THE BEE BULLETIN.

Fairbury Murderer Commits Suicide.

5. Free Building Space at the Exposition Westminster Church Calls Dr. Samp

Des Moines Lunatic Commits Murde

Current Sporting Gossip and News, #

7. General News of the Farther West.

8. Hitchcock Before Judge Keysor,

Wind Up of the County Board,

Models of Exposition Statuary,

Police Commission in Jeopardy.

Another Failure Comes to Efforts to

9. Complaint by Iowa Grain Men.

Report of City Electrician.

6 a. m..... 26

7 n. m..... 28

8 n. m..... 29

to gain executive elemency.

their son that they have requested Rev. Wil-

SAN QUENTIN PRISON, Cal., Jan. 5 .-

dis evening with the news that the Unite

Sanderson, for a commutation of sentence t

life imprisonment, or at least for a reprieve

The elder Durrant has finally decided not

to be present at the hanging. He so noti-

of requests which Warden Hale granted.

The condemned man received spiritual con-

solation today from Rev. William Rader, a

Congregational minister from San Francisco

Senator Frye Says Dismembermen Would Be Harmful.

NEW YORK, Jan. 5 .- Secator Frye of

Maine, discussing the Oriental question, said

"This country is vitally interested in the

cituation in China. We have very great in-

in the future, walch would be destroyed by

the partition of the empire. I fancy, how-

ever, that the dismemberment will not occur

It will not unless all the powers, excluding

the United States, reach an agreement to

Japan resist, I think there can be no parti-

in which England and Japan did not parties

foreign powers and that policy would be an-

tagonistic to this country. Our moral in-

fluence should be used to prevent the con-

summation of the design. If Japan and Eng-

land continue to oppose the dismemberment

of China, our moral support must naturally

Woman Poisons Herself.

KANSAS CITY, Jan. 5.-A woman, whose

tion of China."

pate?" was asked.

be with them."

share the territory. While England and

visited Durrant, said farewell foday.

bits distributed as souvenirs.

Fair; Southwest Winds

Deg

1 p. m..... 30 2 p. m..... 40

3 p. m..... 42

5 p. m..... 40

6 p. m 39

8 p. m 36

7 p. m 35

Weather Forecast for Nebrasks-

1. Hanna Proposes to Fight it Out.

Congress Debates Civil Service,

2. Various Views on the Civil Service,

3. Oliver Mink Returns to Omaha,

Leiter Still Holds His Wheat.

Bartley Must Go to Prison,

4. Editorial and Comment.

Affairs at South Omaha.

6. Council Bluffs Local Matters.

HANNA IN TO FINISH

Will Not Withdraw from Ohio Senatorial Contest Till Defeated.

IS THE REGULAR REPUBLICAN CANDIDATE Declares that He Will Be Elected Inside

Another Week.

NO NEW DEVELOPMENTS IN THE CONTEST

Legislature Takes a Recess Until Next Monday.

COMBINE IS AT SEA FOR A CANDIDATE

Pactions Are Playing a Quiet Game, Each Giving Assurances of Having the Required Number of Votes.

COLUMBUS, O., Jan. 5 .- Both branches of the legislature have adjourned till Monday. But both sides of the senatorial contest remain in conference daily and nightly at the Nell house and the Great Southern hotel respectively. The suspension and secret work will continue until next Tuesday, when the two branches of the legislature vote separately for senator, and the roll calls will show whether any changes have been made. The doubtful members made no flops today. They still remain doubtful and they are receiving the united and untiring attention of the legislative steering committees and outside

workers. Next Monday Governor Bushnell will be inaugurated for his second term, but the exercises will not interfere with the senatorial fight. The anti-Hanna republicans expect all of their followers here Monday for a large demonstration. Although many republican clubs have canceled their engagements for quarters on inauguration day it is be-Hever that the efforts of the anti-Hanna republicans to have as big a demonstration as usual will succeed. The Hanna men will also take advantage of the excursion rates to have visiting republican delegations here on that day to protest against the "combine" with democrats.

The expected deadlock will not begin till next Wednesday, when the two houses ballot jointly for senator, and continue to ballot jointly from day to day till there is an election. As the balloting may continue indefinitely it is not expected that the inauguration visitors will remain to add to the but some apprehend insulting demonstrations and even serious disturbances on Monday.

PROTESTS ARE POURING IN. Letters and telegrams from protesting republican clubs and committees and others continue to pour in from the counties on the governor and the republican members who are co-operating with the democrats, and some of these messages and missives appeal to Senator Foraker to come to the relief of the party by declaring it to be the duty of all republicans to stand by the decree of the Toredo state convention in supporting

Senator Hanna. In reply to the reports about Secretary Sherman, Assistant Secretary Day, Congress man Grosvenor and others being made the republican senatorial nominee, Senator Hanna gold positively today he would never retire. He says he was nominated by the Toledo state convention for senator and cannot retire in favor of anyone. If he is defeated the responsibility for disregarding the decree of the state convention will rest on those who are now co-operating with the democrate. The senator insists that he will never withdraw, even if defeat should become inevitable, but he still insists that he will win out before another week rolfs around.

Senator Panna, Mr. Kurtz and other lead ers are now almost worn out and they evidently have a long struggle still chead of

announced in either house and "the combine" is using the patromage to hold its men in line. In the senate today Senator Burke showed some tendency to co-operate with his republican colleagues. The democrats wanted to report the committees, but Senator Burke stopped it by raying he would vote with the republicans. Later in the day Senator Burke was in conference with Hanna and he spent tor Foraker, who was here at that time. most of his time with the Hanna workers.

DEMOCRATS WILL NOT CAUCUS. The republicans announced yesterday that they would hold no joint senatorial caucus tonight and the democratic members made the same announcement today. The anti-Hanna republicans will have no caucus, so that there will be no test of strength till next Tuesday. While the Hanna men are still short three or more votes on the current claims on both sides, yet "the combine" is having its troubles in fixing on some one who can command all the democratic vote as well as that of the dissenting republicans.

The Columbus Press, the democratic organ of central Ohio, tonight in its leading edi-

The organization of both houses of the legislature on Monday, by a coalition of the democrats and Foraker republicans, does not prove that the opposition to Hanna can tor in opposition to Mr. Hanna it will be necessary to have a perfect coalition be tween the Bryan democrats and the Fortker republicans, There are no votes to

Mr. Hanna and his assistants are not only trying to secure votes for him, but they are by the same means and methods trying to prevent the opposition to him from agree

ing on any other candidate. It is known there are democratic members of the legislature who are much disincline to vote for any republican for senator and who would almost as willingly see Mr. Hanna elected senator as any other repub can who thinks and votes as Mr. Hanna floes on public questions; but, as every-Mason, a republican, for speaker of the house in preference to Mr. Boxwell, also a republican, who differed in nowise from Mason in political opinions, except one is for and the other is opposed to Hanna's election to the senate, it would now come with rather bad grace from any democrat who voted for Mason to refuse to vote for an honest republican for senator in opposition to Hanna upon the ground that he was in principle opposed to voting for republicans

The democrat who voted for Mason for speaker could have done so only to signify his opposition to M. A. Hanna.

DEMOCRATS TO SCATTER VOTES. Lewis G. Bernard, the democratic leader from Cincinnati and the manager for John R. McLean, said tonight: "There will be no election for a long series of ballots. The Lemocrata will scatter their votes." This is !

taken that the democrats will not be able DEBATE CIVIL SERVICE LAW to agree on a candidate.

The anti-Hanna republicans announce positively that under no circumstances will they vote for a democrat. They will continue the House Opens Up the Discussion of the deadlock indefinitely rather than elect a dem. occatic senator.

Ex-Senator Brice delivers an address here next Saturday night at the Jackson day banquot and his presence is anticipated with some envlety.

The Press is out with a sensational extra edition tonight unnouncing that the democratic presecuting attorney has presented the sepatorial attuation to the grand jury. In referring to this inquisition the Press says sworn statements have been submitted to the grand jury from Representative and Mrs Griffith of Union county, Representative George Spellmyer and Chris Monter of Cincinnati, Hon. N. R. Hysell of Columbus and others against certain workers for Hanna. This affair is pronounced as an attempt at intimidation by the Hanna men,

REPUBLICANS NOT DISTURBED. The Hanna men laugh at the attempt to secure indictments against certain workers and say that the men who are spending the money are the ones to rulse the cry about bribery. The cry of the opposition has been that of "bossism and boodle" during the contest. At the spti-Happa headquarters they are confidently claiming a new accession tonight, but refuse to give the name of the member. Senator Burke and several other members got away from the pressure

tonight by returning to their homes, Pollowing close on the reports about Mrs Griffith taking a deep interest in the vote of her husband on the senatorship committee, comes a report that Mrs. Snyder, the wife of Representative Snyder of Greene county, is taking an interest in the contest, and is favorable to the opposition. Mr. Suyder attended the republican house caucus las Saturday night and voted for Boxwell for speaker on Monday, but the opposition is constantly after him to vote against Hanna

In connection with the reports about Representative Griffith, especially about the preferences of Mrs. Griffith, there are reports that the wives of other republican membero are being enlisted in the contest. And there are reports that the wives of some democratic members are urging their husbands not to vote for any republican sensior, but to stand out for a democrat.

Mr. Kurtz and his associates are reported to be unable to control the anti-Hanna re publican members for a democratic secator, and the McLean managers are believed to have some trouble to get all the democrats to support a republican for senator, Governor Bushnell and members of his

staff attended the theater tonight and an incident occurred to cause much cheering for

CONTEST GROWS BITTER. senetorial contest became more bitter today than ever. After the chorus of bitter howling and countercharges, sensational developments last night in connection with the repeated charges of Representative Griffith and other doubtful members, the skirmishing proceeded more clandestinely on both sides. No claims of changes were made on either side. It was the purpose of the macagers in not holding any caucus to be able to keep their own secret till the balloting began a week hence. It is believed that secret compacts are being made that will not become known until the votes of members are recorded. The situation today is the same as after the caucines f the legislature on Monday. All those who changed their preferences yesterday were brought back during the night to their original inal places. There was much comment to lay on the departure of Congressman Grosvenor for Washington after ex-Secretary Ryan and others have recently been there is the interest of Secator Hanna. The Hanna men insisted that there would be no legatee while the opposition insected that they had Hanna beaten now and would defeat Secre-

> tary Sherman, Assistant Secretary Day or any other one that the friends of the national administration brought out in place of The feature of the day was the passage I unanimous vote, of the bill repealing th

law for fifty years franchises to street railways. This repealing bill was introduced by Representative Bramley of Cleveland, who one of the republicans opposing Hanna. After Bramley spoke for his bill Mr. Boxwell replied and charged Bramley with using this bill for buncombe at this time. Boxwell said he voted for the fifty-year franchise law in the last legislature and was sorry for t, but he did not then understand the measure and was induced to support it by Sena-The debate became general and it was freely harged by members in their speeches that Senator Hanna was at the state house two years ago, as well as Secator Foraker, lob- at the law. ying for the fifty-year street railway franhise law. Other proceedings in the house were merely routine, but the old lines of position to the law. The latter,

ommittees so desired. In the senate there were no new developnents, Senator Burke continuing to co-

operate with the democrats. OPPOSITION GETTING TOGETHER. At 11 a. m. both branches of the legislature met in joint assembly to canvass the vote of the last state election. It was a dull proceeding. During the two hours devoted to convassing the vote the genators and representatives put in the time conferring on the schatorial contest. It was the concensus of opinion that Hanna was short three votes and that the opposition was becoming more concentrated on Kurtz for the short term and Bushnell for the long term.

There was much talk in the lobbles abou Hanna in the discussion of the fifty-year street railway fracelise law. The republicens said Mr. Honna was not a scenator two years ago, or in any public capacity and that he did not come to the state capital and appear before the committee and lobby with the members as they said the senior Ohlo secutor did. The secues at the Neil house and the Great Southern today were cominued with increased bitterness and counter-charges, but no changes are believed to have been made at either headquarters. At the Great Southern hotel there are two different headquariers co-operating and oc-

cupying adjoining suites of rooms. NO CHANGES. At the rooms occupied by the anti-Hanna republicans no changes were announced. At the rooms of the democratic managers there was quite a stir over telegrams from ex-Senator Brice advising the democratic members to vote for a democrat for United States senator and not become an attachment to the bolting republicans on national issues. Of the sixty-five democrats in the legislature literal transcript of the reasons assigned for only three are said to agree with Brice on the the discharge of the republican employes in financial question and it is said they will not break away from the course that is agreed upon by their democratic colleagues. If

(Continued on Seventh Page.)

PROMISES A THREE CORNERED CONTEST

Question.

Some Favor Entire Repeal, Some a Modification and Some Oppose Any Change-Large Attendance in the House.

WASHINGTON, Jan. 5 .- The civil service debate began in the house today, based on the item in the legislative, executive and judicial appropriation bill for the maintenance of the commission. It promises to continue at least until the end of this week, with a possibility that it may run longer, But it is admitted on both sides that the appropriation in the bill will stand, as the anti-civil service reformers do not seriously intend to strike it out. The debate, therefore, is only preliminary to any program which the enemies of the law may agree

The members of the house are divided into three camps on this question. Those who stand by the law, those who advocate its entire repeal and those who desire its modification. These divisions were apparent in the debate today, the nature of which was not as stirring as had been anticipated,

Moody (rep., Mass.), Grow (rep., Pa.) and Greene (pop., Neb.) defended the law; Dockery (dem., Mo.), Robb (dem., Mo.) and Pearthe law.

GO TO WORK PROMPTLY.

had mission, upon which, by which previous ar- to make the exceptions he recommended. He all of his relatives. rangement, there was to be an indefinite gen- thought on effort was being made to tie the eral debate.

It was proposed that G. B. Moody, repubcornered cornest, "The democrats," said finally. he, "desire the entire repeal of the law. modification of its provisions,"

"Why does the gentleman aver that all the democrats on this side of the house desire the entire repeal of the law?" inquired

Hepburn, amid great laughter. All suggestions as to the control of the spoke for twenty minutes in support of the service question. general principle of the civil service law. Mr. Moody of Massachusetts then made an elaborate defense of the civil service sys

Mr. Moody (rep., Mass.) followed with an elaborate defense of the civil service, which he said protected offiand should only be modified by extension. He thought those who were placed under the protection of the law by executive order should be compelled to submit to a test of their efficiency, and he also believed that some method should be found to preserve, if not restore, the efficiency of the service. He defended the administration of the law and the character of the examinations of the commission. In conclusion he declared that the hostility to the law was superficial. The sentiment of the republican party, he insisted, was overwhelming in favor of the

party keeping the solemn pledge it had given to the people. Mr. Dockery (dem., Mo.) opened the debate in opposition to the law, which he argued was odious to the American people, and should be repealed in toto. He pointed out that the striking out of the appropriation for the commission would accomplish nothing, as the commissioners could sue in the courts for their salaries. The thing to do, he said, was to pass a bill aimed directly

Mr. Robb (dem., Mo.) and Mr. Pearson (rep., N. C.) followed in op-Monday were drawn whenever the steering who has been very active in his hostility to the civil service law, contended that life tenure inevitably meant a civil pension list, whether the pensions should be paid directly out of the treasury or indirectly from a retiring fund collected from employes for that

> ATTEMPT TO REPEAL IT. Mr. Clark (dem., Mo.) asked whether the republicans who were hostile to the law intended to bring in a bill for its repeal, to which Mr. Pearson replied in the affirmative. "Will you gentlemen on the other side use your best endeavors to secure consideration for it when it is reported?" asked Mr. Clark. "We will make desperate efforts," answered Mr. Pearson. "We will go to the extreme and vote with the democrats to secure consideration." (Applause and laughter.)

Mr. Landis (rep., Ind.) favored a modification of the law, which he said would doubt less cara for him a reputation as a spoilsman. He sneered at the professional civil service reformers. He had never known those who called themselves "the better element" who were not narrow, selfish, bigoted and dangerous. They had buildozed and cowed national served long years in congress, this communiconventions, and hypnotized presidents, while they managed themselves to sit continuously able document," he said, "The president at the banquet table. He denounced Mr. himself, as Secretary Sherman well knows Clevelaud's methods in his second adminis- has ample authority to modify the law in torious blackmailer, who never earned an tration, describing particularly what took accordance with the recommendations of his honest dollar in his life." place in the government printing office, to recretary of state. The extension of the the head of which, he said, Mr. Cleveland operation of the law has been made by exappointed a man who would do the "dirty work." On a single day, he said, Public a secretary of state to come to congress Printer Benedict discharged 750 men. That for such relief as Mr. Sherman requests, was known at the government printing office when his own chief, the president of the as "bloody Monday." On another day he discharged 420. When 1,800 removals had been made and about 1,800 democrats appointed Mr. Cleveland pressed the button and the civil service blanket was thrown

the secret record of Mr. Benedict's private

secretary. Some of them were very amusing

and kept the house in a roar. When he had concluded the reading Mr.

Perkins, republican of Pennsylvania, asked if it was proposed to return to a system which made such a recital possible.

"No," replied Mr. Landis, "but we want to modify the law." Mr. Henderson (rep., Ia.) protested

against the production of the record of one man in condemnation of the best system yet devised for the purification of the MURDEROUS BROTHER ENDS HIS OWN LIFE government service. He said the Civil Service commission did not endorse such work.

Unless the law was modified by its friends. Mr. Landle said, a democratic president and a democratic congress would destroy it root and branch. The law must be rescued from the clutch of the zealots.

Mr. Landis was vociferously applauded when he concluded.

favor- of civil service reform. He criticised Mr. Landis, who, he said, urged the abuses of the spoils system as an argument for a re- out his brains with a shotgun. turn to that system.

showed when the civil service was extended to the government printing office that only 31 per cent of the employes had been appointed under a democratic administration. republican public prioter.

At 4:55 p. m. the house adjourned.

SENATE FOLLOWS LEAD OF HOUSE. Civil Service Law the Subject of Discussion There.

WASHINGTON, Jan. 5 .- (The presentation Landis (rep., Ind.) favored modifications of the various departments of the government,

president's bands.

Mr. Davis, chairman of the committee of lican of Massachusetts, and Mr. Dockery, foreign relations, gave notice that he would democrat of Missouri, control the time for mext Monday, and daily thereafter, move that and against. Mr. Hepburn, republican of the senate consider in executive session the lowa, suggested that it was a three Hawaii treaty, until it was disposed of

There was only a small attendance in the Some of those on this side desire it to stand, senate today. Mr. Allen of Nebraska spoke while a large body of us desire a wholesome on the framigration bill and declared in favor of consular inspection of immigrants,

CENSUS BILL CALLED UP. Mr. Carter of Montana called up the bill to provide for taking the next census and ar-Mr. Clark, democrat of Missouri.
"Simply because that would be wrong and through the civil service commission, saying your side is always wrong," retorted Mr. it was a preliminary measure and provided only for thirty-two places.

Mr. Cockrell of Missourl replied, declaring time failed at last and the chair recognized that the republican party was backing Mr. Grow, republican of Pennsylvania, who Equarely down from its position on the civil Wednesday, with a view to co-operation, so Theodore Durract has entirely given up is very lengthy. It goes into detail on each

A report by Secretary Sherman on the civil service was read and Mr. Cockerell of Mis souri said it was a most remarkable document, being a request on congress for legislative action which was in the power of his chief by executive order.

Mr. Teller (sil. rep., Colo.) spoke at some length in support of the idea cials who received \$70,000,000 in salaries per that the census bureau should not be a parannum. Yet he said he had no sympathy tisan bureau, and that its employes should with those who believed the law was perfect therefore be placed in the classified service. He was particularly anxlous that honest competent men should perform the work of of intentional misstatements and intentional tistical department of the government in making out that the world's production of silver was \$10,000,000 larger than it actually was. He was prepared, he said, to establish this statement, if necessary, to the satisfaction of a jury. If the men whose appointment is provided for by this bill are competent they ought to have the protection of the classified service. Properly administered, to attend the mass meeting and make a execution, so that it could not be cut up and said he, the civil service law is a wise measure. It has, however, been badly abused and thus brought into disrepute. Civil serv ice has come to stay in this country. It wil stand and only reasonable modifications of its application will be made. Some such modifications may be desirable

WANTS THE WORK REFORMED. Mr. Chilton (dem., Tex.) in an exended speech in which he discursed the work of previous censuses and indicated the enormous amount of work unnecessary and irrevalant that had been performed, declared that it was a scandal to have issued so many volumes as seemed necessary to cover the work of the census of 1880 and 1890. He exman from Maine (Hale) to reduce to rea-

by the twelfth census would be successful. have it temporarily laid aside. He then committed." moved that the senate proceed to the con

sideration of executive business. Pending the passage of that motion the vice president laid before the senate the reply of Secretary Sherman to the senate resolution requesting information as to the application of the civil service law in his department.

Mr. Cockrell (dem., Mo.) was on his feet instantly upon the conclusion of the reading of Secretary Sherman's communication. 'Coming from Secretary Sherman, who cation must be regarded as a very remark ecutive and not by legislative action. For then and today.

ALLEN DEFENDS SHERMAN. Mr. Allen said that in making his reply Secretary Sherman had simply complied with the explicit request of the senate and he had the resolution read to show that it the cabinet officials might have to make.

Mr. Allison did not think that senators (Continued on Third Page.)

FINISHES HIS BLOODY WORK

Slayer of Baker and His Wife Also Kills Himself.

Trailed by Bloodhounds to a Barn, Where the Dead Body Was Found by the Posse Sent

FAIRBURY, Neb., Jan. 5 .- (Special Tele-Mr. Greene (pop., Neb.) closed the gram.)-William Baker, the murderer of his debate for the day with a speech in brother, George Baker, and the latter's wife, killed himself during the night by blowing

Out in Pursuit.

Bloodhounds were brought from Lincoln Mr. Richardson (dem., Toun.) in on the evening train and at once put to work. 11. Commercial and Financial News, reply to Mr. Landis, asserted that the record They followed the trail from the scene of the 12, Electricity as a Stimulant murder and found where Baker had been hid under a bridge during the day. From here Hour. Deg. Hour. 5 a. m. 27 1 p. the trail led to the barn of Andrew Baker, an while 44 per cent had been appointed by a uncle, against whom the murderer had made threats, and it is supposed his object in going there was to shoot him also. The barn was 9 n. m..... 30 and the body of the murderer and suicide 12 m 39 found.

George Baker, the victim of his brother's of replies of the members of the cabinet to wrath, came here about eighteen years ago, DURRANT APPROACHING THE END. the resolution calling for information es to and had been farming ever since. His wife son (rep., N. C.) opposed it cutright; while the application of the civil service law to was a daughter of John Moler, a well known together with the consideration of the bill farmer of Meridian precinct. They leave four There was a very large attend- establishing a bureau for the twelfth census, children, the oldest about 13 and the attorneys for W. H. T. Durrant, the conin the hall of representa- precipitated a sharp civil service debate in youngest 5 years of age. The two brothers demned murderer of Blanche Lamont, were ance in the hall of representa precipitated a sharp civil service depate in the house reconvened today after the senate today. Mr. Cullom (rep., Ill.), the worked together for a time, but quarreled their application for a writ of habeas corpus the holiday recess. The galleries were author of the bill, thought the modification over some business matters and for some and permission to appeal therefrom, in the crowded. It was noticed that, with one or of the law ought to be made as the authori- years had not been on speaking terms and United States circuit court this morning, the sum he is convicted of stealing. Every, two exceptions, the members of the Hyde delegation, both democrats and republicans, were absent.

ties had drifted far away from the original intention of the authors of the civil service law. Mr. Allen (pop., Neb.) charged that the law was openly and daily violated, and paid to them. The two brothers were nephews of their client on Friday next. These are point is the side of the state upheld. The Without any preliminary business the said it was a hiss and by-word among the of the six Baker brothers who have lived to appeal to the governor for a reprieve main point on which the state relied for Without any preliminary business the said it was a hiss and by-word among the best house went into committee of the whole to people. Mr. Cockrell (dem., Mo.) declared here since 1863, and are among the best United States for an appeal from the cirresume consideration of the legislative, executive and judicial appropriation bill. All the features of the bill that certain positions in his department. been disposed of except should be excepted from the classified serv- been killed by William if he had been given Boardman, who left here on Saturday last, the appropriation for the civil service com- ice, when the president had full authority the opportunity, as he had threatened to kill is expected to reach Washington tonight Bartley's attorneys that the embezzlement

> ALABAMA AT THE EXPOSITION. Birmingham Commercial Club to

Make a Pine Exhibit. BIRMINGHAM, Als., Jan. 5 .- (Special Telegram.)-The epcclal committee of the Birmingham Commercial club appointed to arrange for an exhibit of the resources of the Birmingham district at the Transmississippi Exposition in Omaha, met today and perfected its plans. Funds to defray expenses will be provided by the members of the club liam Rador to mount the scaffold with the and the industrial companies and a complete display, especially of minerale, will be secured and a building constructed so it can be taken down and shipped to Omaha, where it will house the exhibits. The industrial companies of north Alabama already have a movement on foot for an Omaha exhibit, terred, on account of the publicity which his is affirmed. Their representatives have been invited to case has been given. as to occure the largest and best exhibit hope, and so has his father, who came over sible for all north Alabama.

CHEYENNE, Wyo., Jan. 5 .- (Special Tele-States district and circuit courts were closed gram.)-The following named were appointed to all further appeals or writs delaying the today to solleit subscriptions for the Wyo- execution. Both are now convinced that the mining state exhibit fund for the Omaha ex- young murderer will be hanged on Friday. position: Ex-Senator J. M. Carey, Hon. A. When told that Governor Budd had taken D. Kelley, Mayor W. R. Schnitger, L. R. under advisement the application made this Bresnahen and M. R. Johnston The commit- afternoon by his attorneys, John H. Dickin tee expects to raise the necessary funds son, W. W. Foote, T. C. Coogan and A. A. firmed

DENVER. Colo., Jan. 5 .- (Special Telegram.)-It was decided at the meeting be- Theodore Durrant sorrowfully remarked that tween Mayor McMurray and Manager he had little to hope for from the governor Meschke of the Transmississippi Exposition board, that the Chamber of Commerce was the proper authority to call the mass meet- fied the warden tonight, making a number ing to prepare for Colorado's exhibit. President Monash, president of the Chamber of The father of the condemned murderer asked Commerce, favors the plan and will call a that after the execution the remains of his mass meeting in a few days. Mayor McMur. son be at once placed in the coffin without ray has appointed a committee to look after autopsy and inquest, and that the black cap the interests of Denver and Arapabee county. be not removed, so no one would be per-This committee will attend all the meetings mitted to see his boy's face after death. He of the board. The mayor has also promised also asked that the rope be burned after the

ENLARGE THE POWERS OF POLICE. Missouri Court of Appeals Renders a Important Opinion.

ST. LOUIS, Jan. 5 .- A ruling greatly enlarging the powers of the police officers has been made by the court of appeals in the case of the state against E. G. Hancock and others. The others are police officers and were convicted in the court of criminal correction of assault and battery in arresting a ing witnessed the offense.

"Under the common law," cites the opinion, "a sheriff, constable or police officer pressed a hope that the efforts of the gentle- | cannot arrest for a past offense lower than a felony without a warrant. This rule has sonable proportions the topics to be handled been enlarged so as to give the police officers of the city of St. Louis power and Quite unexpectedly a lively civil service authority to make arrests without warrant icbate was precipitated just at the close for offenses below the grade of felony, proof the session. Mr. Carter, in charge of the vided that the officer who arrests for a past bill, said he would have the measure printed misdemeanor has the same ground of reasonwith amendments that had been offered to able suspicion as would justify him at comit and for that purpose would consent to mon law in arresting for a felony already

> STANDS BY HIS ALLEGED SLANDER Reiterates His Statements Concerning

> Anthony Comstock. NEW YORK, Jan, 5.- The hearing of the long pending suit for \$50,000 damages for defamation of character brought by Anthony Comstock of the Society for the Suppression of Vice against Dr. Montague R. Leverson of Fort Hamilton, commenced today in the United States court.

> During an altercation between Comstoci and Leverson at the New York Central station in Albany, February 19, 1896, the prisoner is accused of having made the following public declaration: "Ladies and Gentlemen: This man is Anthony Comstock, a no-

On the stand today Dr. Leverson said he believed what he said of Comstock to be true

MANISTEE, Mich., Jan. 5.—The rear end of a Toledo, Ann Arbor & Northern freight United States, has full power to act, is pre- train rushed down Church hill past the village of Copemish today and dashed into a Manistee & Northeastern freight engin standing on the crossing taking water, The engine was completely wrecked. Conductor Jones is reported to be dying, Andrew Fitzell and Fireman Breott of the called for suggestions for modifications that homes in this city with more or less serious injuries. The accident was caused by the Ann Arbor brakeman cutting the train in two on a steep grade on the supposition that the conductor would hold it,

JOE BARTLEY'S DOOM

Sanrame Court Affirms Sentence Passed is Omaha Courts.

SSES APPEAL OF THE EMBEZZLES

ides Against Him on Every MateriaJ Point Raised.

EALING STATE CREDIT IS A CRIME

Act Amounts to the Actual Taking . Cash Money.

DOUGLAS COUNTY HAD JURISDICTION

Cause Was Properly Brought Here for Trial and County Attorney Had Full Authority to Act in the Case.

LINCOLN, Jan. 5 .- (Special.) -At 5:20 this evening Judge Norval pronounced the doom 9 p. m.,... 35 of the Nebraska supreme court on Joseph S. Bartley, convicted of the embezzlement of state money to the extent of \$201,884.05. The appeal from the judgment of the Douglas county district court is dismissed and the SAN FRANCISCO, Jan. 5.—Although the finding and sentence of the court below in

According to this Bartley is doomed to a term of twenty years in the penitentiary; and to pay a fine of double the amount of conviction and on which the convicted man have been embezzled. It was argued by and will probably make the latter application of credit in the bank was not embezzlement tomorrow morning. While little reliance is of money and that the indictment and verbeing placed upon the governor strong presdict were both faulty in this respect. On this sure is being brought to bear upon him on behalf of the condemned murderer and no point the decision is especially clear. The stone is being left unturned in the effort court explicitly holds that the act by which Bartley transferred the credit of the state Meantime Warden Hale has already comat the bank and applied the proceeds to his ploted all his arrangements for the carrying own purpose was as much an embezziement out of the sentence and so little faith have as though the money had been paid to hint Durrant's parents in the efforts to save over the counter and he had then paid it out again himself on his own account. The condemned man. They also attempted to jurisdiction of the Douglas county district make arrangements for the funeral of their court is upheld and the power of the prosson after the execution, but learned to their ecuting attorney of Douglas county to begin dismay that there was a decided objection the action without especial instructions to on the part of the cemetery officials of this do so from the auditor of public accounts city to permitting Durrant's body to be fa-

SYLLABUS OF THE OPINION. of the twenty-three points covered in the syllabus. It was written by Mr. Justice Norval. Commissioners Irvine and Ransom expressed no opinion in the case. The other justices and Commissioner Ragan assent The syllabus of the opinion follows:

Joseph S. Bartley against The State of Nebraska. Appeal denied and judgment af-

1. On a motion to quash an information the district court will not inquire into the validity of the warrant of arrest issued by the examining magistrate

2. In a prosecution for the crime of embezzlement the pendency against the accused of a former information in the district court of another county charging lims with the embezziement of the same proper,y within that county is no ground for abate-

3. Error cannot be predicated upon the overruling of a demurrer to a count in the Information where a nolle prosequi is subequently entered to such count,

4. An information, in the caption and cause of which a given county and state are named, which charges that the defendant "in the county aforesaid, then and there being in said county," did commit a given crime, sufficiently alleges that the offense was committed in the county stated in the caption and venue,

Chaplain Drahmns also came and Rev. Father 5. The place of the commission of an of-fense charged in one of the counts of the Lagan of San Rafael, who has frequently information is sufficiently set forth by averment that the defendant "in the county HAVE GREAT INTERESTS IN CHINA. aforesaid" did commit the acts constituting the offense, where by a former count the county and state are definitely stated, 6. An election by the prosecutor to proseed alone under one count does not so far

take the other counts out of the information as to destroy the effect of a reference to terests there now and will have much greater SPECIAL DIRECTION UNNECESSARY, 7. A county attorney of the proper county may institute a criminal proceeding against state treasurer for the embezzlement of the moneys of the state, notwithstanding

from the auditor of public accounts to take such step. 8. An information for embezzlement is sufficient if it sets forth the crime in the lan-guage of the statute creating it without

"Would we suffer less from a partition averring the particular acts in which the agreed upon thus than we would from one offense consisted, 9. An indictment against a state treasurer, which charges the embezzlement to his own use of a certain sum of money belonging to "We would suffer more because that would mean an agreement of policy between the

the state, is sufficient without an allegation that a demand for the money was made on him by his successor in office 10. Where different felonles of the same general character or grade are charged in different counts of an information it is within the discretion of the trial court to

equire the prosecutor to elect as to counts. Korth against State, 46 Neb., 632, 11, No election is required between counts 12 Error cannot be predicated upon the overruling of a challenge to a juror for ause, where the record falls to disclose

that the complaining party exhausted his peremptory challenges 13. The evidence in the case is sufficient to sustain a conviction of the embezziement

of the moneys of the state, 14. Warrants drawn by the auditor of pubaccounts upon the state treasury are not negotiable instruments.

CONSTITUTES CASH, amount of a check by the bank upon which it is drawn is, in contemplation of law, a payment of the check in money to the same extent as though the currency had been paid over the counter on the check and mmediately redeposited by the payee, 15. A state treasurer, who for an unau-thorized purpose draws a check on a state epository bank having money of the state herein, which he delivers to the payer, and the bank on presentation of the check places the amount thereof to the credit of a third York, New party whom the payee represents in the transaction, and at the same time charge

name is given as Mrs. Etta Mitchell, diec at the police station today of poison, selfadministered. At a local hofel yesterday

but no such person is known there. Before taking the poison the woman left a note or Harry Johnson, a telegraph operator, and in a notation on the envelope said that ne would bury her, Johnson, who works for local grain firm, refuses to talk of the

Movements of Ocean Vessels At New York-Arrived-Bovic, from Liver-Antwerp.

New York, At Amsterdam-Arrived-Edam, from New At Liverpool-Arrived-Majestic, from New

pool; Massalia, from Marseliles, Sailed-St, Louis, for Southampton; Westerland, for At Southampton-Arrived-St. Paul, from New York, Sailed-Lahn, for New York, At Naples-Sailed-Auguste Victoria, for