COTHAM'S SCHOOL OVERFLOW

Remarkable Scenes Enacted at the Opening of the Public Schools.

THRONGS OF CHILDREN SHUT OUT

Facts About Cornell's New Medical School-Educational Conditions in Porto Rico - Library Conveniences for Children.

The opening of the wablic schools of New York City on the 12th inst, was the occasion of scenes of a remarkable character. Nominafly the schools were open to all on equal terms. Actually they were open to those shrewd enough to "come early and avoid the rush." Admission was had on the principle of "first come, first served." In the crowded East Side the school buildings were sur rounded before the opening hours with thousands of children, jostling and crowding, eagerly seeking a place in the throng that might insure a seat in the school. As each school building hundreds were turned away, being unable to secure accommodation, and then was witnessed the shameful spectacle of the children shut out racing to other schools, hoping to secure admission there. Fully 20,000 children sought admission in vain. The following is the school roster o the new city: Manhattan and Bronx, 16: school houses, new and old; three high schools, one truant school. Brooklyn, 121 school buildings, one training school, one truant school and one high school. Queens 65 school buildings; Richmond, 29 schoo buiMings. The total enrollment of pupils for the last school year was 470,491, divided as follows: Manhattan and the Bronx, 270, 711; Brooklyn, 164,575; Queens, 24,895; Rich mond, 10,310. The total average daily attendance was 334,184. At the close of the last school year the school population was estimated at 702,162. The crowded East Side suffers most from the lack of room. Only four of the new buildings which should have been ready for occupancy are finished, and the seventeen others, which it was promised would be ready by September, will not be completed until far into the next year. As a temporary expedient it has been decided to of the crowded sections.

Cornell Medical College.

The new medical college of Cornell university, which is to be built in New York. is the princely gift of Colonel Oliver H. Payne, for which he has given \$1,500,000. Six hundred thousand dollars has been expended in the land and the buildings. The endowment fund will realize over \$400,000 a year, and the institution will open its doors in October, 1899. For the intervening time the college will use a large building on the Bellevue hospital grounds. The plot of land which has been purchased is the entire block on the west side of First avenue and measures 200x100 feet. The building will cover the entire plot and will be five stories in height. It is to contain not only the medical college, but also a dispensary, the largest in the city, occupying more than half of the first two floors.

The architects have been instructed to space no expense in meeting every material need of students and teachers in the college and of the patients and physicians in the dispensary. It is designed in a severe style of Renaissance architecture and will be built of Joliet or Indiana limestone and red brick. Two pedimental bays, with engaged columns running through two stories. serve to mark the two entrances, one to the main building and the other to the dispen-

The interior of the building will be simple and severe in character, but the materials used will be those specially fitted to the purposes of a medical college, glazed brick and tile predominating in the finish of the dif-

ferent rooms. The ground floor is partly occupied by the dispensary.

The ground floor also contains the main entrance, vestibule, hall, staircase and elevators to the upper stories; large theater. 40x50 feet, running through two stories, and the reception rooms, separate rooms for professors, dean's office, clerks' and reading rooms. The second floor contains the dispensary for rooms for gynecology, orthopedics, orthopedic workshop, two section demonstrative theaters. The third floor contains physiology students' and private laboratories, chemistry students' and private laboratories, recitation rooms, ampltheaters and private rooms for professors. The fourth floor contains the workshop, museum, dark room for preparing and mounting museum specimens, manikin room, materia medica laboratory, bacteriology laboratory, room for operative surgery and bandaging, elevators and lavatories. The fifth floor contains the dissecting room for students. This floor will be lighted chiefly by large skylights facing north.

Education in Porto Rico.

Public instruction in Porto Rico is not in such a satisfactory condition as might be expected from the number of schools, colleges and other institutions which it has If they were better managed they would be enough for the population of the island. The school system is defective, the teachers' salaries are small, and the government spends very little on public education. According to the latest statistics given by

an American correspondent there are on the island 513 public schools, of which 398 are for boys. They are maintained at a total expense to the municipalities of \$267,000 a year, about \$520 to a school, which has to pay rent and salaries and provides supplies. Besides these there are thirty-nine private schools, as well as many private teachers. The higher educational centers are a Catholic seminary and Provincial institute at San Juan, where diplomas of bachelor of arts and sciences are given to the pupils after successfully passing the examinations in the five courses of studies which are required. Both of these establishments are supported by the government. The "Liceo" at Mayaguez and colleges in other towns are similar to the institute, but pupils have to pass their

examinations at the latter place. The island has no college of pharmacy but only a board, which gives diplomas after examining the applicant, a service of three years in a drug store being required. At least 95 per cent of the professional men are natives educated abroad. Of the 513 public schools eight are high schools and the rest are divided into "rurales," as the ones in the country districts are called, and "elementales" and "superiores," those of the towns and cities, the last three divisions referring only to the teachers' salaries and the allowances for supplies and other ex-

Although the appropriations for public instruction are so small, the municipalities very seldom furnish the money at the proper time, the teachers in some cases not being paid for six months; consequently "hungrier than a school teacher" is a common and true saying in Porto Rico. Landlords in some towns refuse to rent houses for school purposes for the same reason, and pupils have frequently to go without books for a year. Naturally no care at all is exercised in the selection of school buildings, with ingman that I direct my thoughts. proper hygienic conditions, and gymnasiums are totally unknown. There are no graduation diplomas, the teacher merely telling the iny longer when he considers that they know In this way teachers can and do get rid of troublesome pupils. Examinations take place once a year before the soboard is generally composed of the doctor,

and write, and that badly. After examinathe end of which comes the awarding of

These public schools are free to the poor only, the well-to-do having to pay the teachers a monthly sum for each child and furnish books, etc.

in the island where political influences have poration agitation and the like. very little value. In order to gain admission to this college the applicant has to pass forced idleness. I did. He sees the enera proper examination to show that his gies of millions going to waste and he won-Free evening classes in drawing, languages, bookkeeping, etc., are given at the Ateneo small allowance for books and other sup-

Public libraries are few, the best one years ago by popular subscriptions of books, tc., the municipality furnishing the buildlog and paying the librarian's salary.

LEAVES THE POPULIST PARTY George F. Wittum Gives the Reasons Which Impel Him to Change

Political Affiliations.

OMAHA, Sept. 19.-To the Populists of ng the past year, for several months unconsciously, but recently they have assumed definite form in a new plane. I am a Mc-Kinley republican. The old weed of demopopism, cultivated for years as a useful plant, is dead, and the new plant of reand withered stalk.

I am also a laboring man, one of the comnon kind-purely and simply a common laborer. There is nothing of particular imporhold two half-day sessions in the schools tance in this fact any further than that it ing and no prospect of their coming, I could is the source of my new faith and the cause of my political transformation

ot for the fact that an explanation is due to the large number of friends I have in the as good a man for less money? No; the corpopulist party, and I also feel that it would peration can't help that. e at least grateful in me and proper to thank the 4,500 populists in the City of Omaha for a candidate of the party on a threeornered fight in Douglas county

When a man comes upon a bit of proof him in changing and forming his opinion evidence relates. My experience as a labor- These are statistical facts. ing man and the knowledge I have gained in seeing capital and labor together during the fou teen months of my employment with Armour & Co. at South Omaha is the connection with other facts gained by obervation and study, has changed my po-

ts use as a general rule.

Populists believe that the corporation is the cause of all the grievances and hardand encouraged this belief until populists idleness is due to the greater per cent of the generally entertain feelings of antagonism oward corporations. This antagonism is tue in part to the middleman or "straw coss" and not to the corporation at all, notwithstanding the corporation is the object

of the Ill-will. The "straw boss" is a man selected from gang of laborers and placed in charge of believe to be sanctioned and required by the low wages I receive. It undoubtedly is the corporation managers. He sees pro-true.

motion ahead of him and through selfish

corporation. poration.

Now, this antagonism for the corporation is a good starter to make a populist, and this is necessarily true because populism is substantially anti-corporation. I am not saying that all anti-corporation people are populists, but that all populists are antiorporationists.

Populism has one other principal feature. and referendum is only a means to enforce the public ownership of public utilities. which is equivalent to declaring against corporations. There are a number of minor declarations in the platform which I will pass unnoticed, such as the demand for more money and less misery, the real meaning of the leaders to live without work, and they think they can't do it without an of-Of course, free silver is mentioned, but that is 50 per cent flat, with good indications of its remaining so, or rather, perhaps, becoming full-fledged flat in time. Its real purpose, doubtless, is to pool the

an office. money and antagonism to corporations. It party than any other, because the sign of its will be conceded that a large majority of the populist party is from the laboring classes. plainly seen. Populism will never dispose Of course, there are a good many people of the army of the unemployed. The intelliwho are not laboringmen that belong to the gent workingman will be a republican. I am party who never did a day's work in their a republican. Respectfully, life and never will as long as they can fool the people to vote them into office. I am saying nothing to them. It is to the work-

Now I must not be understood as saying that all laboring men are populists. Not by any means. I am one whom common by any means. I am one whom common the old government building at Fifteenth labor has made a republican, because now and Dodge streets: Postoffice service, Octobas a laboring man I am able to see the ber 1; departmental service, October 5; railparents not to send their children to school labor has made a republican, because now fallacy of my former reasoning. It will way mail service, October 6; internal revenue also be conceded that the laboring man service, October 15; would be contented if he was regularly emmiled board of education of each town, which : ployed at good wages, and that if he was regularly employed at good wages his conthe priest, the druggist, etc., presided over tentment would remove his antagonism to

ish groceryman who knows only how to read providing the straw boss was limited somewhat in his cussedness, or the worker tions, fifteen days' vacations are allowed, at shown his error in believing his employer encouraged meanness. In other words, there prizes—brass medals—at the town hall. This | would be nothing left in the laboring men's s quite a ceremony. The mayor, when he mind to support populism except flat money, knows how, delivers a speech congratulating and as he would have an opinion of some the pupils and teachers, which a teacher an- kind on the question of corporation aggresswers, thanking the mayor and aldermen for siveness, it would be one of friendliness their efforts in behalf of public education, and good will for its enverprise and pros- MAD RACE THROUGH SOUTHERN STREETS hoping thus to induce them to pay back perity. And all the noise of the leather lung statesmen let off at once would not shake him.

The truth is the laboring man knows there is something the matter somewhere, yet he has no well-defined knowledge of The institute at San Juan is a very good | what it is, and his dissatisfaction has found establishment, with efficient professors, who vent in such vagaries as free silver and are independent and strict at examinations, flat money, initiative and referendum, pubthis being about the only official institution lie ownership of public utilities, anti-cor-

Then he looks into the problem of en-

school education is up to the standard. ders why it is so. He concludes that the "crime of '73" has caused it, and anchors his hope on the mitigation of that crime in and similar institutions through the country | the restoration of free silver. He thinks by professional men who volunteer their he can see that the banks control all the services, the government refusing even a money there is now, which is a good deal, and that if we could only get free silver the volume of money would swell up so enormously that the banks could not handle being at San Juan, established some fifteen it, which is probably true, and that the rears ago by popular subscriptions of books, surplus which overflowed would start up in dustry and disband the army of the unemployed. I don't believe there is a working man in Christendom who would accept \$1.50 in that kind of money for a day's work with the shovel or carrying book. He would want at least ten times as much. I would. Now the army of the unemployed means that there are more men than there are jobs and the men take turn about getting in ahead of each other and doing what there is Douglas County: Gentlemen-My political to be done. Every laboring man knows that views have been undergoing a change dur- this is true. Who is to blame, because eight or ten men are standing around waiting to get your job? If you ask for more pay you will be discharged and another man put in your place.

I worked eight months for 121/2 cents an hour, the first three of which were nights, ublicanism has grown up in its place, and and I worked six months for 15 cents an ow blooms becomingly above its shattered hour. Did I do this from choice? I knew these eight or ten men were following the foreman around waiting to be hired in my place at the same wages if I quit. If the eight or ten men had not been there waitand would have gone to the foreman and demanded 20 cents an hour and got it. Who I would not deem a public renunciation of is to blame, the corporation? Must I have opulism and demopopism necessary were it it in for the corporation because it will not pay me what I want when it can get just

Enforced idleness and small wages are due to the eight or ten extra men. Have who cast their ballots for me at the election | they always been around in evidence to cause of 1896, that being the largest vote ever cast | more misery and less money? Let us see. There are 3,000,000 unmarried men between the ages of 20 and 30 years holding positions of some kind or other in the United States. so general in its nature as to make it a There are about 3,000,000 young women begeneral rule, it has a certain weight with tween the ages of 18 and 26 years holding positions of various kinds in the United upon the question to which the new-found States who are marriageable but single.

I do not complain because women are competing with men for positions. That is not the question. I admire their enterprise and applaud their advancement. Nor do I bit of evidence referred to, which, taken in complain because men neglect to take a wife itical views from populism to republican- this point. The fact I wish to establish is the existence of a condition at the present During the construction work at Armour time which must have an influence in the & Co.'s packing plant in South Omaha, adjustment of economic affairs that did not which there is a demand than there was fifteen years ago.

The increase in the number of occupations ships of the masses. Political leaders of is commensurate with the increase of poputhe party have agitated populistic doctrines lation during the time stated. Enforced country's population demanding employment. Women are demanding and getting the positions which men used to fill. Some women are more competent to fill some positions than some men. The interest of the employer is to select the best, and here is created an intense competition, but the results which ensue are perfectly natural. It is the law certain work. He is tyrannical and abusive in most instances and always ignorant of am less qualified than some advancing what is really expected of him, so far as fitted for. Perhaps this is the reason I woman to hold the position I think I am the treatment of the men is concerned. He drifted into the laboring man's gang and is full of bitterness for the corporation he thereby displaced some other man and drove serves, because he has worked under a him into the army of the unemployed. Perstraw himself and felt the smart of haps this is true of the eight or ten men abuse which he and the men under him whose presence where I am employed fixes

Now, usually, when a man suffers enforced ignorance and the expected approval of his idleness, he grows sullen and discontented. employer the tyrant soon develops in him if he investigates his condition a little and and he keeps hell a popping until his con- harbors an ill will to the corporation, for the duct becomes known to the foreman, when meanness of the straw boss, h becomes a pophe is fired without an explanation. This ulist. If he does not investigate he becomes dose is soon followed by another and the a tramp. If he is a populist he is convinced men learn how to hate and they hate the that there is an injustice done him and at thing nearest to hand, their employer, the once concludes that the corporation that he has served so often and for so little pay To my certain knowledge the corporation is the cause of his troubles and longs for managers emphatically disapprove of the the day to come when by means of his pet kind of treatment the men get, and which reform, the initiative and referendum, he can the laboringman usually charges the cor- join his co-agitators and vote down individporation with being guilty of. At least I ualism, take possession of the accumulation could cite fifty instances or more that have of patient industry, divide it like plunder occurred at Armour & Co.'s during the last and erect on the ruins of his revolution that year, and Armour & Co. is a typical cor- horrible institution that begins in radicalism

and ends in savagery, communism. Is there any reasonable excuse for entertaining violent feelings or any feelings at all against the corporation for refusing to employ more men than it needs or to pay those t does employ more than it is obliged to to get the work done? None whatever. Now you will say I am defending the corporation. That is no answer to the statement of fact that of flat money. The other planks in its | There is no sort of connection between the platform are means to an end. The initiative surplus of labor and the business methods of a corporation. Not the slightest. And there is no more consistency in charging the corporations with taking all the prosperity there is to themselves and allowing the surplus of labor to remain idle-when its being idle is due to another cause-than there is in denouncing the principles of the of which is, I suppose, a desire on the part republican party and charging it with the faults of some of its officials because they in them.

Populism is undoubtedly born and bred in idleness and hard times. No man who will stop to think will embrace populism if Free silver seems to have more value as a he will correctly interpret the business relaget-together-plank with populists left out tion of capital and labor and ascertain the than as a solution of the money question. real cause of enforced idleness. The remedy is to stop agitation, join the republican chances of ring candidates to be elected to party and elect men who will legislate against selfishness. An equilibrium or rights But the real meaning of populism is flat is far more attainable in the republican intentions is printed on the outside to be

GEORGE F. WITTUM. 3641 Boulevard avenue.

Civil Service Examination. During the month of October the following ivil service examinations will be held in

October 25, 27 and 28. When you call for DeWitt's Witch Hazel Salve, the great pile cure, don't accept any Don't be talked into accepting thing else. w the mayor, who in many cases is a Span- the corporation giving him employment, substitute for piles for sores for bruises

Pair of Desperadoes Captured After a Long Running Fight.

Seek to Escape in a Buggy an Are Pursued by a Squad of Police for Two Hours Before the End Comes in Arrest.

John Cook, alias John Riley, and John Mcconald, alias "Soapy" McDonald, the "long nd short" highwaymen who committed our daring hold-ups on the south side Sunlay night, and to whom are charged a great vany of the bold robberies and hold-ups committed during the last two months, were captured at 7 o'clock Monday morning. Their capture was not effected until they had offered violent resistance and emptied their evolvers at the officers. The capture of the men was made at

Twenty-eighth street and Woolworth aveuc. Sergeant Her and Officers Burns, Buter and Heelan were the arresting officers. It was a running fight between Cook and McDonald, who were in a buggy drawn by a fast horse, and Sergeant Her and his day. Ten-dollar ore will be treated for \$7 men, who were also driving a fast horse, a ton. If the plant is successful, the comfrom Twentieth street and the Union Pacific tracks, where the thieves were first discovered, to the place of their capture. During the run a shower of bullets fell into the buggy of the pursued from the officers' revolvers, but no one was injured. Near the scene of their capture the robbers saw that Hill, which is sending about fifteen tons a the officers were gaining on them and day from the 100-foot level of the old work stopped their rig to get out and take their chances of escape on foot in the underbrush. McDonald, the tall man, had reached the ground, and Cook was preparing to do so when Her's buggy crashed into the motionless rig and overturned it. Cook was thrown owners of Ragged Top to bond the property beneath the wheels of the officer's of the camp and sink the Dacy shaft, which buggy and was run over. While he lay in a semi-unconscious condition two officers pounced down on him and placed the rons on his wrists. While this was going on McDonald was making his way across the open country revolver in hand. Sergeant Her fired a couple of shots in his direction and McDonald threw up his hands and waited until Her came up to him. He then surrendered his revolver. Cook's revolver, which was in his hand when he was thrown from the buggy, could not be found.

Story of the Chase.

The buggy in which the highwaymen ought to make their escape is the property of Carrie Hart, a well known character. She had loaned it to them to allow them to leave the city to escape arrest. At midnight Sunday night Sergeant Her started out in his ouggy determined to find the two highwaymen. At Twentieth street and the Union Pacific tracks at 5:30 p. m. Monday he saw a buggy ahead of him the occupants of which were evidently trying to shield their identity. Waiting until the rig drove its occupants were the men he wanted. His command to halt caused the robbers to lash their horse into a run and they disappeared in the darkness. Her and his men opened from among the marriageable young women For the next two hours the robbers led the holding positions. No suggestion is offered on officers a merry chase. They drove through overland and have four or five head of sad-

from 200 to 700 men were employed all the enter into their solution twenty years ago, their horse and headed for the outskirts frequently struck places where he made tretime I was there and the aggregate of all nor even fifteen years ago, because then the men employed who came and went in the per cent of unmarried marriageable perof their horse would carry them to safety. the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and went in the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came any missing the men employed who came and the per tent of any missing the men employed who came and the per tent of any missing the men employed who came any missing the men employed which it is th that time would probably reach a total of some was to minimum street was immensely all over the country, and they putting up the \$60,000 cash payment reached, however, their horse began to opinion the improvement has just begun. stumble. It was then that they decided to The colt crops of the east during the last the country, is sufficiently general to justify lion positions less in this country now for take chances of escaping on foot with the four or five years have not result that they were captured.

station the valuables they had relieved their victims of were found in their possession. Shortly after they were brought in the each positively identified both men.

street identified a Mexican coin found in McDonald's pockets as his. McDonald, when asked where he got it, said he had had it in less than a year. A great many horsemen six years. The date on the coin is 1896. The are beginning to realize this now, and, takother victims of the men who identified them are: James Rooney of 547 South Twenty-fifth street, James Sip of 1911 South Fourteenth street, and P. Harrington of 1407 Pierce street.

All victims of recent holdups and robberies will be asked to call at the station

to look at the men Both are Omaha products. "Soapy" Mc-Donald, the tall man, lives with his mother at Thirteenth and Mason streets, and Cook has relatives living at Thirteenth and Dorcas streets. Cook has but recently returned to Omaha from Chicago, where he spent a year or two.

Latest News of Interest from the Rich Mineral Regions of South Dakota.

DEADWOOD. S. D., Sept. 19.-(Special.)-It is interesting to note the change of sentiment that is taking place in regard to the mineral resources of the southern hills. No other mining country, probably, has had such a difficult time to get itself advertised properly as this part of the Hills. It has been brought before the public very prominently on several occasions, but always in the wrong way, and capital has been exceedingly slow to invest in mining properties, no matter how promising they might appear. For years it has been known that ore could be found in several localities in the southern part of Pennington county and in Custer county that would assay from \$5 to \$15 and higher free-milling, but it is only in the last two or three years that actual development work has been done. The great success of the Holy Terror, at Keystone, which is a genuine bonanza, the like of which is not found, probably, on this city and will continue until Saturday. This continent, and the fine prospects for a score of other mining properties along the doubt the real worth of the Keystone disbetrayed the confidence their party reposed | trict for safe and paying investment of capital. There is a great need of capital in these districts.

There has been a theory since the first discovery of silicious ore in Lawrence county that no ore of this nature would ever be found south of Custer's Peak, that there just what is wanted. It acts at once.

were no porphyry below this point, hence no silicious ore. The theory has been proven false by the discovery two miles east of Custer of silicious ore which resembles very closely the ore taken from some of the mining camps of the northern hills. The ore was found in a fourteen-foot vertical in the Lizzie mine, owned and operated by the Willow Creek Mining com pany of Lemars, Ia., at a depth of 180 feet and the average assay will go \$45 a

been almost doubled in the last four years by the output of gold from the mines producing silicious ore. P. L. Gibbs and associates of Deadwood started up their ten-stamp mill this week at Gayville on ore taken from the Omega mine, which they own at Terraville. Omega mine is an old producer and lately a large body of free-milling ore has been cut through, carrying \$4.50 in gold to the ton

ton gold. The discovery, if found to be as

stated, will give the southern hills a new

life. The output of Lawrence county has

years. The mill will treat about thirty tons per day at a cost of 70 cents a tou The total cost of mining and milling will be a little over \$1 a ton The third furgace was blown in this week it the Deadwood & Delaware smelter, at Dendwood, making three in steady opera-

and there is ore enough in sight to last five

Ore will be treated in the new cyanide plant at Carden City next week. The plant will treat twenty-five tons of ore per pany will erect a larger mill which will be able to treat all of the ore in the district Interest is picking up in Carbonate camp northwest of Garden City. This is another amp of low-grade ore, and the only min that is shipping ore at present is the Iron ings. A company stands ready to put up a cyanide plant in the camp as soon as the Garden City plant proves successful.

The Kilpatrick brothers of Newcastle have made another proposition to the mine is already down 360 feet, on down to quartzite. The theory generally held by those familiar with the district is that or quartitie a very rich body of ore will be

Next in importance to the purchasing of DREXEL ESTATE LOSES CASE against the Reed interests and for the the Keystone mine by the Holy Terror company last week is the selling of the Lucky Boy, Columbia, Krupp and Gold Hill mining claims which were owned by the Lintz brothers of Keystone. The purchaser is John T. Jones of Iron Mountain, Mich. who represents the Gold Hill Mining company. The company intends to make extensive improvements.

IMPROVING HORSE MARKET an Iowa Man Finds in South

Dakota and Wyoming. DEADWOOD, S. D., Sept. 19.-(Special)-J E. Dorgon, a horse buyer of Iowa, is in the city. Since last June he has been at home disposing of 270 head of Wyoming horses that he purchased near Buffalo last spring by an electric lamp Her saw that | and drove through. He is on his way back to Buffalo now, intending to spend the winter there and start out again in the spring with another bunch of horses. He is accompanied by Fred Roberts, known to a great many in fire on the robbers and started in pursuit. Deadwood, who has been with him all summer. They have just come across the state alleys and side streets at a breakneck speed | dle horses that they are taking back. Mr. to evade their pursuers, but pursuit could Dorgan sold all the others at prices rang-not be shaken off. Finding that they could ing from \$15 to \$50, giving him a reasonable not evade the officers the robbers turned profit. He sold them at auction sales and

cent of what they were before. Horsemen When the men were searched at the police would not take the trouble to raise them, as sequently there is an exceeding dearth of horses in the country. Horses are necessary, four men who they so daringly held up but and as a result prices are climbing up in a few hours before called at the station and a hurry. In a year or two more, Mr. Dorgan says, the prices of horses will be higher Anton Franci of 1218 South Fourteenth than in ten years. The man who has good horses today is unwise to let go of them, as they will add 25 per cent to their value ing it among those on the outskirts of the Black Hills, horses cannot be purchased as cheaply as they could two years or more

ago by 50 per cent. Mr. Dorgan buys all kinds of horses. The last bunch he handled was made up of animals just about right for cow ponies or light ble. He believes horsemen made a great the claimants. mistake when they stopped raising colts a few years ago. Of course steam and electrical appliances had some effect on the demand for horse flesh, but it was merely nominal. There is no danger whatever of the horse coming anywhere near being sup-MINING IN THE BLACK HILLS planted within the knowing of the present generation.

Yankton County Republicans. YANKTON, S. D., Sept. 19 .- (Special.)-The republicans of Yankton county at their convention in this city chose the following candidates for election: Senator, E. G. Edgerton; representative, B. C. Woolley; Ole Odland and A. L. Davidson; treasurer, Herman Ellerman; register of deeds, A. O. Saugstad; auditor, Ellery Dunn; clerk of courts, Peter Royem; county judge, J. T. Smith; sheriff, Jacob Rathgaber; county superintendent of schools, James A. Dickson: assessor, Hans Helgerson; county surveyor, H. G. B. Swinhoe; justices of the An Organ for \$46peace, S. A. Boyles, T. M. Winsor, Charles Brockmueller, Thomas Sills; constables, Meher.

South Dakota State Fair. YANKTON, S. D., Sept. 19 .- (Special.)will be the third fair under the auspices successes, but this year gives promise of one that will discount even the most sanguine expectations.

A stubborn cough or tickling in the threat yields to One Minute Cough Cure. Harmless in effect, touches the right spot, reliable and

A Candidate Again—

Drex L. Shooman has again entered the ring-this time it is with a ladies' shoe-new from toe tip to top-the ladies' cushion sole shoe-soft, easy inner sole that makes walking a pleasure for tender feet-a very flexible welted soleand there is nothing that can give more comfort than a welted sole-made up in all the new styles of toes-just like our other shoes-kid or patent tip-lace or button-and only \$4.00-it's the biggest \$4 worth of comfort you ever bought.

Drexel Shoe Co.,

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Judge Baxter Gives an Opinion Concerning Claims of the Reeds.

QUARTER OF A MILLION IS INVOLVED

Transaction Concerns the Transfer of a Tract of Land in East Omaha and the Mortgage that

Rested Thereon.

County Judge Baxter, in his capacity of udge of probate, has decided a case against the estate of Anthony J. Drexel, the late Philadelphia banker, involving a quarter of a million dollars. The case decided was known as the three Reed claims of \$83,333.33 each, with interest, against the Drexel estate, filed by Abraham L. Reed, the trustees of Mary M. Reed, and, jointly, Mrs. Maria Johnson and the Rochester Loan and Banking company. Richard S. Hall was one of the trustees for Mrs. Reed.

According to the opinion accompanying the decision, the controverysy arose out of a land transaction in the fall of 1892 in which the Reed heirs gave to the Potter & George company a written option in a tract | was virtually acting for the Drexels his of land near East Omaha, Arthur S. Potter being made out to one Horatio Fowkes of of Fowkes' debt to the Reeds. The weight lew Jersey, Potter having reported to the Reeds he had found a purchaser in Fowkes. On the same day the transaction was made there was no money in them whatever. Con- Fowkes conveyed the property for \$310,000 to Anthony J. Drexel and Edward T. Stotesbury. Fowkes had given three notes to the Reeds for \$83,333.33 each, secured by a mortgage on the land. The mortgage was assumed by Drexel and Stotesbury. The land adjoined land owned by the East Omaha Land company and the Omaha Bridge and Terminal Railway company, in both of which companies Potter, Drexel and Stotesbury

were interested, Judge Baxter finds The court holds that although Fowkes was but a "straw man" in the deal, yet he was the conduit of title from the Reeds to the Drexels, that Potter acted as the agent for H. Mitchell sues Stephen E. Mitchell. The the Reeds, but was really operating in the interest of the Drexels, and that the Drexels assumed the Fowkes obligations, regardless drivers, and were unbroken. He sometimes of the promise of exemption made by Potter takes draft horses, and in fact anything sala- to Fowkes. Decision is therefore given to

Points on Which the Case Turns.

The whole case turned on two legal propositions, first the assumption by the defendants under the law of agency, that Potter had reported fully the facts to his principals in the absence of evidence to the contrary, and, second, whether the promise by Potter to Fowkes that his assumption of the notes and mortgage would be harmless to him would exempt him from obligation. On the first point the court takes the position that, in endeavoring to vest the Drexels with the title to the land it the interests of the Omaha Bridge and Terminal Railway company, without exacting from the purchasers on behalf of the Reeds a personal obligation for the payment of the \$250,000, Potter acted outside

Drexel interests; that he therefore did that which he was not authorized to do by his principals. As to the second point, Judge Baxter stood upon the supreme court decision in the case of Meyer against Sharp (51 Neb. 424), in which it was held: Where one makes a promise to another for the benefit of a third person, such third person can maintain an action upon the promise, though the consideration does not strictly move from him." The case did not come within the statute of frauds the judge reasons from the decision in Fitzgerald against Morrisey (14 Neb. 198), to wit: Where the leading purpose of a person who agrees to pay the debt of another is to gain some advantage or promote some interest or purpose of his own, and not to become a mere guaranter or surety of another's debt, and the promise is made on a sufficient consideration, it will be valid although not in writing. In such case the promissor assumes the debt and makes it his own." Therefore the court does not consider Potter's promise a promise of indemnity for the reason that Fowkes' liability to the Reeds was absolute when he executed the notes. There being no contingency about it, the promise of Potter to hold him harmless from liability operated as an assumption of the debt by Potter in behalf of the Drexels, but as Potter promise the court holds under the decision in the case of Rockwell against the Blair Savings bank (31 Neb. 130), to be in fact and in law an assumption by the Drexels of Judge Baxter's decision falls upon the court's assumption that the deal with Drexel was made by Potter long before Fowkes appeared upon the scene.

Two Ask for Divorce.

Two divorce suits were commenced in the district court yesterday, in both of which the allegations are substantially the same, namely, drunkenness, fallure to support and cruelty. Mary C. Meredith is the plaintiff in one and Theodore W. Meredith the defendant. They contracted a common law marriage in this county in November, 1888, according to her petition, and have five small children. Mrs. Meredith asks for alimony. In the other case Margaret place of their marriage was Denver and the year 1892. Two children came of their union.

Habens Corpus for One.

A writ of habeas corpus was issued by Judge Slabaugh of the district court yesterday in response to the application of George Harlow, one of the two men committed to the county jail by Police Judge Gordon and whose sentences were subsequently suspended by the police judge. Sheriff McDonald and Jailor Shand refused to recognize a mittimus from Judge Gordon ordering their release. The habeas corpus writ was served on these officers and made returnable today.

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That simple announcement don't John R. Petrie, L. N. Echelberry, Fred mean much alone-but when we tell Strunk, John Reuter; county commission- you what kind of an organ it is-then its ers, John Gordon, H. W. Pike, Adam different-a handsome solid oak antique finished high back organ, with Bevel plate mirror-hand carving, right from the factory and mouse proof-\$46-We Next Monday, September #6, the fourteenth | can't begin to tell it so you can see what annual South Dakota fair will open in this it means-Come in and look it will cost you nothing to look and then you can of the State Board of Agriculture held in see the other organ specials at \$56-\$66 "Keystone belt" has settled beyond all Yankton. The prior two were complete -\$76 and \$86-\$6 cash and small monthly payments takes any of them.

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