MAY KILL IRRIGATION LAW

Decision of Supreme Court on Riparian Rights is Far-Reaching.

JOHN O. YEISER'S CASE OUT OF COURT

Initiative and Referendum Appeal is Found to Be Without Standing—Bartley Bondsmen Win Again.

LINCOLN, Nov. 21.—(Special Telegram.)—The supreme court dealt a serious blow at the irrigation interets in the state by affirming the decision of the trial court in the case of the county of Crawford against Hathaway and others. The appellant in this case brought an action in the district court of Dawes county against Leroy Hall and others to adjudicate certain rights of the parties and to enjoin him, who was charged with making threats to tear down a dam erected by the appellant in White river, by which nearly all of the water in the river was diverted from its channel and caused to flow through the plaintiff's ditches. In brief, the supreme coure held that the owner of a bank is entitled to all the rights of a riparian proprietor, which includes the flow of water in the stream. Lawyers who examined this opinion tonight said that it might lead to invalidating the state irrigation law.

The case of the state ex rel John O. Yeiser against Beecher Higby, from Douglas county, was dismissed. In this case Yeiser sought to obtain a writ of mandamus compelling the city clerk of Omaha to submit an ordinance under the initiative and referendum act. The case was dismissed for the reason that no final order or judgment was rendered in the trial court. The court held that error proceeding could not be prosecuted before a final judgment had been entered.

A decision of interest to the medical profession was rendered in the case of the state against Charles W. Little, an osteopath. The court held that "one who practices what is known as osteopathy, without obtaining a certificate from the state board of health is a practitioner of medicine and is liable to the penalty prescribed specifically for practicing medicine without a license."

State Loses Bartley Case.

In the case of the State of Nebraska against the bondsmen of ex-Treasurer Bartley the court adhered to its former judgment reversing the decision of the district court of Douglas county, which was in favor of the state. The first reversal was predicated on the sole ground that the trial court committed an error in directing a verdict for the state for the full amount of its claim. It was this ruling alone that the court dealt with in arriving at the decision rendered today. The opinion in the case was written by Chief Justice Norval and in closing it says:

With the proofs before the court the admission of the transcript of the district court of Lancaster county was evidence tending to show that a part of the moneys sought to be recovered in the case at bar were not embezzled during Bartley's second term, hence the district court erred in directing the jury to return a verdict for the state for the full amount claimed in the petition in this cause. There is no escaping this conclusion.

The syllabus of the opinion:

Pleadings may be introduced as evidence in actions other than those wherein they were filed, as admissions against interest. Conflicting evidence is for the jury to weigh and when there is a conflict in evidence upon a material issue it is error to direct a verdict for either party.

The amount involved in this case is approximately $600,000. Judge Holcomb took no part in the opinion.

In the appeal of Dr. Charles Tuttle of Lincoln, an osteopathist, the court affirms the decision of the lower court. It holds that an osteopathist is a practitioner of medicine and subject to regulations of the State Board of Health.

Cases Decided.

Decisions were rendered in the following cases:

St. James' Orphan Asylum against Zelby, reversed and remanded; Farrell against Bouck, reversed and remanded; the Crawford Company against Hathaway, affirmed; Swift and Company against Holoubek, reversed and remanded; State ex rel Yeiser against Higby, dismissed; Little against State, affirmed—No. 11213; State against Fremont, Elkhorn & Missouri Valley Railroad Company, dismissed; Duffy against Edson, affirmed—Norval, chief justice, dissenting; Adams against Osgood, affirmed, and No. 11499; Goos against Krug Brewing Company, affirmed; First National Bank of Plattsmouth against Gibson, affirmed; Porter against Flick, reversed—Norval, chief justice, offered no opinion; Paxton against State, judgment of reversal adhered to; State against Burlington & Missouri Railroad Company, dismissed—Holcomb, judge, concurring in separate opinion; Evans against Simpson, No. 9597, appeal Webster, dismissed; Warren against Wales, No. 10665, error Otoe, motion to vacate supersedeas bond and give additional supersedeas, passed to December 11, 1900; Christie against Wagner, No. 10505, appeal Gage, dismissed; Wagner against Johnson County, No. 10618, error Johnson county, dismissed; Smith against Lebanon Savings Bank, No. 10849, appeal Richardson, submitted on motion to set aside dismissal; Evans against Hendry, appeal Sarpy, No. 10892, defendant confesses error, order of confirmation reversed and case remanded; Waldron against First National Bank, error Cass, No. 10921, dismissed; Saling against Saling, No. 11009, appeal Sarpy, submitted; State against Standard Oil Company, No. 11074, time of referee's report extended to December 19, 1900; Carter against Gibson, No. 11390, error Cass, advanced; Dryden & Mayne against Parrotte, No. 11463, appeal Buffalo, submitted on motion to advance and leave to file amended transcript; McDermot against Manley, No. 11420, error Buffalo, dismissed; Columbia National Bank against Baldwin, No. 11425, appeal Lancaster, passed for want of notice; Vermont Savings Bank against Carstens, No. 11474, appeal Sherman, dismissed; Wheeler against Washburn, No. 11566, error Boone, order for briefs in thirty days, dismissed nisi; Allen against Plasmeyre, No. 11566, motion for additional supersedeas withdrawn, additional security on injunction bond, passed to December 4; Newby against Ellsworth, No. 11580, error Saline, advanced; First National Bank against Grosshans, No. 11618, appeal Clay, passed for want of notice; Stover against Stark, No. 11675, appeal Hamilton, advanced; Oldfield against Oldfield, No. 11729, error Douglas, submitted on motion to strike bond.

Motions Passed Upon.

Dovey against McCullough, No. 11465, error Cass. Hearing on motion to retax costs continued to December 4 on stipulation.

Moore against Moore, No. 7942, appeal Dawson. Submitted on motion to recall mandate.

Ritchie against S'oan, No. 11179, error Douglas. Dismissed by plaintiff in error.

Thompson against State, No. 11463, error Cherry county. Order fixing bail at $7,500.

Cause continued thirty days. Leave to plaintiff in error to amend petition in error, suggestion of diminution allowed. Transcript ordered returned to clerk district court for correction.

Chicago, Burlington & Quincy Railroad Company against Wolfe, No. 9328, error from Phelps county. Leave to plaintiff in error to serve and file additional briefs.

Estate of Fitzgerald against Union Savings Bank, No. 11678, error Lancaster county. Leave to plaintiff in error to file amended petition in error instanter.

Estate of Fitzgerald against Union Savings Bank, No. 11679, error Lancaster county. Leave to plaintiff in error to file amended petition in error instanter.

Ballard against Letak, No. 11251, appeal Lancaster county. Submitted on motion to dismiss.

Bank of Stockham against Alter, No. 11329, error Hamilton. Leave to defendant to file original files of court below as amended transcript.

Bar Commission Reports.

The Supreme Bar commision this afternoon made public the result of the recent examination of candidates for admission to the Nebraska bar. Accompanying the report are several important rulings, including one which declares that the supreme court alone has power to admit attorneys to practice in Nebraska courts. The commission consists of Winfield S. Strawn of Omaha, E. O. Kretsinger of Beatrice and John S. Kirkpatrick of Lincoln.

The commission recommended the admission of the following attorneys from other states: Nathan P. Dodge, jr., Omaha, from the supreme court of Massachusetts; John A. Storey of Omaha, from the supreme court of Iowa; Charles C. McDonald of Omaha, from the circuit court of Michigan; Charles A. Jacoby, from the supreme court of Illinois; F. A. McMaster of Ponca, from the supreme court of Iowa; J. C. Van Riper of Lincoln, from the circuit court of Missouri; Henry Y. Carrett of Lincoln, from the superior court of Georgia, and Oliver W. Dye of Omaha, from the supreme court of New York.

The following successfully passed the entrance examination and the commission recommended their admission: William H. Hatteroth of Omaha; Ezra C. Stanard of Crete; William H. Wheeler of Omaha.

Oleson Depositions Filed.

Depositions in the case contesting the election of J. C. Oleson as legislator from West Point, were filed in the secretary of state's office this afternoon.

Duplicates of official returns from every county in the state have been tabulated in the secretary of state's office and the totals so far obtained are: Dietrich, 113,879; Poynter, 113,018; Jones (pro.), 4,315; Flick (midroad), 1,095; Kharas (socialist), 674. Plurality for Dietrich, 861. Savage, 114,082; Gilbert, 111,280; Lawson (pro.), 4,020.

Lincoln Local Notes.

The stockholders of the Lincoln Traction company have elected the following board of directors: M. L. Scudder, George E. Ide, Haley Fisk, C. C. Cuyler, of New York; William Belcher, New London, Conn.; John H. Ames, Charles H. Morrill and W. H. Dorgan of this city. Mr. Dorgan, the only new member of the board, was elected to take the place of E. E. Brown.

Sorosis, one of the oldest social clubs in the city, has elected the folowing officers for the ensuing year: Miss Lucy Gardner, president; Mrs. Major Moore, vice president; Miss Suetta Gardner, secretary; Miss Maude Vennell, treasurer; Mrs. Robinson, chaplain.

At a mass meeting of university students this morning, over $800 was subscribed for the Nebraska-Minnesota foot ball game, which will be played on the campus Thanksgiving day.

John W. Kelley of Greenwood, Neb., brother of Mrs. Ode Rector of this city, was married to Miss Eunice Derige of Davey, Neb., at St. Theresa's pro-cathedral. Mr. and Mrs. Kelley will reside in Greenwood.

Simon H. Carter of 949 North Thirtieth street was injured in a runaway accident last night. As the vehicle he was riding in was pulled around a sharp corner he was thrown to the pavement and when picked up was unconscious. The injuries are in the nature of severe bruises.

More Aspirants at Beatrice.

BEATRICE, Neb., Nov. 21.—(Special.)—More candidates for positions under the new state administration develop in Beatrice daily. Among the new ones in the field may be mentioned Dr. Albright, candidate for the superintendentship of the Institute for Feeble Minded; W. A. Noel, candidate for steward; M. A. Metzger, correspondent of the Lincoln Journal, candidate for steward, and Mrs. M. B. Armstrong, widow of the late Dr. J. T. Armstrong, former superintendent of the institute, who is a candidate for matron.

W. J. Todd, former county superintendent of schools, would like to be placed in charge of the Institution for the Blind and in addition to these are several who are nursing booms not yet ready for launching.

Beatrice is at present suffering from a mild epidemic of diphtheria and membranous croup, which the physicians are doing their best to keep from spreading. There have been several deaths from both ailments within the past week and while no serious alarm is felt at present, it is understood that in case of any more developments the city superintendent of schools will order the schools of the outlying wards, which are the afflicted ones, closed. To the past several weeks of damp, cold and disagreeable weather is attributed the spread of the diseases.

Conductor Wheeler's Arm Crushed.

TABLE ROCK, Neb., Nov. 21.—(Special.)—Ed Wheeler, a freight conductor living at Wymore, had his left arm and shoulder badly crushed here this afternoon. He had charge of the ballast train and was making a coupling with the pilot of the engine when he slipped and fell.

Two or three inches of snow fell last night on top of the frozen mist and sleet which had fallen the last two or three days, making a glaze of ice.

Florence Burglars Get Little.

FLORENCE, Neb., Nov. 21.—(Special Telegram.)—Burglars entered the depot, postoffice, a butcher shop and the blacksmith shop here last night, but got for their pains only about $2.50 in stamps from the postoffice. Tracks showed that they came from the direction of Omaha.

Half-Inch Fall at Shelton.

SHELTON, Neb., Nov. 21.—(Special.)—The damp, cloudy weather which had prevailed here several days terminated last night in about a half-inch fall of snow, which is the first of the season. As most of the corn is out of the fields this first winter's fall will be welcomed.

Cold Wave Strikes North Loup.

NORTH LOUP, Neb., Nov. 21.—(Special.)—The cold wave promised by the weather bureau arrived on time and bids fair to be continued. About one and one-half inches of snow has fallen and it is very cold.

SYRUP OF FIGS

Acts Pleasantly and Promptly.

Cleanses the System Gently and Effectually when bilious or costive.

Presents in the most acceptable form the laxative principles of plants known to act most beneficially.

TO GET ITS BENEFICIAL EFFECTS

BUY THE GENUINE — MANF'D. BY CALIFORNIA FIG SYRUP CO.

SAN FRANCISCO, CAL.

LOUISVILLE, KY. NEW YORK, N.Y.

For sale by druggists—price 50¢ per bottle.

LYNCH ALMOST DESTROYED

Entire Block of Business Houses on Main Street Swept Away.

FIRE LICKS UP MOST OF THE TOWN

Starts in a Restaurant and Burns Until All in Its Reach Has Been Consumed—List of Losses.

CREIGHTON, Neb., Nov. 21.—(Special Telegram.)—Fire destroyed the major part of Lynch, an inland town sixty miles northwest of here, this morning. The entire block of business houses on the north side of Main street were burned to the ground. The fire originated in the rear of Mrs. L. A. Roth's restaurant from some unknown cause. Losses: Harvey Sisters, millinery $400, no insurance; Samuel Gailey, general merchandise, $2,300, insurance $1,500; Mrs. L. A. Roth, restaurant, $600, insurance $200; W. M. Healey, hardware, $2,900, insurance $1,300; Thomas Figgis, drugs, $1,000, insurance $850; Dr. Ira, building and contents, $1,200, no insurance; E. Saunders, building and contents, $2,300, insurance $1,900.

SAUNDERS OF HOLDREGE

Governor-Elect Dietrich Selects Him for Assistant Physician at Asylum for Insane.

HASTINGS, Neb., Nov. 21.—(Special Telegram.)—Governor-elect Dietrich made another appointment today in the selection of Dr. A. F. Saunders of Holdrege for assistant physician in the state asylum for insane at Lincoln. Before making the appointment Mr. Dietrich consulted Dr. Greene of Lincoln for the purpose of ascertaining whether or not the appointment would be agreeable to him, as it is the governor-elect's intention to follow this plan with all appointments where assistant physicians are to be chosen for the various institutions.

Boys Sent to Penitentiary.

STANTON, Neb., Nov. 21.—(Special.)—The September term of the Eighth judicial district court convened here Monday, Judge Guy T. Graves presiding. Albert Hohman, Henry Krum and Frank Thorp, aged respectively 17, 19 and 20 years, pleaded guilty to a charge of burglary and were sentenced to the state penitentiary for one year at hard labor. The Krum boy has served time in the state industrial school at Kearney. Herman Lindall is being tried for disposing of mortgaged property and the prosecution claim to have a very strong case against him. The Byrum case, which created such a sensation here last spring, was dismissed, the prosecution asking permission to nolle prosequi. A large number of equity cases have been disposed of and the docket will be pretty well cleaned up this week.

The real estate market is very active here this fall, land selling readily at advanced prices.

Knox Tipple has become the owner of the Barnes hotel of this city and will assume control about December 1. He operated the Pacific house at Norfolk for a number of years.

Scarlet Fever at Fremont.

FREMONT, Neb., Nov. 21.—(Special.)—Scarlet fever is quite prevalent in the city, fifteen cases having been recently reported to the authorities. Some of them are quite serious, while others are of a light form. A mild quarantine has been established. No cases have proved fatal and it is thought that the disease will be soon under the control of the physicians.

Thomas Dillon, who dropped dead in Sioux City yesterday, had lived here but a short time and was not very well known. He left here only a few days ago, intending to remain permanently in Sioux City. He had no relatives here, but is known to have been upwards of 70 years of age and a veteran of the civil war.

The county board met in regular session today to clean up the year's business. County Attorney Martin reported to the board his settlement of the ditch cases and his action was approved. J. W. Sexon was elected steward at the county poor farm and will enter upon his duties very soon. The finance committee has been in session auditing bills and a large amount of routine business has been transacted.

Baby Becomes Bone of Contention.

WEST POINT, Neb., Nov. 21.—(Special.)—A bitterly fought contest over the possession of a ten-months-old child has been engaging the attention of Judge Krake of the county court for some days past. The facts of the case as revealed by the testimony indicate that two years ago Miss Birdsell Donahoe, a daughter of Carey Donahoe of Bancroft, a prominent citizen, went to live with Irving M. Priest without having gone through the formality of a marriage. The couple moved to Modale, Ia., where two children were born to them out of wedlock. One child died and, the couple becoming involved in domestic trouble, the woman left her paramour and taking the child returned with it to this county. The father followed and sued out a writ of habeas corpus in the endeavor to gain possession of the child. The woman is only 19 years of age and seems determined to retain her child. Prominent attorneys have been engaged on both sides and the case will be fought to a finish. Twenty of the most prominent people of Bancroft are here as witnesses.

Jury Finds Him Guilty.

PLATTSMOUTH, Neb., Nov. 21.—(Special.)—The district court was occupied this forenoon in the case of the state against Charles Shepperd, colored, who was charged with having stolen money from the store of John Schlappacasse while scrubbing the room. The case was given to the jury just before adjournment for the noon hour and at 3:30 this afternoon returned a verdict of guilty. The afternoon was spent in trying the case of the state against William Nation, who was charged with burglary at Union.

Commencing today the men employed in the Burlington shops at this place will only work nine hours a day.

About one inch of snow fell in this vicinity last night.

Prosperity in Evidence.

WISNER, Neb., Nov. 21.—(Special.)—The year 1900 has been active in the building line here. F. F. Wagner built a double, two-story brick, the first floor to be occupied by a general store and harness shop and the upstairs to be made into offices and a hall. Knoll Bros. put up another brick, to be used by them as a saloon. The town has built a nice brick pumping station and extended the water mains, put in a large gasoline engine and supply pump—and all of this without bonding the town! With the ones now under construction there will be fourteen substantial residences added this year besides many new barns and additions to other residences.

Will Be No Suffering at Farnam.

FARNAM, Neb., Nov. 21.—(Special.)—The long delayed storm reached here yesterday, leaving us from three to four inches of snow on the ground this morning. This is welcomed here, though, owing to the drouth last season, the supply of fodder is limited and it will be proportionately hard on the stock that is compelled to rustle a living during the winter. Yet every drop of moisture is a harbinger of good for the future. Many families have moved away from here, but those who remain feel confident that the next season will be a good one. Though the failure of crops was hard on the people, there will be no suffering for want of food or clothing.

MISS MORRISON ON TRIAL

Eldorado's Sensational Case Opened—Young Woman to Answer for Cutting Rival's Throat.

ELDORADO, Kan., Nov. 21.—When Judge C. W. Shinn announced the case the court room was crowded with spectators. Among them were a dozen women, clerks in the store where Castle and Miss Morrison had worked, or neighbors of the dead woman and her husband. On a front seat sat Judge Morrison, the aged father of the alleged murderess, and back of him, crouching low to escape the gaze of the curious, young Castle, for the love of whom, the state will contend, Miss Morrison killed his wife.

Presently Judge Morrison left the room, accompanied by the sheriff. A few minutes later the two men escorted Miss Morrison, slender and frail looking, to a seat beside the judge's desk. The prisoner was dressed plainly and bore a dejected appearance. She sat quietly through the proceedings, making no comment and hardly speaking a word. Her five months' confinement in the county jail had apparently changed her completely.

Yesterday Miss Morrison's attorneys filed a plea in abatement, asserting that the preliminary hearing had not been regular and that the prisoner therefore could not be tried on the charge of murder in the first degree. The state's attorney moved that the plea be amended and asked that the case proceed.

Soon after court convened at 1:30 o'clock counsel for the state filed a demurrer to the plea in abatement made by the attorneys for Miss Morrison. The afternoon was spent in arguments of counsel on both sides. Miss Morrison and Olin Castle sat a few feet from each other during the afternoon session, but neither even glanced at the other.

Judge Shinn sustained the state's demurrer and told the defense to prepare its amended plea. After the amended plea was filed, read and argued the court overruled the plea in abatement. A motion to quash the information was filed, and it too, was overruled. Miss Morrison and her attorneys held a conference, after which a motion for a continuance was filed. The motion for a continuance is on the ground that one of the principal witnesses for the defense is absent from the state and cannot be here at this term of court. Judge Shinn overruled the motion for a continuance and set the case for tomorrow.

THAT DOUBTFUL STATE, OHIO

Secretary's Statistics Show How Dangerously Near Bryan Didn't Come to Carrying McKinley's Home.

COLUMBUS, O., Nov. 21.—The secretary of state today completed the official count of the ballots for presidential electors. The result shows: McKinley, 543,918; Bryan, 474,882; McKinley's plurality, 69,036. The total vote was 1,049,121. Four years ago McKinley received a plurality of 51,109 otu of a total of 1,020,109. The increase in the total vote this year was 29,612.

By a coincidence, Bryan has exactly the same vote as he received in 1896.

PENSIONS FOR WESTERN VETERANS.

War Survivors Remembered by the General Government.

WASHINGTON, Nov. 21.—(Special.)—Pensions granted of the issue of November 3 were:

Nebraska: Original—Perry H. Tate, Diller, $10. Additional—Reuben McVey, Burchard, $6. Increase—George Colby, Elgin, $10. Original widows, etc.—Emma J. Bull, Danbury, $8; minors of Perry P. Plumb, Danbury, $16.

Iowa: Milo D. Dailey, Coon Rapids, $6; Albert W. Morgan, Marshalltown, $; Claus Cordes, Manson, $6; David Lowe, Volga, $6; John Doudney, Wilton Junction, $6. Additional—Joseph G. Bushyager, Sheffield, $8. Increase—William H. Seymour, Dallas Center, $12. Original widows, etc.—Cynthia Andrus, Glidden, $8. War with Spain, original—Alvin Simmons, Columbus Junction, $6.

South Dakota: Original—James J. Wolf, Sioux Falls, $8.

Refunding to Be Discontinued.

WASHINGTON, Nov. 21.—Secretary of the Treasury Gage today issued the following circular discontinuing the refunding operations:

Treasury Department, Office of the Secretary, Washington, D. C., Nov. 21, 1900.—Referring to the circular of March 14, 1900, known as the "refunding circular," which invited the attention of owners of United States 3 per cent bonds, loan of 1908-1918; 4 per cent bonds, under loan of 1907, and 5 per cent bonds, loan of 1904, to the provisions of the act of March 14, 1900, relative to the exchange of such bonds for 2 per cent consols of 1930, as authorized by said act, public notice is hereby given that it is the purpose of the department to suspend refuding operations under the above circular. All persons interested are therefore hereby notified that bonds intended for exchange into 2 per cent consols must be forwarded for that purpose not later than December 31, 1900.

The circular of March 14, 1900, is hereby rescinded, to take effect in accordance with the provisions of this circular.

(Signed) L. J. GAGE, Secretary.

Under the refunding operations the treasury has exchanged about $355,000,000 for 2 per cent bonds, thus saving a large sum in interest to the government. Up to October 31 the 2 per cents issued in exchange for other loans aggregated $345,530,750. It is believed that the fixing of a date to close the refunding operations will hasten exchanges. The treasury officials believe that before the close of December the total exchange will amount to over $400,000,000, or nearly half the aggregate of the various loans subject to refund when the original circular was issued.

Addressed by Secretary Wilson.

WASHINGTON, Nov. 21.—Very little business was accomplished at today's session of the National Grange, Patrons of Husbandry, most of the time being occupied by an address by Secretary of Agriculture Wilson on the work the department is doing for agricultural interests. He paid tribute to the influence and importance of the Grangers to the farmers everywhere, reviewing the operation of the various branches of the agricultural department, and particularly the efforts being made to secure wider markets abroad for products of American husbandry.

The report of the committee on dormant granges, made by C. O. Raine of Missouri, evoked a prolonged discussion. No action was taken. The report of the committee on mileage per diem, made by Arnold Naudain of Delaware, was adopted.

At tonight's session the grange formally adopted the report of the committee on dormant granges, the recommendations it contained setting out the manner in which interest in these bodies should be revived. Various resolutions were adopted, including one urging support of the Buffalo exposition and another thanking President McKinley for placing the Department of Agriculture in such "able and qualified hands" as those of Secretary Wilson and Assistant Secretary Brigham.

Woods' Casualty List.

WASHINGTON, Nov. 21.—The following casualty list has been received from General Wood at Havana:

"Manzanilla, November 11, Corporal William E. Blenkenship, Troop C, Tenth cavalry, drowned. Matanzas, November 16, Private Edward J. Sullivan, Company C, Second cavalry, yellow fever."

Operators to Get More Pay.

CHICAGO, Nov. 21.—Salaries of telegraph operators on the Big Four system are to be materiallly advanced. Operators now receiving $50 per month will receive $55; those getting $54 will be advanced to $60 and the ones who are now paid $63 will be raised to $70. The increases are made after a number of conferences between the employes and officers of the road.

IRRIGATION FOR ARID LANDS

Congress of Western Men Meets at Chicago to Exchange Views.

LARGE NUMBER ATTEND FIRST SESSION

President Elwood Meade of Cheyenne Calls Meeting to Order, Only Business of a Preliminary Nature Being Transacted.

CHICAGO, Nov. 21.—The ninth annual session of the National Irrigation congress of the United States was opened under most auspicious circumstances. The convention was held in the Central Music hall and was called to order by President Elwood Meade of Cheyenne, Wyo., who introduced Dr. Howard S. Taylor to welcome the body to Chicago. Dr. Taylor made a long speech on the objections to annexing the Phillippines in order to justify a briefer statement that no one would object to enlarging the country by reclaiming the arid lands of the west.

The president next introduced George H. Maxwell, chairman of the executive committee, who delivered a response to Dr. Taylor's welcome.

Mr. Maxwell was followed by President Meade himself, who made an additional response.

The program of the congress calls for three sessions tomorrow.

The following are the officers of the National Irrigation congress: President, Elwood Meade, Cheyenne, Wyo.; first vice president, S. M. Emery, Bozeman, Mont.; second vice president, L. W. Shurtliff, Ogden, Utah; third vice president, C. B. Hurt, Boswell, Idaho; treasurer, T. L. Cannon, St. Louis, and national lecturer, George H. Maxwell, Chicago.

CHINESE RESIST ADVANCE

Reinforcements Must Be Sent—Waldersee to Return the Viceroy's Visit.

BERLIN, Nov. 21.—Count von Waldersee cables from Pekin that he will return the viceroy's visit today. He has advices from Colonel Yorick's corps showing that the Chinese general, Ho, with 10,000 regular troops and much artillery, is near Kalgan prepared to resist energetically a further advance of the expedition.

Colonel Yorick therefore will await reinforcements before attempting to proceed.

Men of War Again Merchantmen.

LONDON, Nov. 21.—The Russian government, according to the Odessa correspondent of the Times, has ordered all except three cruisers of the volunteer fleet to resume commercial functions.

DEATH RECORD.

Andrew K. Anderson.

WISNER, Neb., Nov. 21.—(Special.)—At his home in Wisner Wednesday morning, Andrew K. Anderson died at the age of 59 years. Mr. Anderson came to Cuming county in 1869, from Norway and took up land north of Wisner, where he resided until a few years ago, when he moved to town on account of poor health. He leaves a wife and three children in excellent circumstances. The funeral will be from the Norwegian church Friday afternoon at 1 o'clock.

Colonel Yardley of Virginia.

CHICAGO, Nov. 21.—Colonel Thomas Woolston Yardley, one of the oldest engineers in the iron and steel business in the country, died today, aged 75 years. During the civil war Colonel Yardley was on General Thomas' staff. He came from one of the old Virginia families, his grandfather, George Yardley, being the first governor of that state.

No Decision in Norfolk Case.

CHICAGO Nov. 21.—Discrimination in freight against Norfolk, Neb., and Chicago, was again the subject of inquiry by the Interstate Commerce commission today. No decision was given out.

One more case, that of James C. McCrew, against the Missouri Pacific Railway company, charging discrimination, will be heard before the commission returns to Washington.

Hoyt's Funeral Friday.

CHARLESTOWN, N. H., Nov. 21.—The funeral of Charles H. Hoyt, the playwright, will be held Friday afternoon from St. Luke's Episcopal church in Charlestown. Services will be conducted by the rector, Rev. S. B. Lassiter, assisted by Rev. Howard F. Hill of Concord, N. H., who was a fellow member of two New Hampshire legislatures with Mr. Hoyt. Of his friends from outside the town already here are: Mr. and Mrs. Frank McKee of New York; Dr. and Mrs. Henry McManus of Hartford, Conn.; also Mr. Hoyt's maternal relatives, Hale Barstow of Lebanon, N. H., and Mrs. Louise Burnham and daughter of Norwich, Vt. George H. Dickinson of the Atlanta Journal, his lifelong friend, is also expected.

Groom Still Awaits His Bride.

ST. JOSEPH, Mo., Nov. 21.—(Special.)—Joseph Kleinfelter of South St. Joseph has found that not all the courtships carried on and consummated by the correspondence method end romantically and happily. A few weeks ago he became engaged to Mrs. Jane Erandt of Carterville, Mo., and she was to come to St. Joseph Sunday evening on a Missouri Pacific train. They had never met, but had exchanged button photographs, and each was to wear one of these as a mark of identification. To make matters sure the button photos were to be draped with green ribbon. But Mrs. Brandt did not come and the crowd of 200 people which had gathered at the depot was disappointed. A message announced that Mrs. Brandt would come last night and Kleinfelter was there again. The crowd saw that he was to be disappointed again and dressed a waiter girl from a nearby restaurant as he said his bride was to be dressed and attempted to deceive Kleinfelter, but the trick was unsuccessful. He is still looking for his bride-to-be.

Lonely Women Robbed and Murdered.

CHARLOTTE, N. C., Nov. 21.—Two old women, Violet Colley, 75 years old, and niece, Jane Cath Colley, who lived alone, five miles from here, were murdered last night, robbed and their bodies burned. The old women were reported to be wealthy. There is no clue to the perpetrators of the deed.

Decides on Sympathetic Strike.

TAMPA, Fla., Nov. 21.—The federal trades assembly has decided on a general sympathetic strike. No settlement has been reached in the cigarmakers' trouble. The local company of militia remains under arms.

Found Dead on His Porch.

LEXINGTON, Ky., Nov. 21.—Charles S. Milward, aged 35, a prominent merchant of this city, was found dead on his rear porch early today. He had been shot, but whether by himself or by another is not known.

MERCURY TO CLIMB UPWARD

Weather Forecast for Today Includes Rain or Snow, with Winds Becoming Variable.

WASHINGTON, Nov. 21.—Forecast for Thursday and Friday:

Nebraska—Cloudy and warmer, probably rain or snow in western portion; Friday, rain or snow; colder in western portion; southerly winds becoming variable.

Western Texas and New Mexico—Fair, Thursday and Friday; southerly winds.

Oklahoma and Indian Territory—Fair Thursday and Friday; east to south winds.

Arkansas—Fair Thursday and Friday; easterly winds.

Indiana and Illinois—Fair Thursday; Friday threatening and warmer, probably rain, fresh southerly winds.

Iowa—Cloudy Thursday; warmer in western and central portions; Friday, cloudy, probably rain; warmer in eastern portion; southerly winds.

Missouri—Fair Thursday; warmer in northwest portion; Friday, cloudy and warmer, probably rain; east to south winds.

North Dakota—Generally fair Thursday and Friday; not so cold Thursday; variable winds.

South Dakota—Snow Thursday and probably Friday; not so could Thursday; variable winds.

Kansas—Cloudy Thursday; warmer in northern portion; Friday, rain or snow, probably colder in western portion; southerly winds.

Colorado—Fair in western; rain or snow in eastern portion; Thursday and probably Friday; colder Thursday in eastern portion; variable winds.

Wyoming—Snow Thursday; colder in southeast portion; Friday cloudy, probably snow; variable winds.

Montana—Fair in eastern; probably snow in western portion; Thursday not so cold. Friday fair; variable winds.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, Nov. 21.—Official record of temperature and precipitation compared with the corresponding day of the last three years:

	1900.	1899.	1898.	1897.
Maximum temperature	28	55	22	38
Minimum temperature	12	47	6	22
Precipitation	.05	.59	.22	.00

Record of temperature and precipitation at Omaha for this day and since March 1, 1900:

Normal temperature	34
Deficiency for the day	14
Total excess since March 1	866
Normal precipitation	.03 inch
Excess for the day	.02 inch
Total rainfall since March 1	29.71 inches
Excess since March 1	1.24 inches
Deficiency for cor. period, 1899	4.73 inches
Deficiency for cor. period, 1898	3.43 inches

Reports from Stations at 8 P. M.

STATIONS AND STATE OF WEATHER.	Maximum temperature	Temperature at 8 P. M.	Precipitation
Omaha, cloudy	26	28	.02
North Platte, cloudy	34	38	.00
Cheyenne, clear	48	52	.00
Salt Lake, cloudy	48	50	.00
Rapid City, snowing	18	22	.14
Huron, cloudy	16	20	T
Williston, clear	-4	0	T
Chicago, partly cloudy	34	34	.00
St. Louis, clear	46	46	.00
St. Paul, cloudy	20	20	.00
Davenport, cloudy	32	32	.00
Kansas City, clear	38	38	.00
Helena, partly cloudy	-2	8	.00
Havre, cloudy	-10	-6	.00
Bismarck, clear	-6	6	T
Galveston, partly cloudy	74	78	.00

T indicates trace of precipitation. —Zero.

L. A. WELSH,
Local Forecast Official.

ROTTENNESS IN CLEVELAND

Member of City Council Tells of Bribes Alleged to Have Been Accepted by Fellow Members.

CLEVELAND, O., Nov. 21.—A sensational affidavit, made by Charles W. Lapp, a member of the city council, was made public today. Councilman Lapp swears that Councilman White told him that "the gang" (meaning certain members of the council) received $5,000 for their votes on the police alarm contract and intimated that $5,000 more was to be paid for their votes on a contract for the new city fire alarm system.

Cattle Man Gets Heavy Damages.

NEW YORK, Nov. 21.—William Braeur, an exporter of cattle, obtained a verdict today in the supreme court in a suit brought by him against the Oceanic Steam Navigation company for $40,000. Braeur's action was for the recovery of $150,000. Braeur claimed that he exported about $6,000,000 worth of cattle every year to England and made a contract with the defendant corporation for the shipment of the stock by its steamers. The defendant company, instead of carrying out the charter, he alleged, placed certain restrictions in the way of shipping the cattle which caused him considerable loss. Certain days were specified for the shipment of the cattle, too late for the inspection of them by the government inspector, with the result that they could not be shipped. The defense was that the alleged charter was never consummated, but that an agreement for the execution of such a contract was under consideration.

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Hungry hair is the kind that's thin, early turns gray, falls or combs out easily; is dry, harsh, brittle, splitting at ends. Unhealthy hair is a serious matter. Don't trifle with or neglect it. Consider cause and effect; overcome effecting cause. If hair is hungry feed it hair food. Feed it with Juvenalis (means youthfulness) a time-tried relief remedy for scalp affections. Unequaled for removing dandruff, restoring natural color, gloss, luxuriant growth and beauty to your hair. You'll notice improvement at once, an entire change for the better after a few applications. Handsome hair, the envy of all, easily acquired applying Juvenalis. Neva Robinson, hair dresser, Ironton, O., writes: "I never saw anything to equal Juvenalis for the hair." Sold at Boston Store.

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