Antelope State Statesmen Forge to the

Front at Washington.

ALLEN GETS THE FIRST BILL THROUGH

Secures Grant of Land for Public Purposes at Valentine.

Committee Decides that Red Men Must Be at Exposition.

BILL CARRIES FIFTY THOUSAND DOLLARS

Management of the Exposition Receives Compliment from the Committee_Favorable Report on Allen's Rallroad Bill.

WASHINGTON, Dec. 9 - (Special Telegram.)-This has been a field day for Nebraska. The state has been largely to the front, not only in matters of legislation, but has secured two reports from the committee on Indian affairs of vital interest to the people of the commonwealth.

Senator Allen has the honor of having passed the first bill through the senate this session, that of granting to the town of He parks, cemetery, fair grounds and other purposes, the amendment as reported from in his possession. the committee on public lands being acceptwhen the lots ceased to be used by the town of Valentine for other uses than contemplated in the bill, the same shall revert to the United States. The bill went through with a rush.

But what is of much greater importance is a favorable report on Senator Allen's bill railroad matter. providing for the holding of a congress of committee on Indian affairs decided today propriating \$59,000 instead of \$100,000 as originally contemplated, and aiding the bill last spring. in a few minor particulars.

The report of the committee, which was completed late this afternoon, states: "There has never been, so far as your committee is informed, a thorough Indian exhibit at any exposition held in the United States, and we deem it just and proper that it should be done at this one. Indians, and therefore their customs and habits, are rapidly passing away, and it is believed this exposition will be the first and probably the last opporhave made toward civilization under our present system of national education."

EXPOSITION'S A GO. part of the report. The report further says, in citing the act appropriating money for making a government exhibit:

"The entire sum of money required by that act has been raised and many thousands of dollars besides, grounds have been selected, many buildings have been constructed and many others are in process of construction, and the exhibition bids fair to be the largest to which the government has in any manner contributed since the Columbian ex

The committee on Indian affairs decided also to report favorably Senator Allen's bill granting a right of way to the Omaha Northern Railway company to construct a railway across and establish stations on the Omaha and Wienebago reservations in the state of Nebraska. The report will say: "This is a genuine incorporation and the committee has every reason to believe that the road will be constructed within the time contemplated in the bill and that its construction and operation are much needed."

The house committee on foreign affairs a its meeting today had before it the sena; concurrent resolution passed at the last ses sion of congress, calling upon the president of the United States to invite foreign nations to participate in the Omaha exposition nex year, and a subcommittee composed of Gillet of Massachusetts, Heatwole of Minnesota and Berry of Kentucky was appointed to report on the same to the full committee. In view of the fact that invitations have been ex tended to foreign nations, it is thought that Representative Mercer will suggest an in definite postponement of this measure.

BILL BY MERCER. Representative Mercer today introduced a bill for holding a congress of Indian tribes next year at Omaha, which was referred to the committee on Indian affairs. He is also in receipt of a letter from Chief Executive Officer Kemper of the architect's office, stating that the walls of the South Omaha postoffice up to the first floor line are to be faced with granite, the superstructure to be of pressed brick with terra cotta trimmings. Senator Thurston has called upon the Post-Cherman at Wahoo for additional allowance

for clerk hire, the deputy's salary having been cut from \$300 to \$80 on account of a mistake in weighing mail matter at that office. The case of Ambrose Stewart against Kent K. Hayden of Lincoln was reached today in the supreme court, C. C. Flansburg represent-

ing Stewart and G. M. Lambertson, Hayden and the First National bank. The case was not finished when court adjourned. C. A. Atkinson and R. Talbot of Lincoln

are at the Wellington. Senator Thurston introduced a number of

petitions today from church societies of Aurora, Neb., in relation to the age of consent in the District of Columbia and the cale of alcoholic liquors at the capitol. A bill for the relief of Hiram M. Palmer,

brother of Captain Palmer of Omaha, was passed by the senate today.

Postmasters appointed: Nebraska-Kimball, Kimball county, Issac Roush, vice N. H. Prouty, removed. Iowa-Barnes, Mahaska county, Francis M. Likens; Conway, Taylor county, William T. Faucett; Covington, Linn county, Samuel Lord, Emerson, Mills county John Q. Graham: Hopeville, Clarke county, Charles P. Culver; Kilduff, Jasper county, E. Burchard; Martelle, Jones county, Frank E. Ormsby; Promise City, Wayne county, Wiltiam W. Kinzer; Randelph, Fremont county. James H. Wylie; Stone City, Jones county,

Daily Treasury Statement. WASHINGTON, Dec. 9.—Today's statement of the condition of the treasury shows; sideration.

NEBRASKA HUSTLERS Available cash balances, \$227,344,145; gold INTERVENTION WILL COME reserves, \$158,313,412.

GALLINGER DISCUSSES PENSIONS.

Cautions Senators to Examine Claims More Carefully.

WASHINGTON, Dec. 9 .- Mr. Gallinger of on pensions, requested that at the conclusion of the morning business today an hour be set aside for the consideration of private pension bills, of which he said there were over 200 on the calendar endorsed by the commit-

"I want to say," he said, "that there is FAVORABLE REPORT ON INDIAN EXHIBIT a laxity among senators about sending pension bills to our committee. Senators should be absolutely satisfied of the merits of measures before introducing them. I am satisfied that in private pension matters we have gone to the extreme limit and it is time to

> Mr. Gallinger thought the practice of pensioning remarried widows and severel other thought, too, that the recommendation of the commissioner of pensions that a law should be enacted speedily providing that no pension riage to the soldier had been subsequent to the passing of the law under which he was drawing a pension, ought to be favorably acted upon.

of Nebraska Mr. Gallinger said he was opposed to the granting of large pensions to widows of distinguished officers. The order requested by Gallinger was then

Mr. McBride of Oregon secured the passage of a resolution asking the secretary of war demnation of Weyler in the message is taken Valentine, Cherry county, 720 acres for pub- for such information concerning the Alaskan miners in the Yukon valley as he might have

The senate then began the consideration order. Forty-five bills were passed, the manow received.

Mr. Gear of Iowa, chairman of the Pacific milroads committee, said that too much credit could not be given the present adminnot only to the people of Nebraska but to istration for the admirable manner in which the people of the transmississippi country, it had handled and disposed of the Pacific

Mr. Harris facetiously congratulated his Indian families at Omaha next year. The friend from Iowa (Mr. Geor) and his friend from Nebraska (Mr. Thurston) upon the to report this bill favorably on Monday, ap- change which had come over them since the consideration of the Pacific railroad question

Mr. Gear responded that so far as he was

Mr. Thurston congratulated the country on the result of the administration's efforts regarding the Pacific railroads. He said that adopted the United States would not have afficent sum which had been paid for the have to see the aborigines in their various said that the result demonstrated the corbeen a subject of controversy. He expressed Melena is favorable to the Spanish troops. the opinion that the presperous business The letter which Senator Allen received vent of the present administration had so from Major J. W. Powell of the Ethnological improved the main line of the Union Pacific down their arms, accepting autonomy. A

> Mr. Harris inquired whether Mr. Thurston thought that the same conditions would correspondingly improve the Kansas Pacific

Mr. Thurston said that it was hardly t be expected that a branch line would b affected in the same manner as a great trans continental railroad. He said he noticed n the president's message that the admin stration is committed to the policy of pur chasing the Kansas Pacific branch unless better price was offered. He did not believ in government ownership of railroads, and he was of the opinion that the experiment of such ownership, if it was to be tried, might better be tried with some other than the Kansan Pacific. He suggested to the Pacific railroads committee that the authority asked for by the president to buy in the road be coupled with full power to resell it.

Upon motion of Mr. Lodge the immigration bill was made the unfinished business or the senate calendar.

Mr. Carter, chairman of the census com mittee, secured unanimous consent for th consideration on Monday next of his bill providing for the taking of the federa census in 1900, Mr. Lodge agreeing not to press the immigration bill on Monday or Tuesday in view of the anxiety of Mr. Carter to secure consideration of the census

At 2:40 p. m. the senate adjourned until

EFFORTS OF HAYTIAN MINISTER.

by This Government.

WASHINGTON, Dec. 9.—The Hayting minister, Mr. Leger, called at the State department today to talk with the officials respecting the settlement of the difficulty between his country and Germany, and also to make some representations touching the case of the American engineer, Campbell whose claim for an indemnity formed the subject of a resolution of inquiry, which has been presented in the United States senate. He endeavored to make it clear to the solic itor of the department that there was an other side to the Campbell case from tha presented in the resolution and the state-

ments filed with his claim According to the minister's representations Campbell was practically enlisted in New York for service in the Haytian navy at a time when an insurrection prevailed in the Island. He made a contract, not with Hayti, but with Mr. Compton, an American citizen, to go to Hayti to serve as an engineer. When he reached the country he refused to serve. An effort was made to oblige him to carry out his contract, but this failed and he drifted back to New York. That was in 1887 or 1888, and it was not until nine years later that anything was heard of a demand for indemnity. Then Campbell sued Compton in New York for breach of contract and getting a verdict filed a claim for indemnity with the State department against the government of Hayt for the sum of \$100,000. That claim is still pending and, according to the minister, so far from there having been any undue delay

in its adjudication, the Haytian government has only recently had it under consideration. The minister took occasion to assure Secretary Sherman of the warm feeling of re- The responsibility of the government is enorgard felt by his government and people toward the United States, to whom they looked with affection and reverence, and declared defend its interests." that the government of Hayti had no disposition to treat any just claim in behalf of that the government is "making prepara- York, any United States citizen with lack of con-sideration. At a cabinet council today,

Residents in Havana Believe United States Will Take a Hand.

Conservative Cuban Newspapers Assert that President McKinley Hesitates to Act Because He is Afraid of Spain.

Copyright, 1897, by Press Publishing Company.) HAVANA, Cuba, Dec. 9 .- (New York World Cablegram.-Special Telegram.)-The Havana newspapers of all parties protest naval bill. indignantly against President McKinley's plain intention as foreshadowed in his mesomy fail to persuade the insurgents and the classes of claimants ought to be stopped. He rent of opinion in all circles, even govern-Autonomy, so far, is disappointing in its should be granted to a widow, if her mar- have surrendered are two men and one effect on the rebels. The only chiefs who In response to a question by Mr. Allen United States would dissolve in case of war is fear of Spain. They predict that the -all the European governments would send strong, armed contingents, and "the several" east and Mexico would take Texas. The con-

as high proof of his greatness and worth. La Lucha startles official circles by saying: 'Belligerency is not recognized simply beable to both senators from Nebraska that of private pension bills under the special high seas would make the position of the cause the consequent right of search on sary. rebels more uncomfortable than it now is. jority of them being for increases to pensions The right of pacific intervention in Cuban affairs is clearly and definitely set forth in the message, and the hour to use force is only delayed until, as McKinley expects, his government will be forced to it by public

> There has been no anti-American demnstration here yet. None is likely until the rebel refusal of autonomy is understood, unless there is much jingo talk in congress.

BIG BATTLE EXPECTED. An important battle is expected hourly The insurgents have planned the most formidable demonstration against Havana for a year. General Parrado has started oncerned no change had been experienced from this city with strong columns of troops and that he was just as much opposed to to meet the Cubans. Senor Canalejas, the government ownership of railroads as ever. confidential agent of the Spanish government, went with him to ascertain the real

condition of Havana province. Mayal Rodriguez, with the combined Cuif the plan proposed by Mr. Harris had been ban forces under Juan Delgado Nodarse and Rafsel de Cardenas, is encamped on La received anything approximating the mag- Luisa plantation, near Guira de Melena, about twenty miles south of here, on the tunity the people of the United States will main line of the Union Pacific railroad. He railway to Pinar del Rio. He has fully 1,000 men who are well armed and are said to stages of development and perceive their rectness of the position which he had held have a Hotchkiss rapid firing cannon. The habits, customs and the advancement they ever since the Pacific rallroad matter had topography of the country about Culra de

conditions brought to the country by the ad- Rivera and the negro Osman. They went to Emileo Clazeo hanged Antonio Ridriguez Bureau and Herbert O. Welch, secretary of that it would now probably earn dividends note was planed on the breasts of the man trouble, says: "President Sam and his hanged men concurring that any one com ng on a similar mission would meet a like

> that on Sunday the Spanish guerillas of Calmenera, near Guantanamo, deserted to 000, and 52,000 cartridges with arms. They were supposed to have numbered about fifty

> Juan Delgado's party lately attacked Sontiago de Los Vegas, near Havana. The place had three companies of guerrillas and an infantry column. There was a hot fight for three hours. The insurgents did not enter the town. The Spanish losses were heavy; those of the rebels are not known The latest reports of the recent fight is Pinar del Rio province show that the Span ish loss was greater than was claimed. The lead or wounded include one colonel, one major, seven captains, eleven subordinate officers and seventy-four privates. Most of fourteen. The rebels really used explosive bullets. Their agents here admit it.

SYLVESTER SCOVEL.

INSURGENTS RAID SEAPORT TOWN apture Considerable Money and

Large Amount of Supplies. HAVANA, Dec. 9.—It was officially an ounced today from Spanish headquarters hat a "group of rebels entered Calmanera, near Guantanamo, favored by the treason of an officer." Calmanera is the port of Guanatanamo, and is situated fifteen miles by rail from the latter place. Calmanera is on the bay of Guanatanamo, otherwise Cumberland harbor.

The insurgent force, the official repor idds, consisted of forty guerrillas, volunteers and natives of Cuba. They are known to have plundered a store and to have carried off the sum of \$30,000, which was on a wharf and which had recently arrived from Havana. It is also said that the insurgents killed the olice inspectors and two gendarmes on duty and wounded a Spanish paymaster named Jose Vigil. More Spanish guerrilias, the offial announcement concludes, have joined the

Marshal Blanco, the captain general, has oncentradoes to be stopped, \$100,000 having

Insurgent Brigadier General Lopez, who was captured by the Spanish troops on the heights of Banoa, has been released.

The Spanish troops at Roque, in the dis rict of Sancti Spiritus, province of Santa Clara, according to official announcement, have been engaged with a number of insurgents, several of whom were killed. The tan, roops, it is added, also captured seventeen usurgents and a quantity of arms and amu nition, while the insurgent colonel, Saniti, and an insurgent major afterwards sur endered to the government force.

PREPARING FOR INTERVENTION. panish Cabinet Lays Its Hopes or

MADRID, Dec. 9 .- The Imparcial says that t takes it for granted that the government will make preparations to meet intervention threatened by President McKinley, adding 'If the new loan for the reorganization o the navy is floated it is sure to succeed mocs if it faile to profit by the coportunity offered to place the country in a position to

The Ministerial Globo confirms the reports At a cabinet council today, the

regent presiding, the premier, Schor Sugasta GALVESTON WILL BE HERE outlined the opinions of the European press regarding President McKinley's message to congress, the majority of which, the premier said, were favorable to Spain. He Texas City Proposes to Come to the further declared that in the event of the United States attempting to intervene in Cuba it would find the government prepared New Hampshire, chairman of the committee AUTONOMY, THUS FAR, IS DISAPPOINTING to defend the rights and honor of Spain. As to the military operations in Cuba, the premier informed the cabinet that the results obtained were satisfactory. The premier also said he did not attach much importance to "the attitude of certain senators."

OMAHA, FRIDAY MORNING, DECEMBER 10, 1897-TWELVE PAGES,

BRIEF DISCUSSION OF NAVAL BILL. National Leader Refers to Polley of of the Enited States.

BERLIN, Dec. 9.—The Reichstag today re-Herr Hammacher, national liberal, said sage to intervene with force should auton- ples of the measure and attached the great- and profitable. A boat ride on the gulf to 12. Training of Army Officers. war continue. There is a strong undercur- with the expert trade, the speaker thought followed by a ride about town and oyster mental, that active intervention is coming. and Great Britain should be early considered. and the Galveston people were enthusiastic have surrendered are two men and one the first step toward the establishment of and would do everything to enthuse the rest woman. The extreme conservative newspaley awaits the developments of autonomy Germany is absolutely opposed to the meas- leather medal was presented to Alvin Saun-Herr Zimmerman said the liberal party

but it demanded guarantles that the burmillions of foreigners in America would rise den of the new taxation would not fall upon a deed from the citizens of Galveston to Alto join them." Civil war would ensue, the the distressed middle classes. He believed south and west would separate from the a majority of the party would vote for the braska, conveying the first half mile of the amended bill. The Bayarian Peasants' association, said

the government's explanations relative to the manner of providing the money neces-

bill was referred to the budget committee. UNEASINESS AMONG THE MOSLEMS. Feared that They May Engage Russin

in War. Russian Asia there is general unrest among the Moslems. It is attributed to the exaggerated reports of the Turkish victories over States postmastar general and request that the manager portion of the limb and remained attached to the foot in dismemberment were twisted around the bloodstained trucks of the States postmastar general and request that the "great Greek empire," which have spread States postmaster general and request that sleeper. through the length and breadth of the continent. The authorities even fear that the revival of brigandage recently noticed in the Caucasus is directed almost solely against the government officials; and the unprecedented phenomenon of Gorgians displaying hostility toward Armeniags has become manifest.

The danger is so serious that a conference of Caucasian governors has been convoked to concert measures of pacification. Travelers in Central Asia report an extraordinary ferment among the Moslems of different races. They are sinking their mutual animosities and declaring that they are first of all Mohammedans with the sultan as their common chief. It is evident that the slightest pretext would suffice to bring about an uprising and to plunge Russia into the same sea of trouble as Asia.

THINKS UNITED STATES POLITIC. Suggestion of Cowardice on Part of

This Government. PARIS, Dec. 9.—The Temps, commenting today upon the settlement of the Hayti-Gercolleagues imagined that the convenient and clastic Monroe doctrine would apply to their case. This little calculation was wrong. The It was reported authoritatively yesterday United States was not anxious to advertise or extend its solicitude to negro states. On the other hand the last reproach which can the insurgent leader Roderiguez, with \$14.- be urged against the policy at Washington is not taking into account the relative strength of nations, America does not wish to embroil itself with Germany merely for the beaux yeaux of the black republic."

Kino Chau Will Be Evacuated at an LONDON, Dec. 9 .- A dispatch to the Times and will receive instead as a coaling sta- during the day. the wounded will die. The rebel loss was tion the Sam Sah inlef, in the province of Fo King, over against the island of For-

Overdue Steamer Arrives. VALETTE, Island of Malta, Dec. 9 .- The steamer Clyde, Captain Gordon, which was overdue at this port, has arrived here from Marseilles. The Clyde encountered a terrific hurricane in the Gulf of Lyons, during which all its storm sails were blown to shreds and its commander was compelled to heave to for forty-eight hours, The Clyde had about 100 passengers on board.

PARIS, Dec. 9 .- La Patrie today prints a sensational statement the substance of which is that the Dreyfus agitation is the outcome of an international plot to divert France's attention from events abroad, and adding that an international syndicate, with this object in view, backed by foreign gold, commenced operations in Belgium, and developed them in Germany.

Weyler Will Defend Himself. MADRID, Dec. 9 .- General Weyler, formerly captain general of Cuba, is quoted from Barcelona as saying he considered will be apprehended before morning, and President McKinley's hostility to be the most glorious compliment which could be ordered the distribution of rations among the Cald him, when "coming from Spain's enemy." The general further remarked that been given out among them in licu of he would make a statement in the Cortes in Lincoln and Thompson of Copiah counties order to defend his policy.

> Attempt on Sultan's Life. LONDON, Dec. 10.—The Athens corres condent of the Dally Chronicle says that or Monday last two soldiers in the imperial service at the Yildiz Klosk, the palace of the sultan, made an attempt on his life. This

was frustrated by the attendants of the sul

Still Rioting in Bohemia. VIENNA, Dec. 9,-The young Czechs made demonstration at Brunn, the capital of Moravia, yesterday, but were dispersed by disperse a counter demonstration of the Ger- ward, Temple Houston shot and killed one mans. Twenty-four arrests were made.

Movements of Ocean Vessels, Dec. D. At New York-Arrived-Nordland, Antwerp: Trave, from Bremen, Sailed-Werkendam, for Amsterdam, Queenstown-Salled-Britannic, for

At Naples-Sailed-Alsatia, for New York At London-Sailed-Manitoba, for New At Bremer Haven-Arrived-Spree, from At Naples-Sailed-Normannia, for No At Rotterdam-Arrived-Obdam, from New

Liverpool-Arrived-Pennland,

Fair; Northerly Winds Page.

1. Indian Congress Almest a Reality.
Cubans All Look for Intervention. Exposition. Ga'veston Will Be at the Exposition Mayor Moores Scores Against Broatch.

2, Lansing Theater Case Up in Court,

Wheat Goes Ballooning Again.

3. Congressmen Lay Out a Program.

Opposition to the Pooling Bill,

Gov. Drake and the Benedict Home.

Another Clerk Arrested for Stealing,

Two Murder Mysteries Laid to Rest.

There is an excellent prospect for rain or

EVIDENCE OF FRIGHTFUL MURDER.

Bellef that a Man Was Bound to the

Rallroad Track.

CHICAGO, Dec. 9 .- Evidence of a startling

nature, which indicates that a murder has

been committed somewhere between Chicago

and Denver on the Chicago & Alton railroad,

of the Pullman sleeping car, Militades.

was found today on top of the front trucks

a human foot, apparently that of a man, and

tied to the railroad track, his feet spiked to

There was no blood on the engine, which

west of Bloomington, as a change of er-

MEXICO, Mo., Dec. 9 .- The mangled re-

mains of a man supposed to be that of Sam

H. Maynes of Princeton. Ia., were found

near this city this morning strewn along the

Chicago & Alton railroad tracks. The re-

train had passed. The head would appear to

COLLISIONS CAUSED BY THE FOG.

Elevated Trains and Tugs Have a

Hard Time.

shortly after 7 o'clock this morning two cars

on the Second Avenue Elevated road col-

rear car of the train injured. Their name:

are: William H. Masterson, severe scalp

the passengers of both trains were thrown

The fog was responsible for another "L"

rallway collision in which two persons were

injured. It occurred on the Sixth avenue

line at One Hundred and Thirty-second

street, where an upbound train ran into an-

other. The engineer of the rear train, Wil-

liam Donaldson, and a passenger were pain-

On East river, the ferryboat Flushing mis-

took the bell of the steamer Miami for that

of the Long Island ferry slip and bumper

the steamer hard. There was some confusion

on board the Flushing, but no material dam

vania railroad ferryboat Cincinnati and the

New Jersey of the Scotland street line were

in collision at the slip at Cortland street

Both boats were crowded with passengers

and a wild scramble for safety ensued when

it became evident that a collision was inev

itable. The boats collided with considerable

force and the overlapping guard of the New

Jersey boat crushed the guardrail on the

port side of the Cincinnati. The New Jersey

NOTORIOUS OUTLAW IS KILLED.

Brings Down Three Officers Before He

Falls.

DENVER, Colo., Dec. 9 .- News has just

been received here of a desperate fight that

occurred near the border of Arizona and old

Mexico. Three guards of the Mexican serv

ice and one desperado were killed. The lat

ter was Frank O. Phallard, one of Black

Jack's gang, and an outlaw from Texas

whose two brothers were killed while mem

bers of Billy the Kid's gang. A few days

was designed by Black Jack to loot a town

across the river. A start was made from

Leander Springs and the guards had no dif-

The two forces met face to face at a turi

in the railroad. There were eight outlaws

against three officers, but the latter opened

the attacks with orders for "hands up.

Two of the outlaws turned their horses for

the hills, but Phallard dismounted and draw

wound in his side, which proved fatal.

ELEVEN JURORS ARE NOW SECURED.

CHICAGO, Dec. 9 .- Four new jurors were

secured in the Luctgert case today. They

are Charles A. Snow, Richard Mee, Joseph

F. Bolek and E. W. Ferris. Juror Frank

Hoffman was challenged by the defense and

Dick Mapley at Red River, N. M.

Much Delay in Starting Second Trial.

iculty in finding them

was injured. No one was hurt.

fully bruised.

wounds; Fireman O'Brien, brulsed

NEW YORK, Dec. 9 .- During the fog

snow is the vicinity of Omaha today.

Miller Leads the Weary Pedalers.

4. Editorial and Comment.

6. Council Bluffs Local Matters.

7. Plan for Irrigating Arid Lands.

8, Doolittle Gets Into a Bad Mix.

D. Pinances of the School Board.

Temperature at Omaha;

Hour, Deg. Hour. 5 a. m..... 35 1 p. .

6 a. m..... 34

7 n. m 32

8 n. m..... 32

9 n. m 31

10 n. m..... 32 11 n. m..... 35

Hour.

Thief Steals a Widow's Hoard.

10, Pushing Work on the Exposition.

ENTHUSIASTIC OVER THE BIG SHOW

Nebraskans Are Royally Entertained and Their Mission to the Lone Star State Is Most Heartily Endorsed.

HOUSTON, Tex., Dec. 9 .- (Special Tele gram.)-The Nebraska delegation reached sumed the first reading on the government's Galveston this morning and were the guests of the city the greater part of the day. The reception was a royal one and nothing was his party unanimously approved the princi- left undone to make the visit both pleasant | 11. Commercial and Financial News. est importance to the pavy. In connection the end of the jetties was the first feature the commercial policy of the United States roads. After the latter speeches were made Herr Galler, peoples' party, said his party about the exposition. They assured the viswould oppose the bill, which he asserted was litors that Galveston would be represented continued, "cannot open new markets. South Houston convention were readopted. A large 12 m...... 38 ders as the greatest oyster eater in the desired to favorably consider the measure, crowd, with a record of 986 bivalves. One feature of the occasion was the passing of vin Saunders, trustee for the state of Nejettica, covering 320 acres of wharfage. Mayor Fly made the presentation speech Herr Hilpert, reserved its decision pending and put great stress on the possibilities laid before the state of Nebraska by this transfer. The party started for Dallas tonight and will spend tomorrow at that place.

After other speeches had been delivered the WILL ASK FOR STAMPS AND FORT. shortly after its arrival in Chicago. It was Exposition Executive Committee De-

cides to Take Advantage of Offers. a long, slender spike penetrated the large At a meeting held by the executive committee of the Transmississippi Exposition di-ST. PETERSBURG. Dec. 9 .- Throughout rectors at the Millard yesterday afternoon ments which had been torn from the upper

A resolution was also passed to the effect the ties and that he had then been left to that the president of the exposition be em- meet certain death under the train. On this powered to make application to the War de theory inquiries are now being made at every partment for the use of Fort Omaha and its point on the road between Chicago and Denbuildings from May 1 to November 1, 1898, ver. The spike, which was in the center of A communication was received from the toe, was about five inches long and of Charles E. Thurman containing a proposi- the kind used in certain parts of railroad

tion to place in commission a special car construction where a delicate, yet strong, with a crew of fifteen men for advertising piece of metal is used to hold wood together. purposes. It was proposed that the car be handsomely decorated on either side with the railroad men say, proves that the accibirdseye views of the exposition and that dent or murder, as the case may be, occurred it be supplied with 300,000 pamphlets descriptive of the big show for distribution in gines is made at that point. territory adjacent to Omaha. The communication was referred to Managers Babcock and Rosewater.

LINGERS AT THE POINT OF DEATH. No Particular Change in Condition of mains were not discovered until after the

Mrs. McKinley. CANTON. Dec. 9 .- The day has been al- be that of a man about 35 years of age. The most devoid of incident in the room of Mrs. supposed identification of the body is from McKinley, who still lingers at the point of papers found in the dead man's clothing. death. Her rest during the day seemed a times she experienced trouble in breathing, the trouble being accompanied by apparent distress in the throat, the direct evidence of which was an ominous rattle.

At neither of his calls today did the attending physician note a distinct change in lided at One Hundred and Second street. the condition and each time he expressed The engine of the rear train ran into the hope of survival for some hours to come. Just before dinner this evening he was there and thought there was very good prospect of her living throughout the night. At this Timothy Sullivan, bruises of the hands, All CHINA MEETS GERMANY'S DEMANDS. time President McKinley was not as hopeful as the doctor. He thought his mother had from their seats. The engineer of the rear failed very rapidly during the day; that she was so weak that the end could not much from Pekin says that today the tsung-li- longer be delayed, and was prepared for the yamen telegraphed the viceroy of the prov- dissolution at any moment. He has been ince of Chi Li, north of the province of Shan at the bedside nearly all day and will remain Tung, that China, having complied with the there at least until midnight tonight. He demands, Germany undertakes to evacuate took but a few hours' rest this morning, and Kiao Chau at a date to be fixed hereafter, with his brother Abner took a short walk

The patient has taken no nourishmen since Monday and has not taken even a supof water for many hours. That she retains life so long without any nourishment is the most surprising feature of the case.

MOTHER AND CHILDREN MURDERED, age was done to either craft. The Pennsyl

Most Atroclous Crime on Record in the South. WESSON, Miss., Dec. 9 .- One of the most atroclous murders on record in the south was committed last night in Simpson county twenty miles from here. Brown Smith, a farmer and a son of ex-Representative Edward Smith, left his family at hie home in the country to go to town for shopping purposes. This morning when he returned he found his wife and five children weltering

in their blood and apparently all dead. This evening one of the little girls, sup posed this morning to have been dead, has revived enough to tell what she knew of the occurrence. She said she knows the man who committed the deed, that it was a negro, and described him.

derer and there is great probability that he there can be but little doubt of his meeting speedy justice when caught. It is learned that Mrs. Smith and four of the children are dead. Sheriffs McNair of have gone to the seene of the murder, each

A posse is now on the track of the mur-

WILL DEFEND THE JENNING'S GANG One of the Gang.

with a pack of trained bloodhounds.

GUTHRIE, Okl., Dec. 9.-Considerable in erest has been aroused throughout the terriory by the report that Temple Houston of ing his Winchester opened fire and killed Woodward, son of Sam Houston of Texas the three officers before he fell with fame, has been retained to defend the Jennings brothers and their gang in their coming trial for train robbery and other crimes the police, who later were called upon to A year ago during a saloon row at Woodof the Jennings brothers and seriously wounded Al Jennings, one of the men whom he will defend. Frank and Al Jennings and City many years ago. His two brothers were Houston have since been sworn enemies. Jennings is a lawyer of no mean ability, having been very successful as prosecuting attorney of Canadian county, Oklahoma When a young man he attended the Univerity of West Virginia, where he studied law for two years. He is not a graduate of the University of Virginia, as was stated at the ime of his capture.

Money for Southern Points NEW YORK, Dec. 9.-Currency transfers by the subtreasury today aggregated \$400,-000, of which sum \$300,000 went to St. Louis, and the remainder to Nem Orleans,

THE BEE BULLETIN. MAYOR MOORES WINS Weather Forecast for Nebraska-

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Supreme Court's First Decision in the Broatch Contest Case.

DEMURRER OF RELATOR IS OVERHULED

Answer Filed by Respondent Held to Be Sufficient for Deferss.

IMPORTANT RULING ON A FEE LAW

Unclaimed Fees and Costs Do Not Become Public Property.

RETENTION DOESN'T CONSTITUTE DEFAULT

Relator Must Show that Respondent Wilfully and Flagrantly Neglected to Pay Over Moneys He Held.

LINCOLN, Neb., Dec. 9 .- (Special Telegram.)-The supreme court has handed down an opinion in the Broatch-Moores case, declaring that the demurrer to the answer should be overruled, with leave to the relater to reply. The opinion is by Justice Norval, with Chief Justice Post and Commissioner Ryan concurring. The syllabus is

as follows: On demurrer judgment should go against he party whose pleading was first defective in substance

The office of mayor of a city of the metropolitan class is an office of profit and trust under the laws of this state, Unclaimed witness and costs re-

maining in the hands of the clerk of the district court are not public moneys and the legislation of this state insofar as it attempts to divest the persons for whose benefit such fees and costs are paid of thereto is unconstitutional and void,
A clerk of the district court, as to moneys received by him in payment of fines and

penalties imposed in his court, is a colector and custodian of public money withn the meaning of section 2, article xiv, of the constitution, Harrison, J. and Irvine and Ragan, C. C. dissenting. The term "default" as used in said section of the constitution implies more than a mere civil liability. There must exist a wilful omission to account and pay over with a corrupt intention or such a fingrant disregard of duty as to fairly justify the inference that his conduct was wilful and

Ryan, C., concurring, Ragan, C., dissent-The word "eligible" relates to the capacity to be elected or chosen to office as well as to hold office. Per Norval, J., and Ragan, Post, C. J., and Ryan, C., concurring, Held, that the information states a cause action, Harrison J., Irvine and Ragan,

corrupt, Per Norval, J.; Fost, C. J., and

C., dissenting, The answer of the respondent avers sufficient matters, if true, to constitute a defense, Per Norval, J., Post, C. J., and Ryan, C., concurring,

JUSTICE NORVAL'S OPINION. After fully summing up the contentions of the parties in the case, the opinion goes on to hold that the office of mayor of the city of Omaha is an office of profit and trust, "under the state," and discusses the mat ter of "collector and custodian." In regard

to the question of default the opinion holds in part as follows: The information of the petitioner discloses that the respondent as clerk of the district court collected and received in fines and penalties, which he retained in his hands for more than one year after his term of said office expired, and has failed to pay the same to the officer entitled thereto at the date of his election as mayor the sum of \$2,061,00 and that \$242,37 of said amount yet remains unpaid and has been by the espondent converted to his own use. The information therefore shows that he is at this time in default as collector and cuetodian of the public funds at least to the amount last named, and if the matters pleaded therein are true he is inclligible to

the office of mayor of the city of Omaha. It also holds that if the term "ineligible" as used in section 2, article xiv, of the constitution refers alone to the capacity to hold and not to be elected and chosen to an office it is obvious that the respondent does not come within the inhibition of said provison of the constitution, but respondent has not contended that if he was a defaulter at the time of his election he is eligible to hold the office in question, though all arrears were paid before he assumed the duties of mayor. Doubtless the reason he has made no such contention here is that he regarded the question foreclosed against him by the decison in State against McMillen, 23 Neb., 385; State against Boyd, 31 Neb., 682. In each of those cases it was ruled that the word "ell gible," referred to the time of election and not to the time or period of entering upon the office. The term "eligible," as employed in the constitution should be given its plain and ordinary signification, and when so construed there is no escaping the conclusion that it means "capable of being elected or chosen." The opinion goes on:

If respondent were in default at the time of his election as mayor his disability to hold the office (was not removed merely by the subsequent payment of the money into

WILFUL CORRUPTION NECESSARY To render one inelligible there must have existed such wilful conduct, omission of duty or wrongful action that the intent to misappropriate money or property belonging to the public is fairly inferrable there-from. If a civil liability is the crucial criago the border guards learned of a raid that terion to be applied here, then every county reasurer comes within the inhibition of the constitution who has falled to pay over publie money of which he has been robbed, or which, while in his hands, was destroyed by ire, or who failed to pay to his suc the true amount with which he was chargeible on account of an error or mistake evidently made by his deputy in adding a column of figures. It is stated that there are wo classes ineligible to public office, those in default and those convicted of felony the disability of the first class being tem porary and ceasing the moment he has ac-counted for or paid over the funds or prophis pocket was a letter from Miss Edith Cunningham of Las Vegas, stating that her brother had just been shot and killed by it is not essential that it should have been judicially ascertained that he was in default, but there must exist in addition to a liability in a civil action, a wilful Phallard is the last of the Cam Bass gang of train robbers, who cleaned out Custer omission to account and pay over, with a corrupt intention, or such a flagrant diskilled in the Panhandle of Texas by state regard of duty as to justify the inference

that his conduct was wilful and corrupt, PAYMENT SHOWS INTENTIONS. The opinion concludes with the following: The only doubt the writer has entertained to the sufficiency of this answer has been with reference to the excuse set up for not having paid over before election the mainder of said sum of \$1,883,83, to-wit, \$74,83, It is admitted that the items which go to make up said sum were paid to the re dismissed. The jury now lacks but one man spondent personally in sums not exceeding and it is expected he will be secured tomor- until after the expiration of his term, and with reasonable diligence the same could not