send, says that great excitement prevailed at the Greek capital on Monday. Several hundred volunteers invaded many of the houses and shops of the city and seized clothing and food. The shopkeepers resisted, some of them using arms in so doing. This caused a panic, all the shops in the town were hurriedly closed and finally the rioters were dispersed by strong patrols of troops, who succeeded in arresting the ringleaders. The rioters defended their conduct on the ground that they were cold and hungry.

FRENCH MARCHING TO KHARTOUM.

Result of an Understanding with the Mahdi.

PARIS, Oct. 28.—The Eclaire publishes a remarkable article today to the effect that three French expeditions are on their way to Khartoum by forced marches as the result of an understanding with the Mahdi, reached in 1896, by which France recognizes the Soudan as an independent state under the suzerainty of the sulten of Turkey in return for certain concessions. In conclusion the Eclaire says: "France is acting in these regions by express desire of the Mahdi in conformity with the principle of the maintenance of the integrity of the Ottoman empire proclaimed by M. Hanotaux, the French minister for foreign affairs."

CABINET ADOPTS CUBAN REFORMS.

Pushes Along the New Plan for Autonomy.

MADRID, Oct. 28.—The following reforms for Cuba, it is said, have been formally passed upon and approved by the Spanish Cabinet:

The Cuban Chamber of Deputies is to consist of between forty and fifty deputies for each 1,000 inhabitants. The governor general is to choose from this Chamber five members to form an executive committee, consisting of a president and ministers of the interior, finance, justice and public works. The governor general of Cuba is to have the right to veto legislation.

WILL GO TO SEARCH FOR ANDREE.

Two Expeditions to Start at Once for the Far North.

STOCKHOLM, Oct. 28.—Dr. Otto Nordenskjold, the Arctic explorer, will superintend an expedition to be fitted out at the expense of Norway and Sweeden, to ascertain whether any trace of Andree's balloon can be found.

LONDON, Oct. 28.—According to a dispatch to the Daily Mail from Copenhagen, a dispatch has been received from the Island Vardoe which says that Captain Sverdup will start immediately with an expedition for Prince Charles promontory to look for the Andree balloon.

Liberals Lose.

BERLIN, Oct. 28.—The election of delegates who are to choose the deputies of the Baden Diet, of which body half the members have to be re-elected, has resulted in the national liberals losing three seats, including Carlsrhue, which were won by social democrats. The liberals thus lose a majority of the House.

Brush with the Natives.

SIMLA, Oct. 28.—An official dispatch from Gundaki says that during a reconnaissance this afternoon to the foot of the Sepahga pass by the Devonshire regiment and a detachment of Ghurkhas the tribesmen opened fire in force at long range. Colonel Sage was wounded.

Wolcott Goes to Paris.

LONDON, Oct. 28.—Senator Wolcott has gone to Paris in the hope of prevailing upon the French government to agree to fresh bimetallic proposals. It is believed here, however, that the government of France will not do anything further in the matter.

Canal Caves In.

MONTREAL, Oct. 28.—The side of Soulange's canal for a distance of 1,300 feet and a depth of seventy feet has fallen in, carrying with it large pieces and doing damage estimated at $100,000 or more.

Police Seize Comic Paper.

PARIS, Oct. 28.—The police of this city today seized a German comic paper, the Lustig Platter, containing cartoons ridiculing President Faure and the French republic.

Disastrous Storm in China.

LYONS, France, Oct. 28.—The Catholic mission at Hue Cochin, China, reports that a disastrous typhoon swept over that part of the country October 22.

Deaths of a Day.

MINNEAPOLIS, Oct. 28.—Hon. Harry C. Truesdell, chief justice of Arizona at Phoenix, died today. He has been ill nearly three weeks, primarily from the effects of chloroform administered during the performance of an operation, and this was followed by a stroke of apoplexy. Mr. Truesdell was 39 years of age, was born at Rock Island, Ill., was graduated from the University of Iowa and lived and practiced law in Minneapolis from 1881 until his appointment by President McKinley to the position he held at the time of his death.

NEW YORK, Oct. 29.—James E. Simpson died at Fall River, Mass., aged 84. He was known as the patentee and originator of Timber graving docks.

TO CURE A COLD IN ONE DAY
Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. 25c.

SAYS INDIANS FIRED FIRST

Latest Advices from Recent Trouble with the Utes.

WORD RECEIVED FROM WARDEN WILCOX

Estimate of Number of Indians Off the Reservation Varies from Sixty to Two Hundred—Settlers Are Helpless.

MEEKER, Colo., Oct. 25.—(Via Rifle, Colo., Oct. 28.)—Boyd Vaughn arrived today from Snake river with a dispatch for the governor and the following letter to Game Warden Lyttle:

BOYD VAUGHN'S RANCH, Oct. 24.—Today with a party of twelve men I tried to arrest a camp of Ute Indians. We used all patience and they fired upon us, and then we had to fight. On Snake river, five miles above Lily park, several Indians were killed and wounded. I have sent riders to warn settlers in Lily park and elsewhere. The settlers are gathering at Vaughn's ranch and are very much alarmed, and think you should turn out with what men you can to try and arrest the Utes.

I believed that there were about sixty Utes, but late information shows at least 100 men, and some say 200. I have seen about forty, but they were at many places and may retaliate, and if those Indians wish to, the settlers are entirely at their mercy, so you and the sheriff of Rio Blanco county had better do what you can to protect the settlers. Yours respectfully,

W. R. WILCOX.

Mr. Vaughn reports seven Utes killed. The first shot was fired by an old squaw. The bucks then began firing and the wardens returned the fire, killing and wounding quite a number. Warden Lyttle is in Coyote basin and Warden McLean and Sheriff Wilber near Rangely, where they went to arrest violators of the game laws.

One of the soldiers at Fort Duchesne, who was in Meeker a week ago, reported that 367 passes had been issued to Indians to come into Colorado to hunt. One of the wardens reported about 100 Utes on Yellow creek in Blanco county last week.

Much feeling is shown against Warden Wilcox here for his indiscretion in attempting to arrest a camp of forty Indians, as it is almost certain to result in the killing of settlers in the western part of this and Routt counties.

WASHINGTON, Oct. 28.—Adjutant General Breck has received the following report from General Otis, commanding the Department of Colorado, as to the Indian troubles there:

DENVER, Oct. 28.—Duchesne telegram of last night says fifty Uncompahgres, 125 Uintahs and White Mountain Indians are absent from reservation on hunting expedition. No information at agency regarding reported engagement with Colorado officials, and matters quiet there. Wright's troop left this morning for scene of reported difficulty and Logan's cavalry squadron is ready and will proceed to Duchesne if necessary. Reliable information should be received today. The heavy snow storm which has prevailed throughout this section of the country makes telegraphic communication and railway travel difficult. The Price and Duchesne wagon road is well nigh impracticable for infantry.

OTIS,
Brigadier General.

SALT LAKE CITY, Utah, Oct. 28.—A special to the Tribune from Jenson, Utah, says: Today the first verification of the news of the killing of the Indians and game wardens in Colorado was received. Just after leaving Jenson this afternoon a party of ten Uintah Indians were met coming from Utah. They stated that a fight occurred in which two bucks were killed and two squaws wounded, one fatally. All Indians who know of the difficulty are leaving Colorado, but there are several parties who are too remote for the news to have reached them. If any additional trouble has occurred between the Indians and whites it must have happened among these Indians. No news of other difficulties has, however, been received. The Indians who gave this news do not seem to be at all excited, but are rather disposed, and very naturally so, to blame the game wardens. According to their story of the engagement, a party of twenty-five wardens came upon their camp and opened fire without warning, with the above mentioned result. There were five bucks engaged in the affair. The Indians seem to be acquainted with the full particulars and their report is believed to be correct.

EXCLUSIVELY COLORED COMMUNITY.

Langston, Okl., One of the Unique Towns of the Country.

The announcement of Governor Barnes of Oklahoma in his annual report that a college for colored people is to be built at Langston, Okl., has revived interest in this unique town. Langston is the only exclusively colored community in the United States. The originator of the movement which resulted in the city of Langston, relates the Globe-Democrat, was E. P. McCabe, ex-auditor of the state of Kansas and the present deputy auditor of the territory of Oklahoma.

McCabe, who is one of the most brilliant men of his race in the United States and whose zeal for the uplifting of his people has been unabating, conceived the idea that if the colored men could establish a city of their own they would soon demonstrate their ability to stand on the same level with the whites. His first experiment in the founding of a colored community was at Nicodemus, Kan. This venture was an utter failure. Nicodemus had at one time as high as 1,000 inhabitants; now it is almost deserted. There are a few colored families there to tell of history, but that is all.

McCabe was not discouraged by this failure. He claimed that the conditions at Nicodemus did not prove favorable for the establishment of a colony. He got another opportunity to demonstrate his theory when the Sac and Fox reservation in Oklahoma was about to be opened for settlement. He founded a town just before the opening of the reservation at a location twelve miles east of Guthrie and on a line just west of the reservation. He called it Langston, after the colored congressman of the name, and it was extensively advertised among the colored people of the country. It was pointed out to them that the advantage they would have in locating in Langston would be that when the Sac and Fox reservation was opened for settlement they would be able to make the run for farms under much more favorable circumstances than those who would come from a distance and would have to camp on the line. The townsite consisted of 320 acres and it was laid off by a syndicate which had been interested by McCabe in his scheme.

Within a very few months after the town was started it had a population of fully 1,000 people, all colored. A form of municipal government was adopted, and all the officers, from the mayor down to the policemen, were colored men. The city has remained exclusively colored ever since. Its population has dwindled down from 1,000 to about 400, the greater part of the colonists discovering that they were better fitted for farm than for town life, and locating on farms which they took up in the Sac and Fox reservations. While McCabe did not have the success in his philanthropic move that he had hoped for, it has been far from a failure, and the people of Oklahoma have good reason to be thankful that he inaugurated the colony; for it was the colored people whom he brought to the territory that first thought of attempting cotton planting in Oklahoma. The yield of cotton in the territory this year, according to the report of Governor Barnes, recently submitted to the secretary of the interior, will be 50,000 bales. The industry is new yet, but the possibilities of cotton growing in Oklahoma have been demonstrated to be great.

The legislature of Oklahoma last winter decided to establish a high and normal school at Langston, and made a liberal appropriation for this purpose. It is to be exclusively for colored people, and three of the five trustees will be colored men. It is expected that the establishment of this school will give Langston a boom, for it will then be the center of education for colored people of that section of the country. With a higher education, too, it is expected that the colored man will develop a greater fitness for mercantile pursuits. The experiment is looked upon as the most interesting that is being made for the higher development of the colored race.

Miners Are Being Evicted.

PARKERSBURG, W. Va., Oct. 28.—The mining situation at Flemington has reached a crisis. The strikers who have held out so long have been notified that unless they sign a contract drawn by the officers of the company they will be evicted from the houses owned by the corporation. But few, if any, would sign the paper and evictions have begun.

TAKEN BY SURPRISE.

New Game Tried on Foot Ball Player, with Sad Results to Railroad.

Evidently there was going to be a football game, for several young men wearing knee breeches which looked lumpy and waddy and three inches thick were standing on the platform of the little station talking animatedly of punts and blocks and interference. It was a double-track road, relates the Chicago Record, and one of the players stepped out between the rails and looked intently off to the westward to see if the excursion train bringing the opposing team was yet in sight. Neither he nor any of the others standing near noticed the onward coming of a big, heavy-browed freight engine with a long string of loaded cars bearing upon him from the opposite direction. And so when the engineer who had expected the youth to get off the track decided that he wasn't going to do so, and began blowing his whistle, it was too late. With a horrible roar and thunder the train came on and struck the man of wadded clothes while his back was still turned upon his assailant. He gave one yell and rolled under the pilot. The forward wheels crushed over him and the firebox pressed him to the earth. The great bulk of the locomotive quivered as the engineer "threw her over," all to late. The other players standing transfixed upon the platform stared, speechless, at the rolling ball of humanity as brakebeam and hanger dragged it on. Suddenly with a great lurch the engine quit the rails and crash followed crash as the cars rolled down the embankment after it into the ditch. The last of the forty cars had toppled over and the crowd gathered in horror to pick up the fragments of the dead player. He could not be found at first—only the great holes which had been gouged in the earth by his tortured body were visible upon the roadway.

As his friends, sick at heart, looked at one another, a voice rose from the wreck, and in a moment a form appeared, crawling out of the debris.

A great shout went up: "Are you hurt, old man? Are you hurt?"

"Hurt?" he inquired, looking at his questioner with a dazed countenance which indicated that he was yet unaware of what had struck him. "Hurt? No; but no thanks to you. Why in thunder didn't you say you were going to practice the new mass play and let me know before you all piled on me? You took me by surprise."

Anne Hathaway's Descendants.

In Anne Hathaway's beautiful cottage at Shottery lives the last of the line to bear her historic name. This nineteenth century Anne Hathaway is the granddaughter of Mary Taylor Baker, kinswoman of Mistress William Shakespeare and custodian of her famous home.

For years Mrs. Baker owned the cottage and showed it on her own account until the guardians of Shakespeare's birthplace bought the historic old house for a good round sum and appointed her caretaker. When extreme age rendered her unfit for the numerous trying duties of custodian, the guardians appointed her son to assist her, and he, with his two daughters, now occupies half the cottage.

The younger of these girls is the last Anne Hathaway, a beautiful child of 12, with quantities of brown hair and wonderful eyes.

Read "Simon Dale" in The Sunday Bee. If you don't take it, subscribe now.

Northwest Legion of Honor.

ST. PAUL, Minn., Oct. 28.—The Northwest Legion of Honor held its annual session at the state capitol, with a large attendance of delegates. The entire morning was taken up with discussing the advisability of extending the order into new territory, the cost of insurance and the best method of carrying on an assessment association at the smallest expense. The organization is at present confined to Iowa and Minnesota. The idea of taking in Wisconsin and some of the other western states met with considerable favor.

Read "Simon Dale" in The Sunday Bee. If you don't take it, subscribe now.

Gee's Case in Court.

Frank B. Gee, who was lately brought from Topeka for the alleged larceny of two full sets of Stevenson's works in this city, was tried in an evening session of the police court yesterday. The defense obtained his discharge, however, on a technicality connected with the incorporation of the firm of Charles Scribner's Sons. Gee was immediately rearrested on a multiplicity of charges and he is again in jail to answer to two counts of forgery and one of larceny.

Train Finally Pulls Through.

DENVER, Oct. 28.—The Rock Island train due in Denver yesterday morning and the one that left Kansas City yesterday arrived here at noon today as two sections of one train. They were delayed near Limon Junction, where the trainmen say six miles of track was covered with twenty feet of snow. Wires were down and for forty-eight hours the whereabouts of the train due yesterday was not known.

Subscribe for The Sunday Bee and read Anthony Hope's great story—"Simon Dale."

Morgan Slowly Mending.

SAN DIEGO, Cal., Oct. 28.—United States Senator Morgan is slowly regaining his strength. He has been free from fever for over thirty-six hours, but must remain quiet for some days yet. His trouble is due to an injury to his knee which he received while he was in Hawaii. The senator's attending physician is confident that Senator Morgan will make good progress to permanent recovery.

Guilty of Counterfeiting.

NEW YORK, Oct. 28.—In the criminal branch of the United States circuit court here this afternoon Frederico Moro and Ricard Requesens were found guilty of counterfeiting notes of the Bank of Costa Rica and the currency of the Republic of Colombia. They were remanded to Ludlow jail for sentence. Louis Houseman, who was jointly charged, was acquitted.

HEZ RASCO IS CONVICTED

Jury Finds Him Guilty of Murder in the First Degree.

ASSESSES PUNISHMENT AT TEN YEARS

New Law Saves the Young Murderer's Life and Brings Forth a Severe Comment from Judge Herndon.

MARYVILLE, Mo., Oct. 28.—(Special Telegram.)—The jury in the Hez Rasco case brought in a verdict of guilty of murder in the first degree at 7:13 o'clock tonight, after deliberating almost five hours. The punishment was affixed by the jury at ten years in the penitentiary. This verdict is made possible by the law enacted by the legislature last winter, which gives juries the right to take into consideration the age of the accused and to assess a light punishment when he is under 18.

The first ballot taken was on the question of guilt or innocence and it stood 6 to 6. A short speech was then made by James Swan, who voted for conviction, in which he proposed that a compromise verdict fixing the punishment at ten years in prison be returned. The first vote on the acceptance of this proposition was: For accepting it, 11; for rejecting it, 1. On the second vote on the proposition the last juror came over and the result was immediately made known.

The crime of which Rasco was convicted was the murder of Mrs. Kate Baumle, near Arkoe, one year ago. He was 16 years old on the day after he was arrested, charged with the crime, and his youth operated very strongly in his favor. Judge Herndon of Plattsburg, who tried the case, gave the following signed statement to The Bee reporter tonight after the result was announced:

"The jury, it seems to me, placed a very cheap estimate upon human life. Still, the legislature has authorized such a verdict, and I presume such a verdict reflects the sentiments of that body; so that a boy 17 years old, who, they say, by their verdict, committed one of the most atrocious and cowardly murders known to the history of the state, shall be punished by imprisonment in the penitentiary is a travesty upon justice, and can only lead to one result—contempt for the law."

Subscribe for The Sunday Bee and read Anthony Hope's great story—"Simon Dale."

NEW BIDDER IN PAVING FIELD.

Will Make His First Showing This Afternoon.

The low prices which have been prevailing in this city on asphalt pavement will either go lower today in the bids which are to be opened this afternoon for paving upper Farnam street or the contractors will get together and put the prices back somewhere near where they were before the cut began. This is the conclusion which has been reached by parties interested in paving and is the result of a visit to this city just now of J. B. Smith of Chicago. Mr. Smith has for thirty years been connected with paving business, and his firm, J. B. Smith & Co., did a large amount of paving in this city a number of years ago, although it has not occupied this field lately. The firm has recently been organized, so Mr. Smith says, and will again enter competition for such paving as there is yet to be done in this city.

Speaking of his visit to Omaha last evening, Mr. Smith said: "The prices now being paid for paving in this city are way below the cost of the work, and it cannot be continued at that price. It is unfortunate that the contractors have engaged in this war. With this view of the situation, on my part it may be a surprise to learn that I came here to bid on the contracts which are to be let tomorrow. But such is the fact, and I am prepared to bid low for the work, but hoping that some other contractor will be lower. If this war is to go on the sooner the bidders get down to the bottom the better it will be for the business, and I will help them to get to the bottom to the best of my ability. It is demoralizing to continue taking out contracts at the prices which have been prevailing here, and I hope the competition will become so bitter that the contractors will drop some of their good money, after which we may hope that they will get together and agree upon some equitable distribution of the business."

Mr. Smith was in consultation with City Engineer Rosewater yesterday regarding the paving being done, and contracts which may be let in the future.

Fire Record for a Day.

ELDORA, Ia., Oct. 28.—(Special Telegram.)—Fire destroyed the entire plant of the Hubbard Bed Spring Manufacturing company at Hubbard last night. Loss, $4,000; insurance, $1,000.

PITTSBURG, Oct. 28.—Hartje Bros.' paper warehouse at 109 and 111 Wood street was partially destroyed by fire at 8 o'clock this morning. Loss, $60,000. The fire was caused by an explosion of gas. No one was injured.

MORRIS, Ill., Oct. 28.—The manufacturing plant of the Woelfel Leather company, which has retail stores in San Francisco, Chicago and Boston and owned one of the largest tanneries in the country, burned last evening. The establishment was worth about $350,000, the loss amounting to about $220,000, exclusive of tanbark, $5,000 worth of that also being destroyed. The plant was insured for $140,000.

WARSAW, Ind., Oct. 28.—The immense box and barrel factory located at Mentone, this county, was totally destroyed by fire this morning. The loss is about $150,000, with insurance aggregating $75,000. The fire originated from the furnace in the gluing room. The factory was owned by the Stauffer Brothers.

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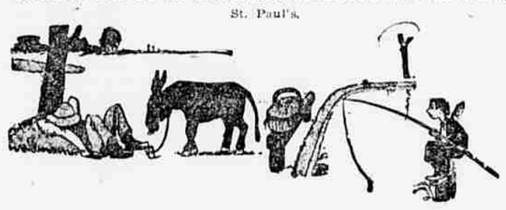
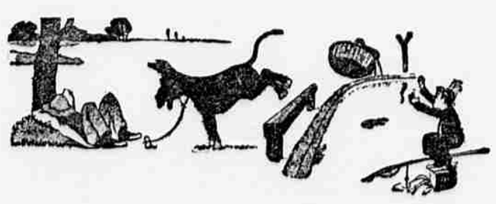
MAKING USE OF AN UNBAITED FISHING LINE AND POLE.

St. Paul's.

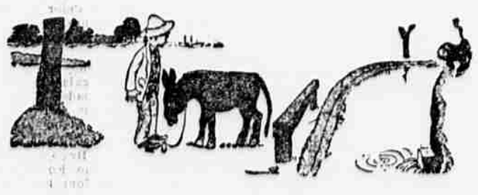


Wish I had that fat lunch basket

I'll have to try for it.



"Don't tickle."



The end of the story.

The new styles in Knabe pianos that we have just received are far superior in workmanship and finish to all previous efforts of this justly celebrated factory. We buy them in such large quantities that we will supply Nebraska dealers—or sell you direct. We've an elegant little catalogue of these popular instruments that we'll be glad to mail you for the asking or give you one if you come to the store. We're now the state agents for this piano and we'll always aim to keep all the different styles on hand. We'd be pleased to have you call and look at this line. We know our prices will suit you.

A. HOSPE,
Music and Art. 1513 Douglas

Drex L. Shooman hasn't the big head—its just shoe knowledge—acquired by years of experience—and this shoe knowledge enables us to put before you the largest—best selected—and most complete line of misses', children's and infants' shoes ever brought together in the west. We absolutely have no competitors in these lines—neither in quality, quantity or price—our retail price is only a small margin above our cost—you can be convinced and see for yourself by coming and examining them—and seeing the number of little ones' we shoe every day. Think of a genuine tiger kid shoe—with heavy extension sole—in misses' sizes—at $1.50—child's sizes at $1.25—nowhere else can you equal the price or wearing qualities.

Drexel Shoe Co.,
1419 Farnam Street
New fall catalogue now ready; mailed for the asking.

Have you seen the Primus Blue Flame Combination Heating and Cooking Stoves? Its safety, simplicity, efficiency, economy, durability and cleanliness all combined—absolutely non-explosive—can be upset without danger—has no wick—and burns any grade of kerosene. The burner lights without smoke and is positively odorless—is so arranged that it can be used as a heating or cooking stove—they come in three sizes—at $6.00, $8.00 and $10.00—both a winter and summer stove—to be fully appreciated they will have to be seen—and we invite all Omaha to call and see them in operation. It is without doubt the most handy stove ever placed on sale.

A. C. RAYMER,
BUILDERS' HARDWARE HERE.
1514 Farnam St.

THE PATEK PHILIPPE & CO. WATCHES.

Displayed in our window now will be on exhibition for TWO DAYS ONLY—They are ladies' fine Chatelains—Five thousand dollars' worth of them—If you wish to buy a fine watch for your wife—sweetheart—or any one for Christmas—be sure and see these—We'll be glad to show them to you—We are furnishing 100 elegantly engraved wedding invitations for $10—$3.50 for each following 100—100 engraved visiting cards and copper engraved plate for $1.50—100 cards printed from your own plate $1.00—We solicit mail orders and will give them our prompt atention.

C. S. RAYMOND CO.,
Jewelers,
15th and Douglas Sts.