THE OMAHA DAILY BEE.

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HE CAN DECLARE WAR

Congress of Filipinos Practically Makes Aguinaldo a Dictator.

ALARMING REPORTS REACH HONG KONG

Excitement Intensified by Killing of Would-Be Assassin Filipino.

SEEKS REVENGE AND IS KILLED BY SENTRY

Report that Rebels Will Demand Recognition in Eight Days is Denied.

TALK OF FIGHTING THE AMERICANS

Even the Women Catch the Prevailing Fever and Offer Their Services to Aguinaldo to Go in the Ranks in Place of Men.

MANILA Jan. 21.—(Via Hong Kong, Jan. 26.)—The Republica, the official organ of the Filipinos, announces that the congress at Malolos has adopted the Philippine constitution, passed a vote of confidence in Aguinaldo and empowered him to declare war on the Americans whenever he may deem it advisable. At a mass meeting of women at Cavite yesterday, the paper adds, it was enthusiastically resolved to petition Aguinaldo for permission to take the men's places in defense of independence and to bear arms if necessary.

Paterno has asked for, and it appears has been granted, the privilege of "taking a prominent place in the line of battle against the Americans." An American sentry yesterday killed a captain of Filipino artillery at a Filipino outpost. As a result the press denounces it as a "cowardly assassination."

On Saturday evening, January 21, five Filipinos determined to have revenge for their captain's death, attempted to enter our lines. An American sentry killed one of them, who was armed with a revolver. After an exchange of shots the others were arrested. The incident has intensified the excitement here.

The Mabini cabinet yesterday insisted upon the liberation of the Spanish civil prisoners in commemoration of the proclamation of the Filipino republic and also donated money to the native clergy. A decree to that effect was signed. The Spanish clergy, however, remain prisoners.

An elaborate program has been arranged for the formal ratification of the constitution today.

Nothing was accomplished at the conference here yesterday, and it is rumored that the Filipinos at their next meeting will give the Americans eight days in which to accede to their demands for recognition. The rumor is discredited.

Otis Mentions No Trouble.

WASHINGTON, Jan. 26.—General Otis cabled the War department today from Manila as follows:

MANILA, Jan. 26.—The transport Zealandia left yesterday for San Francisco with 124 officers and enlisted men.

The soldiers on the Zealandia are said at the War department to be convalescent. The dispatch, like the last received from General Otis, was regarded as satisfactory because he made no mention of any change in the conditions at Manila, such as he would be sure to do had there been any insurgent outbreak.

MADRID CABINET IN SESSION.

Government's Intentions Relative to Peace Treaty Outlined.

MADRID, Jan. 26.—The cabinet met this afternoon under the presidency of the queen regent. The absence of General Correa, the minister of war, was much commented upon and is believed to have been connected with a decision—not yet divulged—reached by the supreme military tribunal relative to General Jaudenez, the Spanish commander who capitulated at Manila and who has been in prison since yesterday, and General Toral, who capitulated at Santiago de Cuba and who is absent from Madrid.

The premier, Senor Sagasta, outlined the government's intentions relative to the peace treaty. He said that information received by the minister of foreign affairs had created the impression that President McKinley feared the treaty would be defeated in the senate and apprehended an obstinate resistance upon the part of the Philippine insurgents against the Americans who desire to deprive them of independence and debase the Spanish goevrnment, which are sufficient reasons for the triumph of othe anti-annexationists in the senate. Therefore, the premier insisted that the convocation of the Cortes should no longer be delayed.

The cabinet met again this evening, Senor Sagasta presiding. It appears that the evidence before the court-martial showed that General Jaudenez had sufficient ammunition and food to have enabled him to resist longer. The court ordered his arrest, whereupon he surrendered himself, attired in civilian dress and accompanied by his son and several ministers of state.

It is reported that the court-martial will exonerate General Toral on the ground that he had acted under superior instructions. But Admiral Montejo will be tried for the incompetent condition of his fleet. The newspapers assert also that Admiral Cervera is awaiting trial and will not be able to take his seat as a senator on the reassembling of the Cortes.

It is said that at the cabinet meeting this afternoon Senor Capdepon moved that the suspension of the constitutional guarantees should now cease.

PRODS THE UNITED STATES

Spain Urges Action to Secure Release of Prisoners in the Philippines.

NEW YORK, Jan. 26.—A special from Washington says: Through the French embassy here Spain has again urged the United States to procure the release of Spanish prisoners held by the Philippine insurgents. Information officially received by Madrid from the Philippines shows that the lives of Spanish women and children as well as men are in danger and that the prisoners are not receiving proper treatment. The Spanish government called attention to that provision of the treaty requiring this government to use its good offices to procure the release of the prisoners and urged the United States to do everything possible to do so. Secretary Hay replied that General Otis had been instructed to give immediate attention to the matter, but this government has made no promises to obtain the release of the prisoners. It is the growing belief that the United States will be able to obtain the release only by force.

Information has also been received here showing that 500 friars held as prisoners are compelled by the Filipinos to undergo all sorts of menial labors, such as attending to the horses of the Filipino officers, paving the streets of towns, etc.

SHAKES DOWN THE WIRES

Two Severe Earthquake Shocks Felt Throughout the Island of Jamaica.

KINGSTON, Jamaica, Jan. 26.—A severe earthquake shock which was felt throughout this island on Saturday morning was followed by another on Tuesday night, the direction being west to east. No damage has been reported. The northern West Indies are telegraphically cut off. The reason is unknown, but in all probability it is due to an earthquake.

RULES AGAINST UNITED STATES.

Could Not Deliver Colliers Because State of War Existed.

LONDON, Jan. 26.—Justice Bigham in the queen's bench division of the high court of justice today decided in favor of Pelley Bros., the ship brokers, in the suit of the United States against them to recover £5,206 paid the brokers April 21, 1898, on two 600-ton colliers by Lieutenant Sims, who was then acting naval attache of the United States embassy in London, that amount being 10 per cent of the total sum of £53,000, for which the ship brokers agreed on April 21 to deliver the colliers.

It was claimed on behalf of the United States that Pelley Bros., according to the contract, were to deliver the colliers as soon "as possible" and that they promised verbally that one was to be ready to sail in twenty-four hours and the other in forty-eight hours, but they failed to deliver the ships before the neutrality proclamation of April 26, claiming they were unable to get them ready in time to do so.

The case hinged in whether a state of war existed on April 22, when the owners ceased their preparations to fit out the ships. They testified that they sounded the foreign office on the subject and were informed that they might be liable under the foreign enlistment act if they carried out their contract. The justice said they did what he hoped any Englishman would do under the circumstances. He himself believed that war existed on April 21 and there was no ground to insinuate that the brokers acted in bad faith. They were entitled to keep the money under a clause of the contract which provided that it should be retained if a state of war prevented delivering the ships.

STRIKE SITUATION GROWS WORSE.

All Business Paralyzed and Strikers Try to Prevent Trains Running.

COLON, Colombia, Jan. 26.—Matters in connection with the strike of dock men and railway employes here and at Panama are growing worse rather than better. The steamer Alliance, which arrived here last Tuesday, is lying idle and all business is paralyzed. There have been no freight trains from Panama today.

Several Panama laborers, who were recently brought to Colon to join the strike here, have returned to Panama. This afternoon a deputation of Panama strikers arrived at Colon with a view of strengthening the mutual claims.

The military were ordered to charge a mob of Spaniards attempting to prevent passenger trains from leaving Panama. Police are riding on all switch engines.

Russian Troops Dying Rapidly.

ODESSA, Jan. 26.—According to a dispatch received here from Port Arthur, the Russian post in the Liao-Tong peninsula of China, bad water is causing terrible mortality among the Russian troops. Two hundred and fifteen died during the months of November and December and the average mortality is now four deaths daily.

Return Part of Stolen Money.

LONDON, Jan. 26.—The robbery of over £60,000 from Parr's bank in this city on Monday last, which has been the sensation of the week, took a dramatic turn today when the chairman of the bank announced at a meeting of the shareholders that £40,000 in the biggest notes had been returned to the bank by post.

Two Americans Knighted.

CHRISTIANA, Jan. 26.—United States Senator Knute Nelson of Minnesota, the American commissioner to the Bergen exhibition, and O. A. Thorpe of Chicago have been gazetted knight of St. Olaf.

Princeton Coaling at Gibraltar.

GIBRALTAR, Jan. 26.—The United States gunboat Princeton, Commander West, which left New York on January 11 for Manila, has arrived here and is coaling. It will proceed on Saturday next.

Emperor's Birthday Celebration.

BERLIN, Jan. 26.—King Albert of Saxony has arrived in Berlin and other princely guests are arriving to celebrate Emperor Williams' 40th birthday tomorrow.

OPENLY CHARGES BRIBERY

Senator Whiteside Alleges that Every One of Clark's Supporters Were Bought—Lie is Passed.

MINNEAPOLIS, Jan. 26.—A special from Helena, Mont., says that Senator Whiteside, who produced the $30,000 alleged bribe money at the beginning of the session, today created a sensation by openly charging that every man who voted for Clark had been bought. He mentioned Representative Garr by name and that gentleman shouted: "You are an infamous liar!"

The grand jury reported that money had been used on both sides, but there was not sufficient evidence to warrant an indictment.

One of Whiteside's alleged co-partners in the vote selling business repudiated him hotly and discredited him before the grand jury. Other contradictory and refutatory evidence was given and the garnd jury's report was a complete vindication of Mr. Clark.

At the session of the senate this afternoon, by a vote of 14 to 9, Whiteside was unseated on a contest for his office and a republican opponent given the seat. Nine democrats and five republicans voted to unseat him. All those who voted for Whiteside were democrats.

UPHOLDS THE FEDERAL LAWS

Hawaiian Supreme Court Hands Down a Decision in the Case of the Celestials.

HONOLULU, Jan. 10.—(Via Seattle, Wash., Jan. 26.)—The supreme court this morning rendered an opinion in the eight Chinese habeas corpus cases, submitted last week. It sustains jurisdiction, but gives the collector general of customs authority to enforce United States laws. Chief Justice Judd concurs in the first proposition, but dissents from the second one. The Chinese will appeal from the decision to the secretary of the treasury.

Missouri Brigadier General Resigns.

KANSAS CITY, Jan. 26.—General Milton Moore has resigned his commission as brigadier general of the Missouri National Guard and Colonel George P. Gross has likewise resigned the colonelcy of the Third regiment. Governor Stephens today named H. G. Clark of Butler, Mo., now lieutenant colonel of the Sixth Missouri regiment, to succeed General Moore.

CHAFE AT PRESIDENT'S DELAY

Senators in Executive Session Want the Facts on the Paris Treaty.

PRESIDENT'S SUPPORTERS DEFEND ATTACK

Statement is Made that Chief Executive Might Communicate Freely if He Could Do So in Privacy.

WASHINGTON, Jan. 26.—Today's executive session of the senate was consumed in discussion of the failure of the president so far to send to the senate the documents in his possession and on file in the State department bearing upon the Paris conference.

Senator Gorman raised the point as soon as the doors were closed that the resolution had been adopted several days since and addressed the senate at some length on the failure of the president to respond to the senate's request for information.

The attack of the Maryland senator was followed by similar speeches by Senators Vest and Hoar and they were replied to by Senators Spooner and Platt. The five senators engaged in a running debate, the opponents of the treaty contending that the senate was entitled as a part of the treaty-making power to all the facts bearing upon the case and the supporters of the document holding that the president could withhold any papers which he did not consider in the interest of the general welfare to give out. Senator Spooner cited precedents to show that the president could withhold information of this character at his pleasure and that such a course frequently had been followed in cases in which the president deemed it unwise to communicate facts bearing upon international complications when to do so might prejudice the country's best interests.

The point was also made that the president might feel more free to communicate with the senate if he could be sure of privacy in doing so. No one professed to speak by authority and all the senators who were heard in support of the president's course expressed confidence that the president's action, whatever it might be, would be for the best interests of the public.

Replying to this latter point, Senator Hoar said that no one could excel him in admiration for the personal qualities of the president or in confidence in his patriotism. At the same time he contended for his original proposition that the senate was entitled to the president's full confidence in passing upon a question of so much importance as the acquisition of territory thousands of miles from our own shores and with millions of people totally unlike our own population. He thought there must be some reason for putting the Philippines on a footing so different from the footing on which Cuba had been placed in the treaty.

The opinion is generally expressed that the time allowed for debate of the treaty in executive session will not be by any means consumed, as very few senators on either side desire to make speeches behind closed doors.

The friends of the treaty profess increasing confidence for ratification, but there is some talk of adopting a negative resolution to the effect that the treaty does not bind the United States to the adoption of a colonial policy.

The president talked with a number of callers from congress today about the peace treaty. He expressed his satisfaction that an agreement had been reached for a vote and expressing confidence in the result. The president told his callers there was need for prompt action, and said that the present situation was one that should not be prolonged. Senators Gray, Lodge and Lindsay were among the senatorial callers.

CONSIDERS THE PENSION BILL.

Senator Butler Enlarges Upon the Theme of the Southern Soldier.

WASHINGTON, Jan. 26.—As the senate seemingly was about to conclude consideration of the pension appropriation bill late this afternoon, Mr. Butler of North Carolina offered his amendment, announced some time ago, providing for the pensioning of ex-confederate soldiers.

Upon this he took the floor and delivered a speech, which as he proceeded developed into a most unexpected utterance. While his colleagues on both sides of the chamber listended with interest Mr. Butler defended the position taken by the south during the great civil conflict of a third of a century ago. He declared that the south was right and that history would so record and that every shot fired by a southern soldier was fired in defense of the rights of his state conferred by the constitution in self-defense and in defense of his home and fireside.

Mr. Bate, democrat of Tennessee, himself a distinguished confederate officer, declared that while the south believed it was right, the occasion was not opportune for the proposition which Mr. Butler had made and that the southern soldiers, as a body, did not desire pensions from the general government, and he expressed his satisfaction that Mr. Butler had withdrawn his amendment.

Earlier in the session Mr. Mallory, democrat of Florida, delivered a constitutional argument in support of the Vest resolution.

Mr. Platt of New York and Mr. Berry each gave notice of a speech on Mr. Vest's anti-expansion resolution. Mr. Platt will speak tomorrow after morning business and Mr. Berry next Tuesday at the same time. Mr. Platt's speech will be the first he has delivered in the senate since he became a member the last time.

A bill providing Mount Vernon square in this city as a site for a public library to be erected by Andrew Carnegie at a cost of $25,000 as a gift to the city of Washington was discussed for a considerable time, but was laid aside under objection.

Mr. Mason of Illinois announced that tomorrow morning he would ask for a vote on his resolution declaring the policy of the United States not to attempt to govern the people of any other country without the consent of the people themselves.

A house bill authorizing the Little River Valley Railway company to construct and operate a railway through the Choctaw and Chickasaw nations in the Indian Territory was passed.

HOUSE WORKS ON THE ARMY BILL.

Marsh Opens the Debate—Opposes Some Features of Measure.

WASHINGTON, Jan. 26.—The third day of the debate upon the bill for reorganization and the increase of the regular army passed without noted incident.

Its feature was an hour's speech by Mr. Grosvenor of Ohio, whose utterances rightly or wrongly are frequently supposed to reflect the views of the president. Mr. Grosvenor declared most emphatically that the present situation in the Philippines was due to the opposition in this country to the ratification of the peace treaty. He announced that the future of the island was a matter for congress to decide, and that for the president to announce a policy would be to usurp the authority of congress.

The friends of the bill continued to express great confidence in the passage of the bill, but they admit some important modifications may be made. The advocates of a general staff detailed from the line may be successful, and the size of the infantry companies may be reduced. The other speakers at the day session were Messrs. Bromwell, republican of Ohio, Stewart, republican of New Jersey, Tongue, republican of Oregon, in support of the bill; Messrs. Dinsmore, democrat of Arkansas, Jett, democrat of Illinois, McRae, democrat of Arkansas, Simms, democrat of Tennessee, in opposition to it, and Mr. Marsh, republican of Illinois, in favor of the bill with certain modifications.

CHANCE FOR OTOE LAND BILL

Congressman Stark Offers a Substitute to Meet Objections of Members of the Committee.

WASHINGTON, Jan. 26.—(Special Telegram.)—Congressman Stark today submitted a substitute bill for Senator Thurston's bill now pending in the house committee on Indian affairs relative to the settlement of the Otoe and Missouri lands in Gage county, Nebraska. After a conference with Senator Thurston, in which the opposition of Congressman Lacey of Iowa was taken into consideration, the substitute was agreed upon to meet the objection of Lacey and one or two others of the committee. The bill, if anything, is more satisfactory to settlers in Gage county than Thurston's bill, which was regarded as eminently satisfactory. Acting Chairman Curtis of Kansas at once sent the substitute to the secretary of the interior for an opinion and in view of the fact that the substitute was gone over by Assistant Secretary Ryan before it went to the Indian committee, there is very reason to expect a favorable report.

The substitute provides that the secretary of the interior shall name the place where testimony is to be taken instead of being in Lincoln, as provided in Thurston's bill. It also provides for the appointment of an attorney to represent the Indians, which is a departure. The rumor current in Gage county that Thurston's bill had been indefinitely postponed by the house committee on Indian affairs is entirely erroneous. While the bill has been considered, it is at present in the hands of the subcommittee, consisting of Curtis of Kansas, Snover of Michigan and Zenor of Indiana, who have yet to report one way or the other on the measure.

Gurdon W. Wattles is in the city as a representative of the citizens of Hot Springs, S. D., to urge upon the house of representatives the passage of the senate bill relative to the establishment of a national sanitarium for old soldiers at Hot Springs. The senate bill carries an appropriation of $150,000, and a hearing has been called by the house committee on military affairs for next Tuesday, at which time members of the committee of the Grand Army of the Republic, of which Captain H. E. Palmer is chairman, and others interested in the project will be heard. Captain Palmer is expected in Washington on Sunday. General Manderson will also be present at the hearing.

Congressman Stark today presented to the foreign affairs committee of the house a copy of the letter of the emperor of China in relation to bestowing the Order of the Double Dragon upon Colonel Victor Vifquain of the Third Nebraska, together with his military record, as prepared at the War department.

Senator Thurston has called a meeting of his committee on international expositions for next Saturday to consider his joint resolution relative to the Greater America Exposition.

F. A. Rinehart and wife of Omaha are at the Raleigh.

The following postmasters have been appointed: South Dakota—Ely Davis, at Andrus, Bon Homme county; Carl Saunes, Berton, Miner county; Jacob Lenymeirn, Chester, Lake county; Emmet Q. Seeley, Garden City, Clark county; Alvina M. Truax, Redfern, Pennington county; William Johnson, Snoma, Butte county. Iowa—Frank Knapp, at Beltram, Linn county; Irvin P. Minehart, Cousins, Linn county.

Phoebe Lovering of Decatur, Neb., was today appointed seamstress at the Pine Ridge, (S. D.) Indian school at $500 a year.

HUGE ROCK CRUSHES A HOUSE

Boulder Loosened from Its Setting Plunges Down Hill at a Dangerous Speed.

STEUBENVILLE, O., Jan. 26.—The home of Daniel Burns at the north end of this city has been crushed by a huge rock weighing about 100 tons, which loosened from the top of a hill and rolled down with frightful force. It crushed one end of a loaded gondola car on a siding and twisted the track out of shape. Mr. Burns was buried under the debris and badly injured. His wife was hurled fifty feet away and also seriously hurt. Their son, who was sleeping upstairs, was carried on his bed along with the roof a distance of eighty feet and considerably bruised.

ORDERS TO ADMIRAL KAUTZ

Instructed to Make an Investigation of Affairs in the Samoan Islands.

NEW YORK, Jan. 26.—A special from Washington says: Rear Admiral Kautz has been instructed upon his arrival with the Philadelphia at Apia to investigate the entire Samoan situation and report the facts to the department. Reinforced by this report the department will be able to follow up its demands presented to the German government by Ambassador White, provided the report conforms to the dispatches sent by Consul Osborne.

Department officials believe that the Philadelphia, under the orders telegraphed to Rear Admiral Kautz, will leave San Diego Thursday for Honolulu enroute to Apia. The vessel may be delayed in case Chief Engineer Bates should not put in an appearance. It is said that within fifteen days the cruiser will reach its destination.

Refrigerating Company Assigns.

ST. LOUIS, Jan. 26.—The St. Louis Automatic Refrigerating company has filed a deed of trust for the benefit of the Commercial bank for $137,400 with the St. Louis Truet company as trustee. The deed makes over all the property to secure outstanding notes. According to the instrument the indebtedness is contained in ten notes and payable to the Commercial bank and Joseph E. Baker.

Felt Plants Will Combine.

BOSTON, Jan. 26.—The Transcript says: The various manufacturers of felting have agreed to combine for the purpose, it is said, of correcting abuses which have grown up in the trade and of stopping unhealthy competition. The parties to the transaction are said to include practically all the felt plants in active operation in the country.

Severe Blizzard in Michigan.

CALUMET, Mich., Jan. 26.—The worst blizzard this city has ever seen is now in progress here. Business generally is suspended and no trains are running. Three men are reported missing from their homes. At Escanaba the blizzard has continued since yesterday noon. Trains are late and business is at a standstill.

Kansas State Bar in Session.

TOPEKA, Kan., Jan. 26.—The sixteenth annual meeting of the Kansas State Bar association began here today. The principal feature was the address tonight by George R. Peck of Chicago, who had for his subject, "The Judge, the Lawyer and the Citizen."

NEW LINE DIRECT TO OMAHA

Minneapolis & St. Louis Will Extend from the Twin Cities.

PROVISION IS MADE FOR NECESSARY FUNDS

Road Will Run Due South from New Ulm, Crossing the Omaha at St. James, Thence to Spirit Lake, Ia.

ST. PAUL, Minn., Jan. 26.—The Minneapolis & St. Louis road, it is announced, will build a line from the Twin Cities direct to Omaha.

This statement was made today by General Manager L. R. Day on his return from a conference with higher officials in New York. The directors lately authorized an issue of $25,000,000 in new bonds, of which $10,000,000 was to take up indebtedness already existing. One of the main objects of the new bond issue was to furnish capital for the extension.

The new line will run almost due south from New Ulm, crossing the Chicago, St. Paul, Minneapolis & Omaha near St. James. Thence the route proceeds to Spirit Lake, Ia., crossing a southern Minnesota division of the Chicago, Milwaukee & St. Paul near Jackson or Sherburne.

In Iowa it will cross the Northwestern near Spirit Lake, the Milwaukee near Spencer, another division of the Northwestern near Sioux Rapids, the Illinois Central at Storm Lake and another Milwaukee division near Charles Lake. Altogether 150 miles of new road on the extension will be built this year.

INDIVIDUAL INTERESTS SUFFER.

George N. Miller Sues to Stop Reorganization Agreement of D. & G.

NEW YORK, Jan. 26.—George N. Miller, as a stockholder in the Union Pacific, Denver & Gulf road, has begun suit in the supreme court to stop the reorganization agreement so far as it affects his interests and holdings in the road. G. M. Dodge, J. K. Tod, Henry Burge, Oliver Ames, Harry Walters, Norman B. Ream, Henry Lewis and Uriah Herman, constituting the reorganization committee, are named as defendants in the suit.

As a result of the agreement entered into by the committee Mr. Miller says his interests and those of others have been greatly injured. He asks for an accounting of all the profits arising out of the sale of securities of the proposed new company and for the commissions paid to the syndicates of which they are members. Further, Mr. Miller demands that so much of the plan of reorganization that vests a voting trust in the defendants be declared void, because such voting trust was reserved for the personal advantage of the defendants in this action and is in contravention of public policy. Further, Mr. Miller alleges excessive and fictitious issue of stock and demands a detailed accounting.

Earnings of the Atchison.

CHICAGO, Jan. 26.—The net earnings of the Atchison road for the month of December were $1,421,150, an increase of $306,770 over the same month of last year. The net earnings for six months of the fiscal year ending December 31 were $6,389,282, an increase of $161,852 over the corresponding period of the preceding fiscal year.

PROMOTER WITH A CAREER

Assistant Cashier of Planters' Bank, Kansas City, Served Five Years in Texas Penitentiary.

KANSAS CITY, Jan. 26.—Leonard B. Imboden, assistant cashier of the Planters' bank, and Cashier A. F. Hancock, who were yesterday taken into custody pending an investigation into the affairs of their concern, which was closed by the state authorities, were today taken before the grand jury and examined. It has not yet been decided what charges will be brought against them. Both men are still detained at the central station.

Imboden, whom, it develops, comes of one of the best families in the south, has been connected with several financial enterprises. He is credited with attempting to promote the New England Savings bank at Dallas, Tex.; the Penasco Land and Cattle company at Roswell, N. M.; the Mechanics' Savings bank, with $1,000,000 capital, at Dallas and the National Bank of Commerce at Fort Worth. His prospectus invariably bore the names of well known, sound financial institutions of different parts of the country and the idea conveyed was that these institutions were backing him. Several years ago Imboden was at the head of the Imboden-Hamilton Investment company of Kansas and loaned money all over the state on real estate. Then he purchased thousands of acres of Texas land at boom prices. The prices of this land shrunk and his money was swept away. Later he committed forgery and embezzlement and was sent to the Texas penitentiary for five years, Governor Hogg pardoning him on Christmas day, 1894.

IRON AND STEEL PRODUCTION

Output of Last Year is 11,733,934 Gross Tons, an Increase of 2,151,154 Tons Over 1897.

PHILADELPHIA, Jan. 26.—The bulletin of the American Iron and Steel association says the total production of steel and pig iron in 1898 was 11,733,934 gross tons, an increase of 2,151,154 over the production of 1897. The production in the second half of the year exceeded that of the first half by 834,258 tons.

The production of Bessemer pig in 1898 was 7,331,384 tons, an increase over 1897 of 1,541,800 tons. The production of basic pig iron was 785,444 tons, against 556,391 tons in 1897.

The production of basic pig iron in 1898 was distributed as follows: Allegheny county, Pennsylvania, 378,156 tons; other counties in Pennsylvania and New Jersey, 5,192 tons; Maryland and Virginia, 54,535 tons; Alabama, 100,124 tons; Ohio, Illinois, Wisconsin and Missouri, 47,267 tons. The production of spiegeleisen and ferromanganese was 213,769 tons, against 173,795 tons in 1897. The production of charcoal pig iron was 296,750 tons, against 255,211 tons in 1897. The stocks of pig iron unsold in the hands of manufacturers December 31 were 291,233 gross tons, against 656,489 tons similarly held December 31, 1897.

FIVE PERSONS IN A BURGLARY

Two of Them Are Women and the Others Are Male—One of Gang Confesses Murder.

NEW YORK, Jan. 26.—Five persons, three men and two women, have been arrested for complicity in the burglary in Sixth street on Tuesday, which resulted in the murder of George Eberhardt by one of them while escaping. One of the men has made a confession and fastens the murder upon one of his companions. The men under arrest are Robert Ryan, alias John Harrison, formerly a sailor; Duncan Young, alias David Young, alias "Scotty," whose home is said to be in Boston, and Henry Bauman, alias Otto Berzman, alias "Spike," who hails from Fall River. The women are Alice Kelly and Tillie Rindskoff. The confession, which was made by Bauman, frees Charles Steele, now under arrest.

CONDITION OF THE WEATHER

Forecast for Nebraska:
Partly Cloudy; Northeasterly Winds.

Temperature at Omaha yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	13	1 p. m.	11
6 a. m.	9	2 p. m.	13
7 a. m.	5	3 p. m.	12
8 a. m.	5	4 p. m.	12
9 a. m.	5	5 p. m.	11
10 a. m.	7	6 p. m.	10
11 a. m.	8	7 p. m.	9
12 m.	9	8 p. m.	7
		9 p. m.	6

LOAN FOR CUBAN SOLDIERY

Rumor Gains Credence in Havana of Intended Action of United States Government.

HAVANA, Jan. 26.—A rumor has been in circulation during the last few days that the United States will lend $3,000,000 to be applied in part payment of arrears of pay claimed by the Cuban soldiery. It has provoked some strong criticism, the argument being that if the customs were in the hands of the Cubans the first thing would be to pay the Cuban soldiery in full and that therefore the United States holding ample customs receipts as security could and should advance more than $3,000,000. The executive committee of the Cuban assembly makes public a document, the importance of which lies in the fact that the committee should have deemed its publication necessary.

The following extracts will give an idea of its character:

"The committee learns that some excitement prevails because of the smallness of the sum which it is reported the United States will lend for the purpose of paying the Cuban troops. Although the reports of excitement are exaggerated, the committee thinks it necessary to recommend to the civil and military authorities concord and the best of discipline.

"As yet it has not been officially announced how much the United States will lend or what the manner of payment will be. The Cuban assembly committee to lay the case before the general government will soon return and judgment should be suspended until the facts are known.

"This assembly is properly the representative and head of the revolutionary element. Our duty is fully to examine into the conditions that face us and to recommend the course of action to be pursued. We have in the past wisely directed the action of the people and are fully able to continue to do so.

"The people should have confidence in the assembly and obey its rulings and recommendations. We recommend quietude and discretion. We do not see cause for great anxiety. Should there be such the executive committee will fulfill its duty and the first meeting of the assembly will inform the people of all that is transpiring, so as to enable them to judge fairly."

INCITE ROAD WORKERS TO STRIKE

Cuban Laborers Demand $1.25 Per Day with Rations.

SANTIAGO, Jan. 26.—Two hundred men who had been engaged in road making in this district went on a strike today. They had been receiving $1 per day and want $1.25 with rations. It is believed that two men have been guilty of inciting them to strike and as soon as these are discovered they will be placed under arrest. Unless the strikers return to work tomorrow, as it is expected they will, other laborers will be employed.

The cruiser Brooklyn arrived off Santiago this afternoon, and hove to off Morro castle. Captain Cook, with several other officers, came to the city in the Brooklyn's launch. The cruiser which had come from Havana proceeded at sunset for Key West.

HIS LIABILITIES ARE HEAVY

Richard C. Cushing, at One Time Mayor of Omaha, Confesses Insolvency in Chicago.

CHICAGO, Jan. 26.—(Special Telegram.)—Richard C. Cushing, who served a term as mayor of Omaha, being elected in 1890, and at one time a wealthy contractor engaged in the building of railroads in the west, confessed insolvency today by filing in the United States district court a petition in bankruptcy, in which he scheduled liabilities amounting to $328,245. His assets are placed at $39,000, but most of this amount is regarded as worthless because the property is given as security to some of the creditors. The petitioner was a member of the Mallory-Cushing Construction company of Omaha and large claims are held against him by his former partner as his share of the indebtedness.

Among the secured creditors are the following: Nebraska National bank, Omaha, $62,000; W. A. Paxton and G. W. Holdrege, Omaha, $10,000; S. H. Mallory, Chariton, Ia., $45,000; National Life Insurance company of Montpelier, Vt., $14,500.

Some of the largest unsecured creditors are: C. J. Langtry, Strong City, Kan., $17,000; Chalres Parmalee, receiver Citizens' bank, Plattsmouth, Neb., $10,000; T. A. McCague, receiver German Savings bank, Omaha, $30,000; estate of D. J. Thayer, Chariton, Ia., $15,000; First National bank, Chariton, Ia., $10,000; S. H. Mallory, Chariton, Ia., $30,000.

The property which is included in the assets of the petitioner is situated in Omaha, San Antonio, Tex., Kern county, California, and Scott county, Nebraska. Mr. Cushing now lives with his family at 2500 Indiana avenue, in this city.

For a number of years R. C. Cushing was a resident of Omaha. While here he was engaged in railroad building, being a partner in the firm of Mallory, Cushing & Co. In 1890 he was elected mayor of the city and served two years. Soon after retiring from office he left Omaha and has not resided here since.

BUCKET SHOPS ARE LEGAL

Decision of Kansas City Judge on Cases of Pool Room Operators and Board of Trade President.

KANSAS CITY, Jan. 26.—Last week seventeen proprietors of "bucket shops," "dynamite," stock and race horse pool rooms and the president of the Board of Trade were arrested, charged with violating the city ordinance against betting on any "event." Today Police Judge Burnham handed down a decision, dismissing the cases. He holds that there is no material difference between a bucket shop and the Board of Trade and that both come under the ban of the ordinance. He holds, however, that the supreme court has decided that the Board of Trade is legal and therefore the bucket shops are legal.

Twentieth Aboard Transports.

SAN FRANCISCO, Jan. 26.—The Second and Third battalions of the Twentieth United States infantry arrived today from Fort Leavenworth. The troops marched on board the setamer Scandia as soon as they arrived on this side of the bay. The men were not allowed shore leave. The Scandia will probably sail tomorrow some time.

NO CHOICE IS MADE

Ninth Ballot in the Senatorial Contest Shows Little Change.

THREE VOTES SLUMP FROM HAYWARD

Scott and Wenzl Cast Their Respective Ballots for Field.

DITMAR AND EASTERLING ARE ABSENT

Israel Compliments Weston in His Swing Around the Circle.

ALL PREPARING FOR A LONG DEADLOCK

Lancaster County May Be Embarrassed by Other Members Paring Down All Appropriations it Asks For.

	1st.	4th.	5th.	6th	7th	8th	9th
Allen	58	53	51	53	58	58	57
Hayward	28	40	39	41	43	41	39
Webster	10	10	10	10	10	10	10
Thompson	7	7	7	7	7	7	7
Weston	2	2	2	3	4	4	5
Reese	2	2	2	3	2	2	2
Foss	2	2	2	2	2	2	2
Field	4	2	2	1	..	..	2
Van Dusen	1	1	1	1	1	2	1
Lamb'son	3	3	2	2	2	1	1
Hinshaw	2	2	2	1	1	1	1
Adams	2	1	2	1	1	1	1
Cornish	1	1	1	1	1	1	1
Valentine	2	..	..	..	..	1	1
Hainer	1	1	1	..	..	..	..
Davidson	1	..	..	..	..	..	..
Martin	1	..	..	..	..	..	..
Majors	2	..	..	..	..	..	..
Little	1	..	..	..	..	..	..
Total	131	127	124	126	132	131	130
To elect	66	64	63	64	67	66	66

LINCOLN, Jan. 26.—(Special Telegram.)—Hayward lost two more votes today, Scott and Wenzl going to Field. Israel got around to Weston in his complimentary circuit, raising the Gage county man's total to five and leaving Van Dusen with his original one. Senator Howard and Representatives Ditmar and Easterling were absent.

Individual Vote.

The record of individual votes is as follows:

For William V. Allen—Senators Canaday, Dunn, Farrell, Hale, Knepper, Miller, Morgan, O'Neill, Schaal, Smith, Spohn—11. House—Anderson of Fillmore, Boulier, Bower, Carton, Cawthra, Cosgrove, Crockett, Cunningham, Dobry, Eastman, Elwood, Endicott, Flynn, Fretz, Fuller, Grandstaff, Grell, Grosvenor, Hardy, Johnson, Kiester, Loomis, Lemar, McCracken, McGinley, Memminger, Moran, Morrison, Murray, Peck, Siecke, Shore, Smith of Butler, Sturgess, Swan, Tanner, Taylor of Custer, Taylor of Fillmore, Thompson of Clay, Vandegrift, Watson, Weaver, Wheeler, Woodard, Wyman, Wright—46; grand total, 57.

For M. L. Hayward—Senators Allen, Arends, Alexander, Barton, Curtis, Fowler, Giffert, Halderman, Hannibal, Holbrook, Newell, Owens, Reynolds—13. House—Armstrong, Berlet, Biesner, Blake, Broderick, Chambers, Evans, Hall, Haller, Harris, Hastings, Hathorn, Hicks, Nesbit, Pollard, Prince, Rouse, Sandall, Smith of Richardson, Schaible, Smithberger, Tucker, Walling, Wilcox, Young, Zellers—26; grand total, 39.

For John L. Webster—Senators Crow, Noyes, Van Dusen—3. House—Beverly, Burman, Cox, Detweiler, Houck, Myers, Olmsted—7; grand total, 10.

For D. E. Thompson—Senators Rocke, Talbot—2. House—Anderson of Lancaster, Burns, Clark, Harkson, Lane—5; grand total, 7.

For J. B. Weston—Senator Prout and Representatives Chittenden, Jones, Hibbert and Israel—5.

For M. B. Reese—Representatives McCarthy and Thompson of Merrick—2.

For F. I. Foss—Representatives Mann and Grafton—2.

For Field—Representatives Scott and Wenzl—2.

For E. H. Hinshaw—Senator Steele—1.

For G. M. Lambertson—Representative Jansen—1.

For C. E. Adams—Representative Milbourn—1.

For A. J. Cornish—Senator McCargar—1.

For J. H. Van Dusen—Representative Smith of Saline—1.

For Valentine—Representative Fisher—1.

Prepare for a Deadlock.

Some of the excitement in the senatorial contest is wearing away, and the contending forces seem to be settling down to a long deadlock. The Thompson and Webster men show no signs of weariness, and the Hayward men declare it their intention to maintain the present position indefinitely. They profess not to be discouraged by today's loss of the two members from Pawnee county, as they say that Hayward was never their first choice, and that when they came into the Hayward camp it was on the express understanding that it was not to be permanent.

The paper which was circulated a week ago among the Hayward men, and