Attorneys for the Ex-State Treasurer Renew Their Fight.

SUGGIST THAT THE COURT WAS HASTY

Case Dld Not Receive the Attention the Defense Thinks it Was Entitled To, and a Rehearing in Asked.

LINCOLN, Feb. 10 .- (Special.)-The attorneys for J. S. Bartley today filed in the supreme court their motion and application for a rehearing of the case. The application is accompanied by a voluminous brief containing the arguments in support of the application. The brief opens as follows:

"This case, with its record of more than 1,200 pages, was submitted to the court on briefs and argument December 22 last. At the expiration of eight working days an opinion was handed down affirming the judgment of the trial court. It is to be regretted that in a case of so much importance, the record of which discloses a sentence of twenty years' imprisonment and the imposi tion of a fine so exhorbitant that if the defendant were imprisoned one day for every \$3 of the fine imposed, more than 277 years must clapse before he would be entitled to a discharge under the provisions of section 528 of the Criminal Code, that an opportunity for a more extended examination of the record and a full consideration of the questions involved and presented was not that the plan of holding such meetings be afforded. It is doubtless due to the press of official duties that vital questions presented and urged at the bar and in briefs are ignored by the opinion. Under the constitution of this state the writ of error is a writ of right in all cases of felony and the defendant is entitled not only to have his case fully presented, but to have every question involving his liberty determined and determined according to law. If that has not been done, we may confidently appeal to the court for a rehearing, for the rule which permits it presupposes that cases may arise in which such rehearing is necessary in the administration of justice. Such a case is now presented."

QUESTION OF MONEY.

In discussing the question of whether it as "money" that was embezzled, the brief sys: "A man may be put on trial for stealing 'money' and proof given that he stole a promissary note, or a chatte, mortgage, or a ton of coal, or a bushel of botatoes, for any of these things may be considered equivalent to moticy, and any of them, if accepted as payment of a check, will pay the check as effectually as gold coin."

In the following paragraph the brief holds that the defendant was sentenced because the state had lost the money: "It would appear that the judgment of the trial court was affirmed, not so much because the de-fendant was accorded a fair trial or because the record is free from prejudicial errors which should work a reversal, but because it is an assured fact that the state is minus \$201,884.05 by the transaction. We respect fully losist that it is not only material, but It is of the greatest importance to the present inquiry whether the state may or may not be able to recover from the Omaha Na-tional bank or any other person or corporation, because upon that question depends the question whether or not the state is minus \$201.884.05, the micusness of which the court assumes as an assured fact."

MATTER OF CONVERSION. The concluding portion of the brief reads: "There is no claim or pretense on part of the state that the defendant received any portion of this \$201,884.05. If he did not how could be be guilty of converting it to his own use? He was not charged with the embezzlement of the proceeds of the war-rant, and as to the warrant itself, the accusation was dismissed. • • • The only charge against the defendant was the embezzlement of \$201,884.05 on the second day of January, 1897. Section 124 of the Criminal Code makes it a felony for a publie officer to convert public money to his own use, or to the use of any other person or persons, body-corporate, association or party whatever. The defendant could not be guilty of converting to his own use what he did not receive. If it were admitted that the facts are as stated by your honors in the opinion, it is clear that if there was a conversion of the money it was to the use of a body-corporate and not to the use of the defendant, and the verdict is unsup-ported by any testimony. For this reason,

if for no other, a rehearing should be granted." The motion for rehearing cites thirtyseven reasons why a rehearing should be granted. Among these it is stated that the decision of the court was based on a mis-apprehension of the evidence and the facts. One of these was that "the criminal acts charged in the information filed in Lancister county were not the same criminal acts charged in the information filed in Douglas county." The attorneys hold this to be a misapplication. They say that "no money having been embezzled in fact, defendant could not be guilty of embezzlement as a mitter of law." The assumption of the court of a segregation of money at the time the check was presented to the bank is not uphelt by the authorities. The failure of the authorities to support the decision in

many other points is also cited.

The tenth reason says: "The court declines to decide whether the warrant in question was valid or void, although the validity or invalidity of that warrant is a vital question in the case and was presented in the briefs and discussed at the bar." The application further says: "The question of the constitutionality of the depository act was an important one in the case and was presented by the brief, but the court declines to pass upon that question, but at the same time holds that defendant cannot ques-tion the validity of the act when he has recognized it by placing money in a bank made a depository under the act. The effect of this is to deny the defendant a hearing upon a vital question in the case and to condemn him without a hearing."

LANSING OLIVER CASE. Judge Holmes of the district court today decided the Lansing-Oliver case, which was instituted by Mrs. Mary Oliver, now owner of the Oliver theater, against James F. Lansing to recover some ecenery and other stage effects, which he took from the opera house about two months ago. The opera house was constructed six years ago and named the Lansing theater. The house cost about \$200,000 and has always been the pride of the city. The owners, Mr. Lansing and Mr. Henry Oliver, could not agree and the theater was ordered cold by the court. The sale was made and the theater bought by Mrs. Mary Oliver, wife of one of the partners. The evening after the confirmation of the sale Mr. Lansing, with the assistance of fifty men, forced his way into the theater and removed all scenery, carpet and fixtures from the house. He claimed the furnishings were not included in the sale, but were his own personal property. The police stood by and watched the proceedings, but did not at

Most Torturing, Disfiguring,

Humiliating Of itching, burning, bleeding, scaly skin and scalp humors is instantly relieved by a warm bath with CUTICURA SOAP, a single application of CUTICURA (ointment), the great skin cure, and a full dose of CUTICURA RESOLVENT, greatest of blood purifiers and humor cures.

REMEDIES speedily, permanently, and

economically cure, when all else fails. PIMPLY FACES Purified and Brantified by

BARTLEY'S BRIEFS ON FILE tempt to intercede. The value of the goods taken out amounted to \$2,200. Judge Holmes decided that the scenery and other goods taken by Mr. Lansing did not belong to him, but to the plaintiff, Mrs. Oliver. The Cuban Relief commission has received \$51.55 se a cash donation to the fund from

the students of the Peru State Normal

The Louis Bradford Lumber company of

outh Omaha filed articles of incorporat

today, with a capital stock of \$100,000. The incorporators are: Ida A. Bradford, C. R. Pugh, G. L. Bradley, K. Thompson and Or-

Requisition papers were issued today for the return of John W. Murphy from Cedar Rapids, Ia. Murphy is wanted in Omaha, being charged with having burglarized the house of Eme Kelley on the 19th of Decem-ber. The value of the goods storen footed up to about \$120.

A gubernatorial boom has been sprung for ex-Mayor Weir of Lincoln. It is said that he has many strong friends among the poperatic politicians. The Lincoln Light infantry is preparing

for a minstrel show, which will be brought Omaha people at the hotels: At the Lindell—A. K. Liepe, E. R. Ramsdell, Charles Pearsall, B. H. Hayden, John Nicholson. At the Lincoln—J. F. Dale, J. E. Riley, A. M. Jeffrey, W. W. Ragley, F. M. Bodie, E. E.

FARMERS' INSTITUTE AT FREMONT.

Interesting Papers on Many Subject of Importance. FREMONT, Neb., Feb. 10 .- (Special.)-The fifth annual meeting of the Dodge County Farmers' Institute is in session here. John Wilson of Webster, precident of the institute, called it to order at 2 o'clock yesterday afternoon. Secretary R. D. Kelley submitted a report of the two institute meetings which were held during the summer and advocated continued. John Wilson of Webster read a paper on "The Best Sheep for Bodge County. A. C. Records of Fremont spoke on the "Benefits of a Creamery to the Former." He believed the creamery system to be the best for the farmer, yielding him satisfactory retuens for his time and money invested in

At the evening session David Brown of Ma ple Creek read a carefully prepared paper on "How Plants Grow." It was illustrated by drawings made by the writer from nature and elicited considerable discussion. After a solo by Prof. Preston of the Fremont Nor mai school John Yager spoke on "Spraying Fruit."

The session this morning was devoted to the horse. The first paper was by S. W. Peters of Nickerson on "The Best Horse for All Purposes." Mr. Peters thought the comparatively small horse, one weighing from 900 to 1,200, was the one best adapted for general all-round use on the average Ne braska farm. Such a horse of kindly disposition, safe and not afraid to meet any thing his driver asked him to, in his opinon was the ideal farm horse. He didn't pelieve in a coming horseless age. Considerable discussion followed his paper, the general opinion being that for farm work a beavier horse was needed.

N. J. Ronin of Fremont read an excellent paper on "The Trotting Horse: How to Train Him and His Value." America, he said, had produced the greatest trotters of the world and some of the best of these were Nebraska bred. All or nearly all trot ting stock, he said, was descended from Rysdick's Hambletonian and through him to Arabian stock. The American trotters are better than the English on account of their superior intelligence. Mr. Ronin's description of the best methods of training a coll for the track were largely those used by himself. Regular work not beyond the ability of the horse is necessary. Mr. Ronin does not believe in using hobbles or other appliances, which he termed horse para-phernalia, in training trotters. For a good trotter a good price can always be ob

G. W. Whitemore of Valley had for his subject "The Best Horses to Ralse." best he considered the large size thoroughbred Percheron draft horse, weighing up-ward of 1,500 pounds. The demand for this class of horses exceeded that for any other, Every 100 pounds in weight of such a horse over 1,500 added \$25 to his value. This is the only class of horses that the export buyers are after at present. Next to the thoroughbred Percheron he would place the high grade of the same class. The good high grade of the same class. driver sixteen to sixteen and one-half hands high, weighing about 1,100, he would place next, while the trotter he would put at the foot of the list. He didn't think a farmer should raise trotters because he could not train them and they didn't bring enough money. In the discussion which followed Mr. Ronin reminded him that the present type of trotting horse is a larger, heavier animal than the one of a few years past and that the trotter can do anything any other horse can do, but the draft horse cannot.

The afternoon session was under the direction of the women, Mrs. W. H. Clemmons presiding, and the following program mons presiding, and the following program was carried out: Vocal duet, Misses Lindstrom and Morrow; paper, "Fathers and Mothers," Mrs. H. G. Wolcott, Fremont; paper, "Woman's Sunshine," Mrs. W. G. Whitemore, Valley; vocal solo, Miss Flora Lindstrom; paper, "Chemistry in the Kitchen," Miss R. Bouton. This paper was one of much interest and broaden. one of much interest and brought out considerable discussion.

ANOTHER TOUCH OF WINTER.

Rain, Sleet and Snow in the Antelope State. DUNCAN, Neb., Feb. 10.-(Special.)-After everal days of spring weather a cold wave came in from the north yesterday, followed early this morning by sleet, which later turned to snow. It has snowed heavily all the forenoon and still continues with a stiff north wind, which is drifting the snow badly in places.
FAIRBURY, Neb., Feb. 10.—(Special.)—A

light rain fell yesterday, turning to elect during the night and today it is gnowing, with a brisk north wind. The weather is no cold, and there are no indications that the storm will do any damage or turn into a

TILDEN, Neb., Feb. 10.-(Special.)-A may snowfall has visited this locality. It is still snowing, the wind increasing and a blizzard-the first of the season- is threat-

MEADOW GROVE, Neb., Feb. 10.-(Speial.)-Snow and sleet commenced falling in

MÊADOW GROVE, Neb., Feb. 10.—(Special.)—Snow and sleet commenced falling in the night. The snow is now about six inches deep and still falling very fast. It is being drifted by a strong, north wind.

GENEVA, Neb., Feb. 10.—(Special.)—Quite a rhowstorm is raging, after the rain yesterday.

MALMO, Neb., Feb. 10.—(Special.)—Today a very coid wave set in. During the night as slight rain and snow fell.

NEBRASKA CITY, Neb., Feb. 10.—(Special.)—(Special.)—The rain of yesterday grid last night developed into a severe sleet storm, covering everything with ice. Telegraph and telephone wires suffered most. The fruit will be injured to a great extent. Owing to the warm weather of the last few days of warm weather of the last few days of warm weather terminated in a cold snap yesterday and at 2 a. m. today a heavy sleet began to fall, continuing until 9 a. m., when it changed to snow.

HUMBOLDT. Neb., Feb. 10.—(Special.)—

Humbold Robert Special.—

The slast few days of warm weather terminated in a cold snap yesterday and at 2 a. m. today a heavy sleet began to fall, continuing until 9 a. m., when it changed to snow.

HUMBOLDT. Neb., Feb. 10.—(Special.)—

Humbold Robert Special Speci

HUMBOLDT, Neb., Feb. 10.-(Special.)-The mercury fell several degrees last night and this morning a half inch coat of lee covers everything. Telegraph and telephone wires and the branches of trees are suffering from the stage.

is drifted considerably in places. CRAB ORCHARD, Neb., Feb. 10.— (Special.)—About 5 o'clock a. m. the rain commenced falling in torrents and con-tinued in a milder form throughout the day later turning to sleet. Everything is covered with ice. The roads are admost impassable. PAWNEE, Neb., Feb. 10.—(Special.)—This vicinity had a heavy rainstorm yesterday, followed by sleet last night.

Geneva Items. GENEVA, Neb., Feb. 10.-(Special.)-Last night Mrs. Murphy, who makes her home with the family of District Clerk Putlitz, fell on the ice, breaking a lantern which she was carrying, cutting her right arm above the wrist so severely that an artery

was severed.
Carl, the little son of John Thoma, as-

GRAY WELCOMES THE BLUE

Ex-Confederate Extends Glad Hand to Grand Army Men.

VETERANS WARMLY GREETED AT NORFOLK

old Soldiers Gather for Their Annual Encampment and Reunion_Adopt Resolutions Endorsing Transmississippl Exposition.

NORFOLK, Neb., Feb. 10.-(Special.)-The regular proceedings of the Grand Army of the Republic encampment opened last night with an address of welcome by Major Alexander Bear, who during the war was a surgeon in the confederate army. His remarks were highly appreciated by the "boys," his address being interrupted again and again by cheers and tumultuous applause. At the close of his address he was heartily congratulated and given a rising vote of thanks and hie address ordered made a part of the records. He spoke as follows:

records. He spoke as follows:

Gentlemen of the Department of the Grand Army of the Republic: As the chief executive officer of this city it is my privilege as well as pleasure to welcome you in the name of the city and its inhabitants and to tender you its freedom and hospitalities. I welcome you as the survivors of the grandest army that ever marched to battle. I welcome you for your heroic achievements which have been woven into song and story and shall be sung by the children of the republic until time shall be no more. I welcome you because in sunchildren of the republic until time shall be no more. I welcome you because in sunshine and in storm, in victory and defeat, you followed your flag as a pillar of cloud by day and fire by night, and left the record of your achievements on the brightest pages of your country's history. I welcome you, ladies of the Relief corps, for in your sphere you did no less than your fathers, husbands, sons and brothers. You cheered and fanned the flame of their patriotism and gave with resignation your fallen heroes and welcomed home with glistening eyes and grateful hearts the victorious veterans. Lastly, I welcome and salute you as comrades, a soldierly word with all its tender recollections and clustering memories. Yes, I salute soldierly word with all its tender recollec-tions and clustering memories. Yes, I salute you as comrades and though I wore the gray my greeting carries with it my kind-est wishes, my warmest esteem and my earnest bapes for your prosperity and wel-fare. I shall attempt no culogium on the tachlevements of comrades, living or dead, absent or present. The soldiers on either de of that gigantic struggle gave imperish ble prestige and bonor to American valor; ooth sides were actuated by the most ex-lited motives. Whatever may be the dif-erence about the war and its causes, no ference about the war and its causes, no brave or generous person can deny that it was made up of deeds of desperate valor, great military strategy, unparalleled endurance of hurdship and patriotic heroism on either side. You, my friends, felt that republican government and liberty itself was gone if the union of the states was dissolved. The southern solder believed in the soversion rights of the states and the the sovereign rights of the states and the union with only certain delegated powers and suaranteed rights and defending his home and his property from invasion.

CONSCIENTIOUS PATRIOTISM. The ardor with which they railied around their respective flags from invasion and followed them through sacrifices, through danger and death was equal and proves their conscientious patriotism. Each soldier who laid down his life on either side for his country thought that he died for a holy cause. Both sides believed they were right. elf-sacrifice unto death for what a m elleves is heroism, and heroism that d erves immortality—yes, more than deserv , carries immortality in his breast. It is given us now to see that high motiv were not all ranged under one banner, th

ant sublime devotion that leads a man ive wife and home and mother for heave wife and nome and mother for the hardships of battle and the crown of death wore alike the blue and the gray and that the passionate tears of widowed and orphaned love fell like summer's rain from eyes that opened these to the northern and those to the southern sky, and thus with learer vision we now can see that ou American conflict was not the conflict of

clearer vision we now can see that our American conflict was not the conflict of one generation, that it was as unavoidable as the devastating cyclone summoned by mystic forces from a summer's calm.

So far as the generation that fought it was involved they were the actors of the inevitable. You, my friends, won, not by virtue of superior powers, not by abler gen, eralship nor by sublimer devotion to duty; you won because slavery did not harmonize with the battle hymn of the republic. The decree had gone forth that this country could not endure "half slave and half free" and the American flag could no longer float over the slave pen and the auction block. To underrate the courage, the endurance and the heroism of the men who wore the gray is to dim the lustre and tarnish the fame of the men who wore the blue. The heart of every lover of his country swells with just pride at the thought that the men of 1861 to 1865 of the north and of the south who displayed such skill and such bravery in battle, such endurance and patience, through years of privations and sufferings, such mandood in defeat and such magnimity hrough years of privations and sufferings such manhood in defeat and such magnimity such managed in deteat and such magnimity in victory, were one people, bone of one bone, flesh of one flesh, Americans all, divided then, united now, proclaiming the gospel of liberty founded on justice, with old glory waiving over her children, whether they were the blue or the gray as they marched forward for a common country and common destiny.

and common destiny. After listening to the address of Commander John A. Ehrhardt the election of officers followed, resulting in the choice of T. J. Majors of Peru for department com mander and Captain Evans of North Platte senior vice commander. A rousing campfire was then held, lasting until late at night.

RESOLUTIONS.

At this morning's meeting numerous reso resolution asking the United States senators of this state to vote in favor of the immediste annexation of Hawali was introduced whereupon it was moved to lay it on the table, which was defeated by one vote, and it therefore came on for vote and was car ried by 156 to 45.

On the sixth ballot H. B. Stafford of Plainview was elected junior vice com-mander. Dr. Jäggard of Lincoln was elected medical director and W. P. Pease of Hay Springs as chaplain. Hon. Charles F. Manderson was elected delegate-at-large to the national convention at Cincinnati.

The next encampment it was decided should be held at York. A resolution in favor of substantial additions to the Soldiers' homes at Grand Island and Milford was adopted. The following resolutions were adopted:

Resolved, That the thanks of this body be

suffering from the strain.

BRADSHAW, Neb., Feb. 10.—(Special.)—
About 2 o'clock a. m. a severe snowstorm struck this place and the snow has been falling very fast during the day. The snow

The exposition.

A resolution was adopted that justice be described to the energy comrades and that President McKinley inaugurate a brave, liberal and fair construction of the pension laws.

A resolution was adopted that justice be described to the exposition.

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fair construction of the pension laws.

A resolution was adopted requesting the governor of the state and Board of Contro to set aside suitable rooms in the state building for the exclusive use of the war veterans, and that the same be turned ov to the department commander and be su ject to his order during the life of the e

Delegates to the national encampme were chosen as follows: Porter Hedge, po No. 214; W. F. McLaughlin, No. 11; S. 1 Stiles, No. 4; C. C. Bonner, No. 262; B. T. Blaney, No. 25; J. D. King, No. 5. Al ternates, N. T. Dudley, Rock Williamson J. M. Mitchell, William Cratty, Wesle Tucker, George of Broken Bow and Mead Delegates to the national encampment wer instructed to present the name of Dr. A. S. instructed to present the name of Dr. A. Pierce of Hastings for surgeon general use all honorable means to secure his ele

Past Department Commander Culver was

presented with an elegant badge, the device typifying the First division, Fourteenth army corps, of which Captain Culver was a member, two large diamonds representing the stars on the rank strap. The presenta-tion speech was made by General Dilworth, to which Captain Culver feelingly responded. It was voted to change the time of holding future annual encampments from February to May. A resolution in favor of the immediate recognition of Cuban belligerency was adopted. The question of recognizing the women of the Grand Army of the Republic as an auxiliary to the Grand Army of the Republic was eloquently discussed for and against, but on a vote the motion in favor of recognition was overwhelmingly defeated. Tonight occurred a public joint installation of the officers of the Grand Army of the Republic and Woman's Relief Corps

PREPARING FOR THE EXPOSITION.

Twenty-ninth Senutorial District Geting in Line. M'COOK, Neb., Feb. 10.-(Special.)-Of scarcely less importance to the regular work of the late Farmers' convention held in jured and missing: McCook, February 2 and 3, was the action taken regarding the formation of a district for the purpose of making a united display of the products of this section of Nebraska. W. A. Poynter, vice president, E. D. John-son, superintendent Department of Agriculture, and W. H. Dearing, assistant secretary of the Nebruska Commission to the Transmississippi Exposition, were present and gave information and urged the union of the several countles in making an exhibit. They explained that free transportation would be given except to live stock and that free space would be provided in the several buildings. These gentlemen all urged the desirability of uniting or grouping exhibits from various sections of the state. It is understood that the exhibits from each may retain their identity by using labels on the several exhibits. After carefully con-

following action: "Resolved. That the countles composing the Twety-ninth senatorial district, Furnas, Gosper, Frontier, Red Willow, Hitchcock, Hayes, Dundy and Chase, organize under the name of the 'Southwestern Nebraska Expo-sition Commission,' and that such commission be composed of a president, secretary the commissioners and a vice president from each of the several counties in the district. This resolution unanimously carried and Stephen Bolles of McCook was chosen pres ident, and C. F. Babcock of McCook, secretary. The following recommendations were made for the vice presidents from the various counties: Furnas, D. S. Hasty; Gosper, B. F. Downer; Frontier, L. M. Graham; Red Willow, J. A. Robinson; Hitchcock, J. F. Jones; Hayes, G. M. Potter; Dundy, L.

sidering this matter the convention took the

Morse; Chase, James Burke, and "Whereas, the purpose of this organization is to have this senatorial district repre-sented at the Omaha Exposition in a manner that will reflect credit upon southwestern Nebraska, therefore, "Resolved, That this convention re-

ommends that the county commission each county appropriation sufficient to carry out the urpose of the commission This method has not only the sanction of the commission, but is dictated by good

the state for the same purpose. STOPS STREET CARS AT LINCOLN.

judgment and a proper regard for economy.

Other districts will doubtless be formed over

Sleet Does Much Damage in the Capital City. LINCOLN, Feb. 10 .- (Special Telegram.) A heavy sleet fell last night, coating the walks an inch thick, breaking the limbs of shade trees and pulling down many telephone and trolley wires. On some of the treets the street car service is suspended.

Pawnee News Items. PAWNEE, Neb., Feb. 10.-(Special.)-A

itizens' meeting was held Wednesday evening to lay plans for putting in a local telephone system. E. B. Smith of Omaha, representing the Nebraska Telephone company, was here and made the citizens a good proposition. Reed & McMurray of Auburn were here and made a proposition for putting in the system.
District court is in session, with Judge

At noon the storm had ceased.

next, when it is thought Judge Letton of remain buried.

Robbers Fall to Get Into the Safe. COZAD, Neb., Feb. 10.-(Special Telesafe in the postoffice here last night. En- are plucking up courage enough to return trance to the office was effected through a to the houses not jeapordized by the fire window opening into an adjoining room ocsupied as a feed store. An attempt had been made to drill the safe door and the

away. The discovery of the attempted rob-Paper Changes Hands. FRANKLIN, Neb., Feb. 10 .- (Special Telegram.)-The only populist paper published in this county, the Sentinel, changed hands today, Hon. T. F. Ashby of Bloomington, Neb., having purchased the same and in the future will make it a democratic paper, Mr. Ashby ran for congress on the demo-

lutions were introduced and discussed. A crat ticket the year McKeighan was defeated and was quite a popular politician in this district. The paper will still be published at this place. of for the Klondike. SCHUYLER, Neb., Feb. 10 .- (Special.)-Schuyler has two representatives on the road to the Klondike, A. P. Hughes and son

Peter, who left last evening, well equipped with outfits and provisions. Hogs for Omaha Market. MALMO, Neb., Feb. 10.-(Special.)-Jesse

Gidley took a carlead of fine hogs to the Omata market last evening. FORECAST FOR TODAY'S WEATHER.

Generally Fair and Warmer with Variable Winds. WASHINGTON, Feb. 19.-Forecast for

Friday; For Nebraska-Generally fair; warmer in extreme eastern portion; variable winds. For South Dakota-Generally fair; warmer in eastern portion; northerly winds.

For Iowa—Generally fair, preceded by light rain in extreme eastern portion; not so warm in eastern portion; northerly winds.

For Kansas, Colorado and Wyoming—Generally fair; west winds.

Local Record.

Local Record.

OFFICE OF THE WHATHER BUREAU, GMAHA, Feb. 10.—Omain record of temperature and rainfall compared with the corresponding day of the last three years:

1898, 1897, 1896, 1895, 1896, 1895, Maximum temperature 2. 27 25 36 14 Minimum temperature 4. 12 15 27 — 5 Average temperature 4. 23 20 32 4 Rainfall 4. 28 T T T

Reports from Stations at 8 p. m.

STATIONS AND STATE WEATHER.	OF	perature a.	y for
Omaha, clear		21	27
North Platte, cloudy		34	38
Sait Lake City, clear Cheyenne, partly cloudy	********	30	24
Rapid City, clear	*********	31	44
Rapid City, clear Huron, snowing Chicago, cloudy Williston, clear		16	44 16
Chicago, cloudy	*********	. 58	60
Williston, clear		301	36
St. Louis, cloudy		64	70
St. Paul, cloudy		361	36 56
Davenport, cloudy	*********	54	20
Helena, partly cloudy	********	40	2.0
Kanras City, cloudy	********	96	917
Bismarck, clear	********	34 38 32	25
Galveston, cloudy	*********	DA	64

History of Pittsburg.

AT LEAST ELEVEN PEOPLE ARE KILLED

Yearly a Score Receive Injuries While Property Loss Renches a Million and a Half

Dead:

WILLIAM SCOTT, JR. STANLEY STITZ. JOHN DWYER. GEORGE LOVELESS

WILLIAM M. SMITH. ALBERT A. WOLFFE. THOMAS CLAFFEY.

cott, the youngest son of the president of the Chautauqua Ice company. The injured are:

Robert Rosamond, single, aged 40 years leutenant of engine company No. 2, right foot crushed; amputated below the knee at Homeopathic hospital. He was also bruised about the body.

Owen K. Felder, aged 18, compound fracture of the right leg.

George Douglas, 35 years, of Bellevue,

conscious, thought internally injured Owen Mulihan, married, 30 years, lacerated calp.
Willi m Fenin, 32 ye rs. single, contuctor

of body and scalp wound.

Joseph Headley, aged 55 years, bruised bout body and head. Kit Wilson, 26 years, of Paducah, Ky., re reived injury about the head; not fatal. Robert Dobson, 35 years, badly injured

Bureau of Building Inspection, right leg cut and bruised. Peter Malone, aged 29 years, slightly inured about legs.

bout the head and body.

Davis Stewart, aged 52 years, badly cut by alling bricks. William Desmuke, aged 35 years, injured about head and shoulders.

Peter Malone, 1eg broken. Police Officer Rodgers, cut and bruised and injured internally.
Mrs. Mary Desmuke, aged 33 years, cu

salesman of Cincinnati, badly cut on head by a brick. George King, engine company No. 7, scalp

John Hunter, No. 7 engine company, ruised and both ankles sprained.

Prof. James Moxan, an organist in Evan-Farrell, Samuel McLaughlin, Jacob Booth and a party of four companions, who were in explosion crushed the building, are missing and supposed to be under the debris. Mrs berry alley which was crushed, and nothing has been seen of them since the explosion last night, and it is believed all are dead. All day long, firemen, policemen and other

city employes have been working, at the risk of their lives, but up to nightfall but little progress had been made in the clearing away of the debris. The work will be continued

Blackened walls tower from the midst of Fairbury will be here.

The sheriff of Jefferson county was here Blackened walls tower from the midst of heaps of smouldering rubbish, threatening today after a person charged with stealing to topple over at any minute. Twenty two watches from a person at Fairbury, streams are constantly playing on the still The sheriff took the party to Fairbury this burning ruins. A heavy pall of smoke over-afternoon to stand trial. burning ruins. A heavy pall of smoke over-hangs the desolate scene, and the tired policemen have hard work to keep the hands of curious onlookers from getting within the rope cordon. Many of the people who gram.)-An attempt was made to rob the fled stricken from their homes last night

> victims. There is no reason to change last night's estimate of the aggregate loss to property It is difficult to get figures, but experts say that it will be at least \$1,500,000 and may be more. The total insurance is variously estimated at from \$800,000 to \$1,

Late tonight the headless body of William McGonnigle, assistant engineer of the Chau-tauqua Ice company, was taken from the ruins and identified. The body at the morgue supposed to be John Scott has been posi-tively identified as that of that young man.

ST. LOUIS, Feb. 10 .- The five-story buildng at 512 Locust street, occupied by the Tamblin-Powers Clothing company, is almost wholly destroyed by fire and a portion of the \$50,000 stock burned. In addition several thousand dollars damage was suf-fered by the Leonard Roos Fur company, whose stock in an adjoining building was drenched with water. The loss on the building amounts to \$50,000 and \$25,000 will probably cover the damage to the stock of clothing and furs.

Mendow Grove Notes. cial.)-A corporation is now being formed to erect a factory at this place to manufac-

Creamery company of Norfolk, Neb. The building will be put up by a local real estate man and the machinery will be placed by the Harding Creamery company.

Seven of the Crew Drowned PALERMO, Feb. 10 .- In the wreck of the Austrian bark Mattea, for Pensacola, at this port, before reported, the captain and six of the crew were drowned.

Early Morning Fire the Greatest in the

of Dollars.

PITTEBURG, Pa., Feb. 10.-Eleven people dead, twenty-seven missing and eighteen njured and property loss of \$1,500,000, is the awful record of the blg fire of last night. Pollowing is a revised list of the dead, in-

POLICE LIEUTENANT A. J. BERRY. JOHN M. HANNA.

WILLIAM R. WALLRHABENSTEIN. AN UNKNOWN, supposed to be John

Captain J. A. Brown, superintendent of the

Charles Wilson, struck by falling bricks and seriously hurt.

about head and arms and hurt internally. Charles Simon, aged 20 years, traveling

wound and bruises.

The missing: George Newman, fire in spector of Philadelphia Gas company; Wil liam Doran, William Finch, Edward Don-nelly, Christ Schriver, James P. Morrison, geileal church, Bushton, Pa.; D. B. Weck-erly, John Gerry, George McDonald, Jack a saloon on Penusylvania avenue when the Mary McFadden, with her family of eight children, are also supposed to be under the fallen walls, as they lived in a house on Mul-

Stull of Auburn on the bench. Court will of the debris. The work will be continued probably adjourn tomorrow until week after without cessation until it is known no bodies

weakened walls. Mayor Ford this afternoon, realizing that some of the worst features of the calamity tools were left lying on the floor near the are yet to come, so far as the dead and safe. The robbers had been frightened heads of families are concerned, and that the many will be in need of aid, issued a public letter suggesting subscriptions from the citizens for distribution among the needy

Clothing and Fur Stock Burned.

MEADOW GROVE, Neb., Feb. 10 .- (Spe-

ture the Nebraska Newspaper Folder re-cently patented by C. S. Evans. Work has begun on a building to be used as a separator station for the Harding

BID FAREWELL TO MGR. SCHROEDER

Priests Protest Against His Removal from the University. COLUMBUS, O., Feb. 10.-There was a remarkable gathering at the Josephinum in this city yesterday. Forty-five German Catholic priests from all perts of the United States met to bid farewell to Mgr. Joseph Schroeder, who leaves tomorrow to accept a professorship in the university at Munster, Westphalia, tendered by Emperor William. and to protest against the removal of Mgr. Schroeder from the chair of dogmatic theology of the Catholic university at Wash-

ington.

The forty-five priests assembled came as the delegates from 2,000 German Catholic priests, with a constituency of 2,000,000 communicants of the church. In the morning there was a formal program of exercises at the Josephinum, which was under the direct charge of Mgr. Jessing. Rev. A. J. Thiel of Chicago presented an address to Mgr. Schoeder, expressing regret on behalf of the German Catholics of the country on his de-

parture and severely censuring the trustees of the Catholic university. Rev. Thiel, on behalf of 2,000 priests represented, presented Mgr. Schroeder with purse of \$4,000. Mgr. Schroeder replied with much feeling accepting the gift. In discussing his re-moval from the chair of dogmatic theology

in the university he said he had been charged with teaching dectrines which were un-catholic and his dismissal had shown that they were teaching many things which the people of the church no longer accepted. In the afternoon a farewell banquet was held at the Southern hotel. Toasts were re-sponded to by Mgr. Jessing, Rev. George Glabb llemsport, Pa., and Rev. Fether Rhiner of

d Marian Carlo Car AMUSEMENTS.

Such hearty and continuous laughter a rewarded Tim Murphy's efforts to amuse last night has not been heard in Boyd's theater in many a weary week. The droll and dry comedian, who needs no curtain speech of candid evowel to assert his Irish origin caught 'em, as the saying is, both going and coming-going, with his clever impersonations of famous actors, and coming, through the instrumentality of a cheery folly tale of a play with an exceedingly diverting and well sustained character sketch as the central figure.
"Old Innocence," which is the mainstay

of Mr. Murphy's entertainment, is a version of a preity French comedy, "Les Petits Olseaux," which has been introduced to American audiences by John Hare, with another dramatization called "A Pair of Spectacles." In Mr. Hare's version the two brothers exchange spectacles and each sees the world, for a time, through the other's glasses. "Old Innocence" effects a similar transformation without any such apparent symbol and by a not illogical use of natural emotions; and the kind, loving and innocent old man is led by one glimpse of buman duplicity to assume the attributes of bitterness, Jealousy and suspicion. Mr. Murphy's work, in the character of Jason Green, is unquestionably the best he has ever shown here. His impersonation is in no sense a copy of Mr. Hare's, although it is strongly in the manner of Sol Smith Russell, who has never played this part. Mr. Murphy is still an imitator, as the last if not the first part of his program shows; but originality cannot be denied to the creator of Maverick Brander. The contrasting natures of the two brothers make the play of "Old Innocence;" the hard-hearted but ultimately softened Flint is well, though somewhat too boisterously depicted by Mr. Richard Lyle. Mr. Frank Coltman plays the down-trodden son with commendable restraint and Mr. Griffin pleases as the negro servant. Miss Sherrod has disappointingly little to do beyond showing her Titian hair and her snowy shoulders and a number of pretty Mr. Murphy forestalls suggestions as

a change in his name by proclaiming, in his speeches before the curtain, that he means John T. Raymond, who was born O'Brien, of William J. Florence, nee Conlin, and of Lawrence Barrett, whose father's name was said by the tragedian not to have been Brannigan, he draws therefrom encourage-ment for Murphy. He means, as he told his audience last night, to keep coming to Omaha until he gets a stuffed house. He proclaims himself an American, although of Irish parentage, and he tells stories which are always good -- well teld, even if they are not all quite new. He is a merry fel-low, however, and a good actor, who will be a better one some of these days, if he doesn' let his remarkable faculty of mimicry crowd out the higher qualities of the player's art "Old Innocence" and "Sir Henry Hypno-tized" are well worth seeing, at any rate and are sure to make anyone laugh. It altogether likely that Mr. give his impersonation of William J. Bryan at one or more of the remaining perform-ances. The engagement closes Saturday night.

The Woodward company put on Bartle Campbell's "The Galley Slave" last night and scored their accustomed success. Pete Baker the Zenos and the Ellmore sisters are the specialty features this week.

This afternoon at Boyd's will occur the sixth concert of the Omaha Orchestral society, led by Franz Adelmann. The solo-ists are Mme. Muentefering, planist, and Miss Helen Wyman, soprano. Following is the program in full:

Overture, "Robesplerre" (first time in

This evening at the Young Men's Christian Association auditorium Mr. William Armstrong, musical editor of the Chicago Tribune, will deliver a lecture on "Unpublished Interviews." The lecturer appears under the auspices of the Derthick club of this city and will doubtless receive the cor dial welcome his reputation and ability merit. He has a large acquaintance with the great musical artists and his lectur the great musical artists and his fecture throws some vivid and interesting side-lights upon their private lives, tempera-ments and ideas. The glare of the foot-lights is banished and one meets them face to face as men and women.

Curtain Lectures" and "A Happy Pair, translated by John Enkeboll. After the performance the usual banquet and ball will take place.

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The Scandinavian Dramatic club will give its monthly entertainment and ball Saturday evening, February 12, at Washington hall. The program includes "The Escaped Galley Slave," by Sofus Neuman; "Mr. Fik's Curtain Lectures" and "A Happy Pair," translated by John Enkeboll. After the per-

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