THE OMAHA DAILY BEE.

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ROBERTS IS AT CAPE

Lambert W. H.

New British Commander-in-Chief and Kitchener Arrive at Capetown.

FACE CRITICAL CONDITIONS IN THE ARMY

Difficulties of Present Situation Said to Be Inside British Lines.

GENERAL BULLER NOT IN GOOD HEALTH

He and Methuen Likely to Be Superseded by McDonald and Tucker.

CONFIDENCE OF SOLDIERS BADLY SHAKEN

Methuen's Health Broken Down—Gatacre Disheartened by Repulse at Stormsberg—Gloomy View of Military Experts.

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LONDON, Jan. 10.—(New York World Cablegram—Special Telegram.)—Lord Roberts and General Kitchener arrived at Capetown today.

The military experts, who give private points in the campaign that the editors don't permit them to print, declare that more difficulties of the present situation for them are found inside the British lines than any presented by the operations of the Boers.

Mail reports of the Magersfontein battle and disaster to the Highlands, with Colonel Wauchope's last words to his men: "Boys, don't blame me for this; I had orders and was carrying them out," show that there was some fault with the commanding officers.

Colonel Gough, who commanded the cavalry department under General Methuen, is in London pressing for a court-martial upon Methuen's report that he declined to carry out the orders given him by the general in charge. Gough has been temporarily placated and urged to postpone his personal demands until the war situation is more settled.

General Yule, who conducted the retreat from Dundee after General Symons' death, is also in London, but in strictest seclusion, suffering, it is said, from physical and mental collapse growing out of an attempt to follow orders and save the troops that were in deadly peril from trying to hold advanced posts in Natal without sufficient strength of cavalry and artillery.

The London newspapers, without making any direct charge, carry veiled announcements that General Buller is not in good health. It is known here that the War office receives little, if any, information from him directly. On the other hand, Lady Audray Buller gets a message each day from her husband briefly announcing that he is well. The gossips urge that this is exactly the step a thoughtful husband would take to reassure his wife if he was not up to the mark.

Gatacre Discouraged.

General Gatacre, in an uncensored mail report, is declared to have been seen sitting in the Molteno railway station with his head in his hands bewailing the repulse of his troops.

The general in command of the communications first reported disaster to the Suffolk regiment under General French's command.

Thus Roberts' and Kitchener's first task, the critics urge, must be to rearrange the generals in charge of the various British forces so that all may be brought up to an effective fighting point.

Hector McDonald and Tucker are now on the way from India. It is suggested that the two generals from India will be sent to supersede or aid Methuen and Buller and that the new commanders now at Capetown will make every effort to throw all the reinforcements toward Colesberg or Sterkstroem and then reverting to the original plan of campaign, one or other of them will attempt to unite Gatacre and French's forces and move against the Boers through the Orange Free State.

Would Imitate General Sherman.

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LONDON, Jan. 10.—(New York World Cablegram—Special Telegram.)—The Post's military expert says:

"There is one weapon with which the mobile Boer, in certain cases, can be held fast—the spade.

"The British game is to put a line of trenches along their front and prolong it around one of their flanks. General Sherman used to drive back General Johnston in this way, having himself the superior force.

"Buller's force may not be superior to that confronting him, but so soon as his men have dug themselves trenches a small party of them can keep back a large party of Boers and his mounted men can be used to push the lines beyond and around the Boer flank, being relieved as soon as they have won a position by the infantry, which would be able to hold it.

"This would, in ordinary cases, end in forcing the retreat of the Boers into Natal, where, if they retreat, they free Ladysmith. It would bring on the decisive battle in conditions less unfavorable to the British than those of December 15."

The Mail's war expert says:

"The appearance of the new commander-in-chief upon the scene should restore the confidence of the soldiers so sadly shaken by the past. Let our men see that their lives are not being wasted and they may be called upon for any effort. There is now unfortunately no doubt that Lord Methuen's health has completely broken down. How long has this fact been within the knowledge of the War office?"

The other war experts discuss the details of the conflict at home over the responsibility of the cabinet for the war blunders and attack Balfour's explanations in his public speeches.

Methuen's Health Broken Down.

LONDON, Jan. 11.—4 a. m.—During the interlude of apparent military inactivity and official secrecy, Lord Roberts and Lord Kitchener have arrived at the seat of war. It is assumed that their clear vision, supported by 30,000 fresh men, who are due to arrive in South Africa within thirty days, will alter the situation and that the fourth month of the campaign will witness the beginning of victories for the British arms.

They are not, however, expected to produce definite results for some days, but their mere presence will restore the shaken confidence of the men at the front in their generals. Lord Roberts finds 120,000 men on the defensive or watching for an opening.

Lord Methuen's health, according to the Daily Mail, has "broken down" and the field marshal may relieve him. Possibly some others will be relieved of important commands. There is certainly plenty of rank in evidence in South Africa. In addition to the field marshal there are two full generals, four lieutenant generals and twelve or fourteen major generals.

There is an uneasy suspicion that when the Ladysmith casualties are announced they will be disheartening and will partly destroy the patriotic glow produced by General White's "victory." The list of victims of disease issued by the war office gives twenty-two deaths from enteric fever and dysentery in Ladysmith in four days, revealing the fact that the besieged are existing amid bad sanitary conditions.

British Are Powerless.

The Standard summarizes the general situation thus:

"Well, the campaign has lasted three months. We have something like 120,000 troops in South Africa. With this huge army distributed over the country we are still powerless to relieve three garrisons from investment. We have still to see large portions of both colonies in the hands of the enemy.

"We have driven the invaders back at no single point. We are actually further from the hostile frontiers than we were on the day that the ultimatum was delivered. The work which ministers believed could be effectually performed with 25,000 men has not been done, has not even been begun by four or five times that number. Can any one fail to admit that this is evidence of a grave miscalculation of forces and facts?"

The War office has authorized a special yeomanry corps. Every trooper joining will pay for his own kit and mount, for transportation and for all other expenses until his arrival in South Africa and will then give his services to his country and pay for the privilege into the fund for widows and orphans the amount he would receive as a trooper. Several influential gentlemen have already enrolled.

The authorities have urged the committee on the Yeomanry hospital to provide for 520 instead of 150 beds.

The Times, in an editorial criticising at great length the government's conduct of the war, alluded to the "stupid and perverse mistakes" that have been made and demands that the practice of the nonrevelation of facts be abandoned. It insists strongly on knowing "the truth and the whole truth about the situation," and finds fault with Balfour's defense piecemeal.

HILL RETAKEN THREE TIMES

Terrific Fight at Ladysmith—Boers Penetrate British Lines— Driven Back at Night.

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GENERAL BULLER'S HEADQUARTERS, BRITISH CAMP AT FRERE'S STATION, Natal, Jan. 8.—12:45 p. m.—(New York World Cablegram—Special Telegram.)—The powerful British army concentrated at Frere's and Chieveley is awaiting with impatience the order to march to the rescue of Ladysmith.

The news of General White's triumph in defense of the town on Saturday produced intense satisfaction and an ardent desire to go immediately to his relief.

The official accounts from Ladysmith show that the Transvaal and Orange Free State forces, in unanimous strength, attacked General White's position around Ladysmith, particularly the Wagon Hill (not Sign Post Hill, as at first reported) and Caesar camp before dawn. The besieging army, reinforced from the commanders which are holding General Buller's force in check, pushed the attack with great courage and vigor in spite of a terrible fire.

The assault actually penetrated the British lines. Some entrenchments on Wagon Hill were taken and retaken three times.

Colonel Hamilton, who commanded there, made a stubborn and brilliant defense, remaining master of the position at the finish. The Boers continued their attack until 7:30 p. m. They had succeeded in holding one position all day, but at dusk, during a heavy rainstorm, they were expelled by a shell and bayonet charge of the Devons, led by Colonel Hark.

By night all the attacks had failed, the Boers being elsewhere repulsed with very heavy losses, which greatly exceed those of the BBritish. WINSTON CHURCHILL.

BOERS WOULD SEIZE DURBAN

Their Endeavor to Overrun Natal Recalls Assertions Made Before Opening of War.

LONDON, Jan. 11.—The Times in a special article dealing with the Delagoa bay question expresses the opinion that the endeavor of the Boers to overrun Natal lends confirmation to assertions made before the war by prominent Boers that they would seize Durban as a port.

The article points out that by the through rate system, specially favorable to Transvaal shipments over the Transvaal-Delagoa railroad, German shippers have been able to secure traffic with little risk of examination at continental ports or at Delagoa bay. The writer goes on to say:

"It is known that in anticipation of future military developments in the Transvaal toward the Zoutpansberg district a considerable amount of stores and munitions of war have been forwarded for some time past, chiefly from the continent.

"It is understood that the Union Steamship company, besides ceasing to have Herr Pott, the Transvaal consul general at Lourenzo Marques, as its agent, has withdrawn its steamers from the Delagoa bay route. The Castle company has done the same thing and made arrangements that will prevent the use of its vessels at Delagoa bay for anti-British purposes. The same action has been taken by the Empress Landing company. The withdrawal of steamers of two British mail companies may, however, increase Great Britain's difficulties by throwing the carrying trade still more into the hands of continental shippers and diverting business to America for handling by foreign steamers from American ports."

The article concludes by again urging the government to secure more strict examination.

BEGS M'KINLEY TO MEDIATE

Austrian Peace Society Starts Movement to Stop the South African War.

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VIENNA, Jan. 10.—(New York World Cablegram—Special Telegram.)—Baroness Suttner, in the name of the Austrian Peace society, publishes the address of the Berne international peace office to President McKinley, begging him to offer his services to England as peace arbitrator.

The Austrian Peace society requests every person anxious for peace to sign the declaration and join the movement to stop the South African war and collect signatures and send them to the Peace society.

PUT FREE STATERS IN FRONT

British Story that They Behaved Better Than Transvaalers—Did Fighting at Ladysmith.

LONDON, Jan. 11.—The Standard has received the following, dated January 8, from its special correspondent at Frere Camp:

"I hear on good authority that President

(Continued on Third Page.)

AMERICAN FLOUR RELEASED

England Finally Decides Foodstuffs Not Contraband Unless for an Enemy.

SENDS NOTE TO AMBASSADOR CHOATE

Gist of Reply Cabled to Washington—Senator Hale, Becoming Impatient, Offers Resolution Calling for Information.

LONDON, Jan. 10.—The American flour seized off Delagoa bay has been released.

United States Ambassador Choate had an interview with the marquis of Salisbury this afternoon and received a verbal reply to the representations of the Washington government. The British note on this subject was sent later to the United States embassy. The gist of it was cabled to Washington.

In brief, foodstuffs are not considered contraband of war unless intended for the enemy.

The foreign office only arrived at a decision today and it was not until after Choate's interview with the marquis of Salisbury that a note embodying the provisions was drawn up. Several of the government's advisers wanted to make a regulation regarding canned goods, but this was decided to be impracticable. The decision to make flour and grain in transit to the enemy contraband is evidently hedged in by many difficulties of execution, but the foreign office believes that investigation will generally determine whether the grain is really meant for consumption at Lourenzo Marquez or in the Transvaal.

Ambassador Choate cabled Lord Salisbury's note to the State department at Washington tonight and Secretary Hay is expected to reply accepting the terms. The latter step was not taken by Choate, as he had first to receive authority from the State department to do so.

WASHINGTON, Jan. 10.—Senator Hale of Maine offered a resolution today calling upon the State department for information as to what had been done regarding the seizure by Great Britain of American products in Delagoa bay. The resolution declared the property was now detained unjustly and without warrant. To the statement that the property was unjustly detained Platt of Connecticut took exception, believed it ought to be modified. Hale said the resolution presented a matter of vital importance and believed Great Britain ought to be informed of the sentiment of this country. On objection by Lodge the resolution went over.

ENGLAND WILL PAY FOR CARGOES.

Justifies the Seizure of Flour by Its Military Necessities.

NEW YORK, Jan. 10.—A special to the Journal and Advertiser from Washington says: The essential points in the tentative answer of Lord Salisbury to the demand made on him by Ambassador Choate for a declaration of policy and a concession of liability in the matter of the seizures of American flour in cargoes on the Mashona, Beatrice and Maria are:

"1—Great Britain offers to pay an indemnity to the American citizens whose cornmeal and flour were seized by the British cruisers near Delagoa bay, the extent of the claims to be determined by a commission.

"2—Great Britain will not declare cornmeal and flour to be contraband when proof is not positive that the foodstuffs are intended for the camp of the enemy.

"3—Great Britain contends that she has not violated the rights of a neutral power by the seizure of this cornmeal and flour, but that, on the contrary, under her old common law she has a right to seize food supplies absolutely necessary for the maintenance of her soldiers and sailors in time of war, her right being subject to the equities of indemnity."

The attitude of this government on the three propositions submitted in justification by Lord Salisbury is as follows:

The United States accepts Great Britain's offer to pay the American citizens in interest the face value of the cargoes, with a reasonable profit.

Great Britain's plea in justification is regarded as inadequate and evasive in that it avoids a general declaration as to whether cornmeal and flour are contraband of war, but the answer is reasonably sufficient because it declares specifically that the articles on the vessels named were not contraband of war, as they were not destined for the camp of the enemy and that was one important contention of the State department.

As to the third proposition the United States accepts in good faith the plea that the goods were seized as a military necessity for the supply of the British army and navy and that such necessity justified the act of seizure without prejudice to any other international questions involved.

A high State department official said that there was no doubt that Great Britain's inability to supply her army and navy actually engaged in the Boer war could be demonstrated. That condition, he said, is fairly inferable from the fact of the immense army in the field, the constant drain on the home base of supplies, the distance of the local South Africa bases of supply from the armies in the field, the danger in the transportation of them great distances inland and the practically isolated position of her cruisers off Delagoa bay beyond the international limit from shore. The United States, he said, had agreed to this contention of Great Britain because it was defensible by international law, by British local law and by the facts as submitted.

The State department, notwithstanding this tentative reply, which precludes any chance of serious friction, is still anxious to obtain a specific declaration as to whether Great Britain will maintain the general proposition that flour, corn and meal are contraband of war. It is probable, in view of the present amicable adjustment, that the United States will not insist on an immediate reply to its demands for a comprehensive declaration of policy.

SHIPPING HAY TO CAPE AND MANILA

Three Ships Sail with Fodder for the British in South Africa.

NEW YORK, Jan. 10.—The British steamer Hortensia sailed today for South Africa with 25,000 bales of hay for the British army. This is the second shipment in three weeks dispatched by one shipper from this port loaded with fodder and provisions for South Africa. The hay, for the most part, it is said, comes by rail from Canada. The day before yesterday the steamer Micmac carried 1,300 tons of hay and provisions for Capetown from Boston.

The steamer India is now lading 750 tons of hay for the United States army in the Philippines. The steamer Montauk recently sailed with 800 tons of hay, also for Manila.

GERMAN CRUISERS TO GO TO BAY.

Flagship of Prince Henry of Prussia May Be Sent to Delagoa.

BERLIN, Jan. 10.—Several foreign office officials expressed themselves more freely about the British seizures of German vessels. Great Britain's formal written answer to Germany's formal protest has not yet been received, but another oral declaration by Lord Salisbury to Count Von Hatzfeldt, the German ambassador in London, has been telegraphed to Berlin, showing that Great Britain admits her obligation to pay damages for seizing vessels but carrying contraband.

It is admitted by the foreign office that the armored cruiser Deutschland, flagship of Prince Henry of Prussia, may be sent to Delagoa bay, together with the gunboat Habicht. The examination of the cargo of the Bundesrath, the foreign office is informed, is still in progress.

ALLOWS BISHOP TO RETURN

President Zelaya Removes Ban from Monsignor Peirrera—British Control Railroads.

MANAGUA, Nicaragua, Dec. 21.—(Correspondence of the Associated Press.)—Monsignor Peirrera, the Roman Catholic bishop of Nicaragua, who was expatriated a few weeks ago by President Zelaya, owing to severe criticisms of a law passed by the legislature, placing money and other property donated to churches in the hands of the civil officials for disbursement, has returned to his home at Leon, by permission of the executive.

Some of the newspapers declare that the bishop's return was permitted because of his voluntary promise to hereafter obey the laws of the country and to refrain from any criticisms of them. His friends assert that he never intended to disobey any of the civil laws and they say he has not promised to hereafter abjure criticism of Nicaraguan legislation.

E. C. Nichol, British consular agent at Managua, has become superintendent of the Caribbean & Pacific Transit company. It is an English company, organized two years ago, and has a conditional interoceanic transit concession across Nicaragua. It has the sole privilege of conducting steam navigation on the San Juan del Norte river and Lake Nicaragua, including a large portion of the proposed route of the interoceanic canal.

Mr. Nichol, it is announced, has an option from the government to purchase the state railroads and steamboats, thus forming a continuous line of transportation across Nicaragua.

RUSSIA MOVING UP OUTPOSTS

Taking Advantage of Transvaal War—Encroaching on Persian Frontier—Germany Smiles.

LONDON, Jan. 11.—The Calcutta correspondent of the Daily Mail says:

"While the official statement that no alarm is felt concerning Afghanistan is quite true I have good reason to believe that the Indian government has received disquieting information regarding Russian movement in the direction of Persia.

"Russia is taking advantage of the Transvaal trouble to strengthen its armaments and to push its outposts along the Persian frontier, with a view of ultimate annexation, a design in which Germany would probably acquiesce in consideration of receiving railway concessions."

FINANCES ARE IN GOOD SHAPE

Prussian Budget the Most Favorable Ever Submitted—Paying Off Debt.

BERLIN, Jan. 10.—In introducing the estimates in the lower house of the Diet today the minister of finance, Dr. von Miquel, said the budget was the most favorable ever submitted. The surplus for 1898-99 was 84,360,000 marks and the current year was expected to furnish equally satisfactory results. The new estimates, the minister explained, were no longer based on railroad receipts to the same extent as formerly. Dr. von Miquel also referred to the reserves contained in the estimates available for times of distress and said debts amounting to 800,000,000 marks had been redeemed during the last decade.

ACQUIT KRUGER-VICTORIA ARTIST.

Manager of La Caricature Not Punished for Indecent Cartoon.

PARIS, Jan. 10.—The manager and artist of La Caricature, who published an alleged indecent cartoon representing President Kruger having Queen Victoria over his knees, in the act of spanking her, were tried today on the charge of outraging public morals.

The court acquitted the accused on the ground that in spite of the grossness of the satire it did not have the obscene character which would justify the charge.

Vera Douglas Buried.

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PARIS, Jan. 10.—(New York World Cablegram—Special Telegram.)—Vera Douglas was buried today. A short service was held in the American church of Holy Trinity, not over fifteen being present. At the conclusion of the service the hearse drove away, attended solely by Vera's last maid. It was a melancholy sight. The remains were buried at Saint Germain, a suburban town. A perpetual concession in the ground was bought by R. H. Henning, the Australian millionaire, who was her last lover, for $360.

Heavy Gales on French Coast.

PARIS, Jan. 10.—Heavy gales are blowing along the entire Frech coast and a number of small vessels with their crews have been lost, although several rescues are reported. A fishing boat foundered off Boulogne Sur Mer, nine of the crew perishing. The bark Jeanne Engenis sank near Cherbourg and five persons were drowned. Heavy weather is reported from all Mediterranean ports.

Maude Gonne Coming to America.

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PARIS, Jan. 10.—(New York World Cablegram—Special Telegram.)—Maude Gonne, the "Irish Joan of Arc," will sail for New York January 20 from Haley on the French line steamship Normandie. She will spend one month only in America, lecturing in different cities on British oppression in Ireland and elsewhere. The object of her tour is to raise money to help the Boers.

Americans Well Received.

COLON, Colombia, via Galveston, Jan. 10.—A party of American railway surveyors who have gone ten miles into the interior report that they have been well received and hospitably treated by Darien Indians. It is rumored in connection with the exportation of cattle that the government will impose a tax of $20 per head.

Colombia Insurgents Defeated.

COLON, Colombia, (via Galveston), Jan. 10.—The insurgents have again been defeated at Cerritos and Bucaramange. San Jose de Cultata has been occupied by the government troops. General Velez, with 3,000 Antioquains, is on the way to Bogota.

To Reduce Money Rate.

LONDON, Jan. 11.—The Daily Mail expresses the opinion that the Bank of England money rate will be reduced to 5 per cent today (Thursday).

Reviving Needle Syndicate.

BERLIN, Jan. 10.—It is announced in manufacturing circles here that the German needle syndicate has been revived.

M'DONALD FOR SUPERVISOR

Ex-Sheriff of Douglas County is Selected to Look After the Census.

NAME WILL BE SENT TO SENATE TODAY

Eulogies Delivered by Nebraska Members on the Late W. L. Greene of the Sixth District—Washington Notes.

WASHINGTON, Jan. 10.—(Special Telegram.)—In the light of what Congressman Mercer said yesterday relative to census supervisor of the Second Nebraska district the agreement reached today between Mercer and Thurston favorable to John W. McDonald, ex-sheriff of Douglas county, as successor to R. S. Berlin, rejected by the senate, is somewhat surprising. Director Merriam, director of the census, was greatly worked up when he learned of Berlin's rejection and he at once began to skirmish around to get a man who would be acceptable to both Thurston and Mercer. Mercer suggested McDonald, but left the matter of reaching an understanding between Thurston and himself to Director Merriam, who performed the task successfully, the understanding being that McDonald's name will be sent in tomorrow.

The Times today published a story about Berlin's rejection, stating that it was the culmination of a bitter personal feud between Berlin, Mercer and Thurston of long standing, and also involved the president, who championed Berlin's cause. The article goes on to say:

"It is said that the affair has completely alienated Senator Thurston from Mr. McKinley and that the Nebraskan is now ready to join any revolt that may be started against the president. The breach started several months ago, though just what was the cause nobody seems to know. Senator Thurston has not, it is said, paid a social call at the White House for a considerable time and gossips noted with some concern that at the last dinner at which Mr. McKinley entertained a party of senatorial friends the Nebraskan's name was omitted from the list of invited guests. Senator Thurston is not a candidate for re-election and therefore his political future is not involved in the dispute. At the expiration of his term he will resume his former position at the head of the legal department of the Union Pacific railroad. But in that position he can, if he so desires, wield quite as much influence in Nebraska politics as if he were in the senate. Wherefore it is not regarded as altogether wise for an ambitious statesman to get at cross purposes with him."

Eulogies on Greene.

The eulogies delivered today in the house on the death of the late Representative W. L. Greene from the Sixth Nebraska district by members of the Nebraska delegation were exceedingly graceful and thoroughly well-considered. Congressman Mercer had charge of the time and resolutions.

Senator Allen in the senate paid fitting tribute to the memory of the late vice president, G. A. Hobart, stating among other things that where he had expected partisanship of a most exasperating character, in the person of Mr. Hobart, he had found impartiality, friendliness and high moral worth which made the late vice president one of the highest types of American manhood.

Senator Allen introduced a universal pension bill today granting $10 per month to all soldiers and sailors honorably discharged from the service of the United States who served for three months and over and bringing up the pensions of those below $10 to that figure.

Mrs. Rena M. Geddes, wife of W. M. Geddes, a former mayor of Grand Island, died at National Homeopathy hospital in this city this afternoon, where she was undergoing an operation for appendicitis and cancer. The remains will be forwarded to her childhood home at Council Bluffs for interment. Deceased was born at Council Bluffs, where her father, H. H. Field, and a sister, Mrs. T. E. Cavin, reside. Another sister, Mrs. H. H. Glover, lives at Grand Island, as do Mr. Geddes' relatives. Deceased was 33 years of age and leaves, besides her husband, a son and daughter. Services will be held at Council Bluffs Sunday or Monday, of which due notice will be given.

Oxnard is Busy.

Henry T. Oxnard, president of the beet sugar factories of Norfolk and Grand Island, is in the city looking after legislation in relation to Cuba, Puerto Rico, Hawaii and the Philippines.

C. C. Smith was today appointed postmaster at Lewiston, Fremont county, Wyoming.

An order was issued today establishing a postoffice at Hynes, Monroe county, Iowa, and Tally Hynes was commissioned postmaster; also at Scarville, Winnebago county, Iowa, with Thomas J. Folkin as postmaster.

E. T. Countryman was today appointed a member of the board of examining surgeons at Aberdeen, S. D.

Congressman Burke has recommended Dr. Parsons for a place on the pension board at Brookings, S. D.

On the recommendation of Congressmen Gamble and Burke, Major Thomas H. Jones of Yankton, S. D., has been reinstalled in his former position in the Treasury department.

JURY ACQUITS JULIA MORRISON

Delivers a Dramatic Speech to Court and Jury—Will Begin Lecture Tour to Warn Girls.

CHATTANOOGA, Tenn., Jan. 10.—The trial of Julia Morrison for the murder of Frank Leidenheimer of the "Mr. Plaster of Paris" company, of which they were leading man and woman, on the stage of the Chattanooga opera house on the night of September 23, ended at 4 o'clock this afternoon, when, after one ballot, the jury returned a verdict of not guilty.

Miss Morrison, upon hearing the words which assurred her freedom, advanced to the speaker's platform and made a most dramatic speech to the court and jury. She said:

"I wish to thank you and the gentlemen of the jury and all who were instrumental in my acquittal for your just and generous decision. May God, in His mercy, be ever as just to you and yours as you have been to me today. As for the prosecution, I wish to say that I fully forgive them and bear them no malice for their strenuous efforts for my conviction.

"As my persecutors," she continued, turning toward Mrs. George J. Antz, the beautiful sister of the murdered actor, who was overcome with emotion and suffused in tears, "I leave them to their conscience and their God. To the poor bereaved sister I say that God knows that were it in my power to restore her brother I would certainly do it."

When Miss Morrison had finished her speech, which she had rendered in a dramatic style, Attorney General Donaldson made a demand that she be held for carrying a pistol and the case was entered, but no bail or other formal court recognition was accorded the action.

The verdict was wildly cheered by the spectators in the court room and by hundred's outside. Miss Morrison will remain in Chattanooga for several weeks, after which she will begin a lecture tour, her subject being "The Other Side of the Stage," in which she will point out the dangers that confront the young girls who follow the stage as an occupation.

CONDITION OF THE WEATHER

Forecast for Nebraska—
Fair; Northwesterly Winds.

Temperature at Omaha yesterday:

Hour	Deg.	Hour.	Deg.
5 a. m.	21	1 p. m.	24
6 a. m.	20	2 p. m.	25
7 a. m.	20	3 p. m.	27
8 a. m.	20	4 p. m.	28
9 a. m.	20	5 p. m.	28
10 a. m.	20	6 p. m.	27
11 a. m.	22	7 p. m.	27
12 m.	23	8 p. m.	26
		9 p. m.	26

DENIALS BY RABI AND CASTRO

Not Trying to Rouse Cubans Against Americans—They Have Confidence in Wood.

SANTIAGO, DE CUBA, Jan. 10.—Generals Rabi and Castro today requested the correspondent of the Associated Press to deny emphatically a statement made in a Santiago newspaper that their present mission is to rouse the Cubans in this part of the island against the Americans or in any other way to foment disorder. They realize that the people of the province are ardently patriotic, but believe, nevertheless, that a large majority will patiently await the fulfillment of the promise of the intervening government to establish the independence of Cuba.

They express confidence in Governor General Wood, commending his achievements here in the way of public improvements and in the organization of native gendarmerie under American officers. The discipline thus received will be of great benefit to the Cuban army, they readily concede, when the Americans withdraw.

The two generals have formulated an elaborate plan for a Cuban federal republic. This emphasizes the necessity of decentralizing government among the various provinces. They declare themselves confident of the ability of the Cubans to maintain a stable government, the people having had an admirable object lesson in the advantages of discipline and subordination during the American regime.

General Wood, who is expected here soon, has invited Generals Rabi and Castro to accompany him on a tour of inspection of the island.

LUCHA DEFIES GEN. LUDLOW

Says It Will Not Recognize Authority of Military Government—Wood to Issue Pardons.

HAVANA, Jan. 10.—The Lucha, in a long editorial regarding the fines which General Ludlow has recently imposed on that paper and the Cubano, reaffirms the articles objected to in its own columns and says it will not recognize the authority of the military government, though it will cheerfully pay the fine, when ordered to do so by a properly constituted court.

General Ludlow asserts that so long as the Lucha continues to reaffirm "maliciously false stories" he will continue to impose fines and will increase their amount.

The Cubano declares that it will lay the matter before the governor general and hear from him before making further criticism of the course of the military governor.

Before the end of the week General Wood will probably have issued pardons to some 200 persons now confined in the Havana prisons, who have served terms longer than the Board of Prison Investigation considers either just or necessary.

SURPRISE TO ANTI-GOEBELITES

Kentucky House Adopts Assembly Rules by Decisive Majority—Republicans Disappointed.

FRANKFORT, Ky., Jan. 10.—The adoption in the house today of the rules which will govern the joint assembly by a decisive majority was a surprise as well as a disappointment to the republican and anti-Goebel factions in the legislature. They had not expected to defeat the rules, but they confidently believed that the vote would be close.

Former Congressman W. C. P. Breckinridge, who had practically assumed direction of the anti-Goebel forces, was in conference with Former Governor Bradley, Taylor's attorney, a long time today and it is said they are preparing to spring legal objections to the manner in which Goebel's contest is being conducted, one of which is that the legislature should have first passed an act authorizing the contest.

The list of witnesses subpoenaed to appear before the Franklin county grand jury today included President Milton H. Smith and other officials of the Louisville & Nashville, Colonel Attila Cox, John H. Whallen and others who have been identified with the John Young Brown democratic party. President Smith, however, was in New York and the process was returned unserved. It is understood that the investigation of the witnesses who testified related to the Whallen-Harrell bribery matter.

In the legislature several radical anti-railroad measures were introduced, all from the democratic party.

Declines to Honor Requisition.

KANSAS CITY, Jan. 10.—(Special Telegram.)—Governor Stephens late tonight refused to honor the requisition of Iowa's governor for the return to Council Bluffs of Joseph Swartz, wanted there for alleged diamond swindling and now out on bond at St. Joseph. No one appeared to urge the honoring of the requisition. Swartz was represented by Frank P. Sebree of Kansas City. It was represented to the governor that the desire of the Iowa authorities to get hold of Swartz had its basis in an attempt to collect a debt.

Rev. Whitman Resigns.

WASHINGTON, Jan. 10.—Rev. Benjah L. Whitman, the president of Columbia university, today tendered his resignation to the board of trustees to accept the pastorate of the Calvary Baptist church, Philadelphia.

Trust Gets Another Distillery.

CINCINNATI, Jan. 10.—The Allen Bradley distillery of Kentucky has been transferred to the trust. Consideration, $106,000, according to the deed.

Movements of Ocean Vessels, Jan. 10.

At Southampton—Arrived—Kaiser Wilhelm der Grosse, from New York, via Cherbourg, from Bremen; New York, from New York. Sailed—Lahn, from Bremen, for New York.

At Liverpool—Arrived—Rhynland, from Philadelphia.

At Moville—Arrived—Anchoria, from New York, for Glasgow.

At London—Arrived—Menominee, from New York.

At Bremen—Arrived—Dresden, from Baltimore.

At Rotterdam—Arrived—Maasdam, from New York.

At Glasgow—Arrived—Anchoria, from New York.

At Kobe—Arrived—Energia, from Tacoma, for Hong Kong.

At Gibraltar—Arrived—Werra, from New York, via Naples and Genoa.

At New York—Sailed—St. Louis, for Southampton; Noordland, for Antwerp. Arrived—Harald, from Inagua, Port Au Prince, etc.

UNION PACIFIC SUED

Attorney General Smyth Brings Action on Account of Alleged Rate Violation.

INTERESTS OF LIVE STOCK SHIPPERS

State Asks District Court to Award Judgment for the Maximum Penalty.

NUMEROUS SIMILAR SUITS WILL FOLLOW

State Board of Transportation is Collecting Additional Evidence.

ATTORNEY GENERAL EXPLAINS SITUATION

Union Pacific and Nearly Every Other Nebraska Road Charged with Disregarding Order Relative to Carload Rates.

Attorney General Smyth has filed suit in the Douglas county district court against the Union Pacific railroad, wherein it is charged that the defendant company has violated the regulations made by the State Board of Transportation relative to freight tariff on livestock shipments. The suit was filed Wednesday afternoon and it is said to be only the forerunner to other suits of similar character, in which nearly every road entering Omaha will be involved.

In November, 1887, the State Board of Transportation made an order directing the railroads of Nebraska to restore carload rates on shipments of livestock and forbidding them to charge rates per 100 pounds on such shipments. This order was accepted by the railroads until last month, so Attorney General Smyth says, when the roads abandoned carload rates and restored rates per 100 pounds, thus greatly increasing the cost of shipments of livestock within this state. The board for some time has been collecting evidence to show violation of the order.

Evidence showing such violation by the Union Pacific was submitted to Attorney General Smyth by the board and upon this showing that official began suit in the name of the state to recover the statutory penalty, which is not less than $500 nor more than $5,000, for each offense. This suit is for the maximum penalty.

Attorney General Smyth is authority for the statement that there is in the hands of the board information which shows that a great many other violations have been committed. This evidence, however, is not quite completed in some particulars. When it is finished and placed before the attorney general supplemental action will follow, it is officially stated, against the Union Pacific and other railroad companies.

HISS SUPREME COURT JUDGE

Albany Society of New York Insults Justice Woodward—No Sympathy for Boers.

NEW YORK, Jan. 10.—The annual reunion of the Albany society of New York was held tonight at Delmonico's. One hundred and fifty persons were present. Justice Woodward of the supreme court, a particular friend of Governor Roosevelt, was down to respond to the toast, "The Dutch in Albany and in South Africa."

He devoted the first part of his address to the Dutch in Albany and then turned to the Dutch in South Africa. As he continued the guests began to cough and laugh and in other ways annoy the speaker. When he praised the Boers there was an open outbreak of hostilities. Judge Woodward was unable to proceed.

Drawing himself to his fullest height he thundered:

"In closing I want to propose a toast to that grand old statesman, William the Silent of South Africa, one of the most impressive personalities alive, old Oom Paul Kruger."

There were a few cheers, but Kruger's name was drowned in an avalanche of hisses.

GREAT DEAL IN RANCH LAND

Thousands of Acres of Grazing and Ranch Ground Bought by Warren's Company.

CHEYENNE, Wyo., Jan. 10.—(Special.)—Probably the largest deal in realty ever consummated in the Rocky mountain region has been closed here whereby the Warren Live Stock company, of which Senator Warren is the president, gains control of thousands of acres of grazing and ranch lands south of this city and extending into Colorado for a distance of several miles. Some weeks ago one or two ranches were bought up and now the company has purchased the property of N. E. Wheeler of Carr, Colo., which includes the famous Willow Springs ranch near Carr and twelve other ranches, together with thousands of sheep, cattle and horses. The amount of the purchase is not known. The Warren company now has control of one of the largest ranches in the west and upon which there is ample feed at all seasons of the year for many hundreds of thousands of sheep and cattle.

NOVEL TWO-CENT FARE BILL

Measure in Ohio Legislature Provides for Sale of Mileage Books Good on All Roads.

COLUMBUS, O., Jan. 10.—The 2-cent fare bill reappeared in the legislature today in a novel form. Representative Cyburn introduced a bill providing for the printing and sale by the state commissioner of railroads of mileage books at 2 cents per mile, the books to be good on all roads in the state.

The commissioner is to appoint agents in each county for the sale of the books, the proceeds to be turned over to the state treasurer, who shall redeem the coupons, deducting the cost of printing. Agents are to receive a fee of 25 cents for each book sold.

MOTHER KILLS HER CHILDREN

Mrs. Christie of McPherson, Kansas, Commits Horrible Deed—Takes Her Own Life.

M'PHERSON, Kan., Jan. 10.—Mrs. Joseph Christie of this city cut the throats of her two children, both under 6 years old, then cut her own throat and set fire to the house. The children died at once and Mrs. Christie died soon afterward.

On Monday Joe Christie, her husband, was arrested for drunkenness and is now in jail because he could not pay his fine. He is a laborer and has not been working steadily. It is supposed that worry over their condition led the woman to commit the horrible deed.