Morthern Securities Company Bogins Defense Refere Supreme Justices.

DENIES RIGHT OF FEDERAL JURISDICTION

Molds Minnesota Should Settle Controversy within the State.

ATTORNEY GENERAL DOUP , FILES BILL

Olaims Right of State to Appea. 11 -States Cenrt.

INVOLVES MORE THAN STATE INTERESTS | ..

Bays Issue is Between His State and Citizens of New Jersey-Law Prohibits Consolidation of Parallel Lines.

WASHINGTON, Jan. 27 .- In the United States supreme court today Attorney General Douglas of Minnesota renewed his motion for leave to file a bill of complaint on behalf of the state against the Northern Securities company in the matter of the merger of the Northern Pacific ratiroad, with other railroads, saying that he had given notice to the defendants as required by the court. Chief Justice Fuller said argument upon

this motion would be heard later in the day, as soon as the hearing of the case under consideration would be completed. W. D. Guthrie of the Northern Seputlining that company's position. He contended that the bill of complaint proposed to be filed on behalf of the state of Min-nesota does not present a controversy of a civil and judicial nature between a state and a citizen of another state justifiable in this court and that no state can call upon this court to enforce its penal or police laws in other states. Hence this court is

Action Against New Jersey Company. The bill asks the court, he said, to restrain by injunction a citizen of New Jersey from doing things which are entirely legal according to the laws and which are sanctioned by its statutory policy, simply because those acts violate or evade or tend to circumvent the public or penal or police laws of Minnesota, the complainant state.

without jurisdiction.

"There is," he continued, "no suggestion that the acts complained of are not entirely lawful in the state of New Jersey or that It is not within the corporate powers of the defendant corporation as an investment company to acquire and hold the stocks of railway companies. The sole ground of complaint is the alleged violation in New Jersey of certain enactments contained in the statutes of Minnesota. Hence. he contended that the injunction prayed for would be nothing more or less than an order compelling the Securities company to obey the laws of New Jersey and the laws

Minnesota Corporation Not Named. He called attention to the fact that no relief is sought against the Great Northern Railway company or the Northern Pacific Railway company, although both are corporations of the state of Minnesota and both, therefore, within the jurisdiction of the courts of that state. This was taken, he said, as a confession that neither of these corporations had signed against the laws or the constitution.

He pointed out that as neither of these companies is a party to the suit no relief could be granted against them. In conclusion Mr. Guthrie contended for the continuance of the policy which had prevailed he said, during the history of the government, of allowing each state to control its own affairs without interference on the part of the federal judiciary.

When the preceding case had been completed Attorney General Douglas was recognized to make his argument in support of the motion for leave to file his bill of complaint. Mr. Douglas made the following points in support of a report of the state to file an original suit in this court:

Right of Jurisdictioon. The right of a state to invoke the jurisdiction of this court to protect its property and individual rights and interests in an action against the citizens of another state has long been recognized. The state of Minnesota owns upward of three million acres of land within its limits, which is near to, or in, the territory alone traversed by the two rallways in question; and the state is dependent almost entirely upon those roads for the development of this fand and the furnishing of transportation facilities to the same.

The state also claims the right to maintain this section as parens patriae, or as

The state also claims the right to maintain this section as parens patriae, or as trustee or representative of all her citizens. A very large portion, if not all, of the citizens of Minnesota will be materially injured by the consolidation of and the removal of competition in freight and passenger rates between the lines of ratiway owned and operated by the two companies.

owned and operated by the two companies.

It must be borne in mind that, in addition to the statutes prohibiting the consolidation, the state of Minnesota has contributed over ten million acres of land in order to secure the construction and maintenance of some of the parallel and competing lines by either the Great Northmen or Northern Pacific Railway company. A part of the consideration which the state received for the lands granted was the implied agreement on the part of such railroad corporations and their stockholders that these lines of railway should be maintained and operated by such corporations as parallel and competing lines.

State Law Prohibits Merger.

State Law Prohibits Merger.

A part of the statute law of the state of Minnesota relating to railroad corporations has been for nearly thirty years that no consolidation in any manner whatever shall take place between parallel and competing lines of railway within the state; that is one of the conditions and considerations demanded by the state for the right to be railroad corporation and to exercise the

one of the conditions and considerations demanded by the state for the right to be a railroad corporation and to exercise the powers and privileges of such within the state is that free and open competition in both freight and passenger rates shall exist between the lines of railway operated by buch corporations; and the violation of fleese statutes is a violation of the contract dights or obligations of the corporations as well as of the stockholders thereof within the state, and, as we contend, gives the state the right to maintain an action to enjoin such violation.

The state of Minnesota, in attempting to enforce its statutory right and remedy by means of this action, is not asking this court to enforce anything contrary to the declared public policy of New Jersey or of the national government. The declared public policy of New Jersey and the United States is against the consolidation and unification of competing lines of railway, and the removal of competition in freight and passenger rates. This policy is declared in the so-called "anti-trust law" of the United States, which has been before this court an esverial occasions.

Affects Stockholders as Well.

Affects Stockholders as Well.

The stock of the Great Northern and Northern Pacific railway companies, the title to which is placed in the Northern Securities company, in the manner and for the purposes of the bill, must be deemed to be held by the last named company as though located in and subject to all the laws of the state of Minnesota; and every power sought to be exercised

(Continued on Second Page.)

MERGER IN THE COURT PLEASES EMPEROR WILLIAM America's Attitude on Prince Henry'

Coming Visit Gratifies Germany's Ruler.

BERLIN, Jan. 27 .- Emperor William signalized his birthday today by conferring territorial titles on all the regiments which had hitherto borne no distinctive names.

In the morning Emperor William and the imperial family attended divine service in the chapel of the castle. The members of the diplomatic corps and the imperial cabinet were present.

This afternoon Emperor William held "congratulation court" in the white hall, at which all the dignitaries of state were present. During this reception the emperor held Andrew D. White, the American

visit was being received in the Unt. States. prince of Wales repaired to the armory, both wearing the ribbon of the black eagle His majesty was cheered by large crowds along the route, and the cheers, led by

General von Hahnke, chief of the em-

FREEDOM HOURLY EXPECTED

within the armory.

Release of Missionaries Now Regarded as Matter of Only Few Hours.

DJAMALA, Roumania, Jan. 27 .- The release of Miss Ellen M. Stone and Mme. Tslika | thirds of the current business comes from is now expected hourly. At the request of the Indian reservation in Nebraska, and the American negotiators the government those familiar with reservation matters behas granted the former entire freedom to lieve that in the future the work from cross and recross the frontier, so as to those sections will greatly decrease. facilitate the liberation of the captives. A. A. Garigule, first dragoman of the United States legation at Constantinople; Dr. House and W. W. Piet, treasurer of the American mission at Constantinople; have undertaken to hand over the ransom and receive the captives. They have accepted all risks, and by special request, are no longer ac-

companied by an escort of soldiers. LONDON, Jan. 27.-A dispatch from Sofia, Bulgaria, today says: The ransom of Miss Ellen M. Stone and her companion. Mme. Tsilka, has been paid to the brigands and the captives are expected to be released

TO ENFORCE ELECTION LAWS

Southern Republicans Preparing Bill Designed to Insure a Fair Ballot.

WASHINGTON, Jan. 27 .- At a caucus tonight of southern republicans in congress steps were taken looking to the preparation of a measure to be introduced in both houses, comprising an amalgamation of the best features of the bills already presented in the house by Messrs. Bartholdt of Missouri and Gibson of Tennessee, for the en-

forcement of the election laws.

Senator Pritchard of North Carolina presided and designated Mr. Gibson to prepare the proposed measure, whose features were tentatively agreed upon. These provide for the honest enforcement of the state election laws, the right of minority representation and means by which the aggrieved party contesting an election case may be heard by the state canvassing board. If he is disappointed with the result he is to have the right of appeal to the district judge, who is clothed with power to hear and try questions of law and fact de novo raised before the canvassing board and to issue the certificate of election to the person having the highest number of votes. This is to constitute prima facie evidence of his election upon which he may be sworn in by the

There was some discussion of the Crum packer bill, which reduces the congressional representation in the south on the basis of the vote cast at elections, but the sentiment of nearly all the members present was against it. In its stead the southern republicans will offer the measure agreed on tonight.

There were present at the meeting in addition to Senator Pritchard, Senator Elkins. and Representatives Bartholdt, Gibson of Tennessee, Boereing of Kentucky, Moody of North Carolina, Gaines of West Virginia, Dovener of West Virginia and Ball of Delaware.

DENIES SOUL'S IMMORTALITY Dr. Parkhurst Preaches a Sensational Sermon at Madison Square

Church.

NEW YORK, Jan. 27.-In a sermon on burst, in the Madison Square Presbyterian church, declared against the popular evanrelical belief that all souls are immortal. He expressly gave it as his opinion that the scriptures do not teach immunity of a soul from death and that a soul must be taken care of in this life or else it will perish utterly, either at the death of the pody or after a longer or shorter period of the life beyond the grave. Dr. Parkhurst

said in part: "There is nothing in scripture or in things that encourages us to feel that a soul can be kept from dying any more than a body, unless it is taken care of. There is no warrant from bible or from nature for supposing that a soul carries within itself a policy of insurance against its own eventual bliteration."

The sermon is attracting some attention smong the Presbyterians here to a belief in the doctrine of immortality of the soul.

LARGE BUILDING IN RUINS

Five-Story Structure Destroyed at Loss of Two Hundred Thousand Dollars.

ST. PAUL, Jan. 27.-Fire tonight completely gutted the Davidson block, a fivestory brick structure at Fourth and Jackson streets, causing a loss of over \$200,000. The building is in the heart of the whole sale district and for a time it seemed as if the flames would spread and do greater damage. The firemen were hampered by severe weather, the thermometer standing

at 10 below zero. The loss on the building, which is owned by the Northwestern Mutual Life Insurance company of Milwaukee, Wis., is placed at \$125,060. Sternberg, Williams Co., clothiers, occupied the three upper floors and sustained a loss of \$75,000. The American. Wells Fargo, United and Western Express companies occupied the ground floor, but heir lesses were comparatively small.

Removes the Superintendent.

GUTHRIE, Oki. Jan. 27.—Acting on the report of the investigating committee as to the management of the Oklahoma insane asylum. Governor Ferguson today removed Dr. Felix L. Winkler of Kingfisher as superintendent and placed a committee of four physicians temporarily in charge.

Congressman Stark New Oppeses Split Inte Judicial Districts.

ASKS THAT HIS BILL BE HELD UP

Congressman Mercer Finds No Encouragement for Visit of Prince Henry to Omaha-Experiment Stations for Irrigation.

(From a Staff Correspondent.) WASHINGTON, Jan. 27 .- (Special Telegram.)—A split exists in the Nebraska dele- and that chloroform could have produced gation over the several bills introduced in assador, in conversation for a few both branches of congress, dividing the es, during which he said he was much state into two judicial districts. Repreear to the ground for several weeks, with the view of ascertaining the wishes of his In the afternoon the emperor and the constituents, evidently has found conditions not exactly favoring his bill, for he filed a letter today with the chairman of the judiciary committee asking that no further action be taken on his bill.

After stating that the bill had been inperor's military cabinet, were repeated troduced in good faith at the instance of a number of his constituents he says: "I have recently taken up the matter with the view of submitting a brief to you in support find the facts to be that there is no necessity at this time to increase the federal courts in Nebraska; that as now constituted, all matters are speedily determined; that there is no probability of an increase in the immediate future; that about two-

Considers It a Waste.

"To establish another district in Nebraska would entail a large expenditure of money annually and when not necessary for public service is a waste and extravagance of public funds. I therefore request that H. R. 7632 lie on the table without further action.

"But I deem it proper to say that I would favor a bill to fix the terms of the district court at least once a year at Alliance and North Platte, thereby saving to the party litigants the items of large expense for mileage, and have witnesses come into the open court and give their testimony instead of by deposition, as is now necessary

n practice. It is evident, however, that Stark's letter will not have any appreciable effect on the other representatives from the South Platte, for both Burkett and Shallenberger expect to push their bills. Burkett's, however, is the bill which is exciting the most talk. due to its "shoestring" arrangement of the south district.

Wants Prince to Visit Omaha. Prince Henry should include Omaha in his met with little encouragement from the assistant secretary, who said the Itinerary of the prince had been arranged and the shortness of the stay of the distinguished visitor would not permit of a secretary of the stay of the distinguished visitor would not permit of a secretary. It was stated, however, that Minneapolis and St. Paul were to be favored with a visit from King William's personal representative, and that it might be easy to arrange to visit Omaha and Kansas City on the way to Chicago.

Compromise for Irrigation.

Congressman Shallenberger today introfuced a bill which is favored by many western representatives, especially those living in the semi-arid region, as a compromise measure, should no general irrigation bill get through congress this session. Shallenberger's bill provides that at least one experimental station shall be established in the semi-arid portions of Nebraska, South Dakota, North Dakota, Kansas and Oklahoma, for the purpose of making experiments in soil culture and the conservation of nature's moisture, for the purpose of increasing the productiveness of those lands without irrigation. The bill carries an apropriation of \$50,000. The regent of the Kansas State univers-

ity, who is in Washington, is heartily in favor of the project, as are the members of the delegations from Kansas, Nebraska and other semi-arid states. It is planned by those in favor of the bill to call in a body on Secretary Wilson of the Department of Agriculture to secure his co-operation. An effort will be made by the senators and representatives from Nebraska to include in the general deficiency bill an item appropriating \$150,000 for the Burlington railroad which that company advanced at 'Immortality" Rev. Dr. Charles H. Park- the suggestion of the secretary of war for work done at East St. Louis and Rulo, Neb., in the way of revetments along the Missouri river.

Reason for Riggs' Visit.

The reason for Charley Riggs' presence in Washington is at last known. He desires to be made superintendent of an abandoned military reservation. Having heard that the government contemplated bandoning some old posts for the purpose of concentrating troops at important railroad centers, he asks for recognition. Incidentally he is pushing the claims of Beatrice for a larger public building and wants the government to buy forty feet more frontal of land upon which to build an addition to the present structure.

Mrs. C. F. Manderson, who has been kept to her room at the Arlington the last week, is considerably improved, and it is now the intention of General Manderson to leave for he west about February 1.

Members of the Grand Army post of Blue Springs, Neb., are aroused against Commissioner Evans and have petitioned Speaker Henderson through Congressman Stark to order congressional investigation of Evans. with a view of ascertaining just why more pensions are not granted.

For Nebraska Postoffices.

Senator Dietrich today made the followng recommendations for postmasters: Mc-Cook, F. M. Kimmel, re-appointment, term expiring March 9 next; Adams, Gage county, H. D. Horhame, vice H. J. Merrick, term expires January 31. Senator Millard made the following rec-

ommerdations: F. W. Barnhart, postmaster at Hartington, Cedar county, vice T. B. Watson, whose term expires February 11; Barnhart had the indorsement of F. O. Robinson, county chairman of Cedar county. as well as all the members of the county central committee, and the recent candidate for congress from that district. John R. Hayes. Congressmen Burke and Martin of South

Dakota today recommended Martha F. Lucue for postmistress at Camp Cook, Butte county.

Department Notes.

additional rural free livery routes have been ordered estab-(Continued on Second Page.)

FAVORS UNITY OF NEBRASKA LUNGS CONGESTED BY GAS SCHOOL LEVY IS SIX MILLS

Theory of Expert Offered as Possible Cause of Rice's

Death

NEW YORK, Jan. 27 .- The second day of the trial of Lawyer Albert T. Patrick, accused of the murder of William Marsh Rice, brought it to the point where the cause of the death of the millionaire is sought to be determined. The first witness along this line of inquiry introduced by the prosecution was Dr. Hamilton Williams. one of the physicians attached to the coroner's staff, who attended the autopsy. The gist of his testimony was that the lungs were congested and that this was due to the inhalation of some gaseous irritant

said pneumonia could produce the same condition. Charles Plowright, the undertaker, who was called in by Patrick to prepare the body of Rice for cremation, testified that he had said to Patrick that it would require twenty-four hours to prepare for cremation and suggested embalming, to which Patrick consented.

such a condition of the lungs. He later

John S. Potter, Plowright's assistant, testified that Patrick had shown him a letter signed by Rice, expressing the wish that after death his body should be cremated. The morning of the day set for cremation he had been called on the telephone by Patrick of the bill, and after full examination I and told that the cremation must be called off in consequence of a telegram he (Patrick) had just received from Texas, but that it would probably he held two days later. The letter to which the witness alluded was dated August 3, 1900. It was

admitted as evidence.

Dr. Hamilton Williams, a coroner's physician, testified that the autopsy on Rice's body showed the brain, heart and kidneys normal, but an intense congestion of the lungs.

"I believe," said Mr. Williams, "that nothing else than a gaseous irritant could have produced the condition of the lungs. may say, instead of believing, that I know from experience this to be the fact.'

SCHLEY PUTS'IN A BUSY DAY

Is Accorded Hearty Receptions by School Children and Adult Admirers.

CHICAGO, Jan. 27 .- The last day of Adniral Schley's sojourn in Chicago was full of interesting incidents. Reception followed reception, and it is estimated that during the day the admiral shook hands with more than 5,000 persons, men, women and children.

The first item on the distinguished visitor's schedule was a visit to the new W. S. Schley school building, where the pupils sang "See the Conquering Hero Comes." In his short speech he said that honor and honesty are the handmaids of valor. He said, too, that he was very glad Congressman Mercer today presented to to have the school named after him. A the German ambassador, through Assistant small boy piped up: "I am glad they Secretary of State Hill, his reasons why named it after you," whereupon there were shouts of laughter and general ap-

were tendered a public reception at the Auditorium hotel. The lobbies and approaches to the second floor corridor where the distinguished visitors stood, were crowded.

As the admiral and his wife ascended the stairway a chorus of fifty young women, attired in sailor suits, sang, "See the Conquering Hero Comes." In the rear of the reviewing stand a company of the first ship's crew of the Illinois naval militia was stationed as a bodyguard. Without further ceremony the people filed past, haking the hands of both the admiral and his wife The reception terminated at o'clock at which time Chairman Munger estimated that the admiral had shaken hands with 3,500 people.

A feature of the reception was the welcome accorded seventeen members of Commodore Dewey's squadron at Manilla.

GIRL IS HER OWN AVENGER State Failing to Make a Case, Miss

Seidler Shoots Clyde

Pattison.

GEDDES, S. D., Jan. 27 .- (Special Telegram.)-At attempt at murder was made at Wheeler, S. D., at 10 this morning, after the state had failed to prove a case against Clyde Pattison Miss A. Seidler, the complainant, shot Clyde Pattison in the back and shot again, but the second bullet missed him. At the time the corridors of the courthouse were filled with people attending court. A doctor probed for the bullet, which he could not find. The deed was

done with a 32-caliber revolver. Amanda Seidler had sworn out information against Clyde Pattison, accusing him of seduction. The case was called in circuit court today. Judge Smith dismissed the case on account of a defect in the indictment. As the parties were leaving the courtroom Amanda drew a revolver and fired two shots at Pattison, the first taking effect in the back just below the shoulderblade, ranging down and is supposed to be lodged about the kidneys. The second missed. The doctors have falled to locate DECIDES FOR OMAHA ROAD the bullet, and Pattison is in a critical condition. The girl has not been arrested and public opinion is so strong in her favor that it is doubtful if she will be

MEN ARE STILL MISSING Ten Members of Captain Porter's

Command of Marine Corps Fail to Return.

command of Captain David D. Porter of the of the Kansas City, Pittsburg & Gulf Rail-United States Marine corps who failed to road company, and others against the return from the expedition into the interior Omaha, Kansas City & Eastern Railof Samar, when Captain Porter and twen- road company, et al., to foreclose a mortty-six members of his party reached the coast of that island, January 24, are still all to \$918,367, and ordering the sale of the own hogs and attempted to arrest the nemissing and little hope of their safe re- Omaha, Kansas City and Eastern road at turn is entertained.

COMMITTEE HEARS CANAL MEN Monday Fixed as Date and Members of Isthmian Commission to

He Heard Pirst.

WASHINGTON, Jan. 27.-The senate committee on interoceanic canals did not make a report today, but decided to have hearbeginning next Monday. The members of the Isthmian commission and such other witnesses as may be desired will be summoned.

PHILADELPHIA, Jan. 27.—Assistant inited States Attorney General James M. Peck, as special master commissioner, has lecided to sell the Philadelphia Record at bublic auction at noon on May 25 next in the control of the Philadelphia auction at noon on May 25 next in the control of the Philadelphia auction at noon on May 25 next in the control of the Philadelphia auction at noon on May 25 next in the control of the Philadelphia auction at noon on May 25 next in th

Board of Education Accepts Estimates of Finance Committee.

THREE MEMBERS VOTE IN THE NEGATIVE

Chairman Maynard Expresses Ontaton that Levy is Not High Enough to

Prevent Increase in Floating Indebtedness.

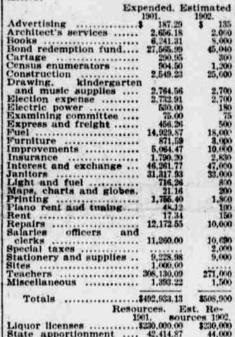
Six mills will be the school levy for 1902. At last night's meeting of the Board of Education the report of the finance committee recommending that the levy be fixed at this figure was adopted by a vote of 9 to 3. Members Homan, Howard, Theodore Johnson, W. F. Johnson, Maynard, McIntosh, J. J. Smith, Stubbendorf and Barnard voted for the levy, Members Wood, Robert Smith and Cermack opposed it. Members Levy, Funkhouser and Andresen were not pres-

After Chairman Maynard of the finance committee made his report concerning the levy he was asked if he believed that a 6-mill levy will maintain the schools without any increase in the floating indebtedness. Mr. Maynard said that in his opinion the levy is not high enough to prevent an increase in the floating indebtedness, but the other two members of the finance committee, J. J. Smith and Homan, expressed the opinion that the levy is sufficient to carry on the schools without further reductions in salarles or decrease in the teaching force if strict economy is prac-

The levy was opposed by Mr. Wood, who said that he was confident it would not meet the expenses. He declared that he would rather make a heavier levy than have a deficit at the end of the year. Robert Smith stated that he believed the levy was sufficient to carry on the schools very satisfactorily, but refused to vote for because it was coupled with a report which advised an apportionment of funds which he did not approve.

Expenditures and Resources. The expenditures and resources for last

year and the estimated resources and expenditures for the present year are shown in the following tables, which were in-cluded in the report of the finance committee:



222,205.08 Tax collections, six mills, total amount of levy....

215,500 Totals\$513,702.28 \$508,900

Reception at High School. W. F. Johnson called the attention the board to the reception which will be held at the new High school building next Saturday afternoon. President Barnard will deliver a brief address at that time. John Latenser, architect, and the members of the buildings and property committee of last year will also speak briefly. Mr. Stubbendorf will present the keys of the building to Principal A. H. Waterhouse Music will be furnished by members of the

High school. The Omaha Carpet company was awarded contract for windowshades for the new High school building on a bid of \$276. Five other bids were received, ranging from \$291 to \$357.

A resolution was introduced by W. F Johnson providing that the Omaha Street Railway company shall be asked to sell High school pupils street car tickets at the rate of thirty for \$1.

Frank Johnson was appointed to act as page to the board for the year 1902. Attorneys for George H. Hess asked for board's attorney.

Judge Humphrey Rules Against Sale of Omaha, Kansas City &

Eastern Railway.

SPRINGFIELD, Ill., Jan. 27 .- In the

United States circuit court today Judge Humphrey entered a decree contrary to that entered by Judge Amos Thayer in the United States circuit court for the western district of Missouri in the case of Samuel MANILA, Jan. 27.-The ten men of the Fordyce and Webster Withers, receivers gage of \$867,000 and interest, amounting in Pattonsburg, Mo.

Man Convicted of Murder Fails to Obtain a New

TOPEKA, Kan., Jan. 27.-Judge Hazen in the district court today refused the writ of coram nobis for John Collins. The writ was asked for the purpose of securing a new trial of the Collins murder case. The questions arising over the writ will be appealed to the supreme court.

Trial.

John Collins was convicted three years and ago of killing his father, J. S. Collins, a prominent real estate man of this city. Mr. Yor Collins, sr., carried a large amount of life insurance and to secure this was said to have been the motive for the crime,

Forecast for Nebraska-Fair Tuesday Wednesday Fair with Rising Tempera-ture; Easterly Winds, Becoming Vari-able.

	perature at		Tente	rdn:
Hour	Deg.	Hou	r.	De
5 a.	m10	1 p.	m	
6 n.	m10	2 p.	m	
7	m10	3 p.	m	
S a.	m12	4 p.	m	
1) n.	m11	5 p.	m	
	m 8	6 p.	m	
	m 6	7 p	m	
12 m	2	8 p.	m	
	- 1	9 p.	m	

- Indientes Below Zero.

ROBBERS HOLD UP A TRAI

Seven or Eight Men Perform Daring Deed and Make Their

BRANCHVILLE, N. C., Jan. 27 .- A carefully planned and audacious express robbery took place at 7 o'clock this evening on the Southern railroad, when the passenger train from Charleston reached nearly the exact site of the successful rob-

bery of two years ago, five miles from

Branchville

Escape.

Seven or eight men were riding on the platform between the engine and baggage car, concealed by the darkness. None were masked. At the fifty-five-mile board two men crawled over the tender and covered the engineer, John Reynolds, with Winchesters. They fired two shots, one ball passing through Reynolds' cap. Fireman killed six persons, injured eight more and Black, who ran out, was covered and ordered back. By order of these men a brake- the shock. man uncoupled the mail, baggage and express cars, which were taken to Fifty-Eight station, leaving the rest of the cars on the main line. Here several shots were fired into the express car, and one man climbed up, covered Express Messenger Hall

and stripped the local safe. There was only a small amount of booty in the local safe and no one here knows the contents of the through safe. No mail or baggage was touched and no passengers were molested.

with a Winchester and compelled him to

open the door. Three men entered the car

No measures have been made so far to follow the robbers. The leader is supposed to be Barton Warren. Warren was arrested, charged with having, single-handed, robbed the Southern express car just below Branchville in 1899.

HIGHER PLANE OF MORALITY Conditions in Philippines Are Re-

Minister. COLORADO SPRINGS, Colo., Jan. 27. Rev. A. L. Hazelett of Colorado City, in his report to the War department on moral conditions in the Philippines, states that the moral conditions in the islands have materially improved since the American occupation

ported Much Improved by

Speaking of the saloon, he said the strict discipline put in operation by General Otla has borne fruit and that a law to prohibit gambling had also been put into effect recently. Mr. Hazelett makes the following recommendations First—A government appropriation for the establishment of soldiers' institutes and of the non-alcoholic features of the post ex-change system.

Second—A general order prohibiting the sale of vino to soldiers. sale of vino to soldiers.

Third—the investigation of the charges against officers at Jolo, charged, and I believe justly, with maintaining houses of ill-fame without knowledge of the War department and contrary to army regulation.

STREET CAR BADLY WRECKED Collides with Train and is Carried Down the Track Some

Distance.

CHICAGO, Jan. 27 .- Twelve persons were injured, one perhaps fatally, by the collision of a street car with the limited passenger train on the Milwaukee & St. Paul railroad this evening. The accident occurred at the West Chicago avenue crossing of the railroad, which is watched by a gateman. No arrests were made, as the police were unable to fix the blame for the accident. The street car was smashed in and carried thirty feet down the track. The wreckage caught are and several of the passengers were slightly burned.

wreck of the car. He is badly cut about the head and has internal injuries. All the others will recover. KILLS MAN IN CHURCH PEW Persistent Sulter Shoots Sweetheart's

Brother, Who Objects

The most seriously hurt is John Oscack

who was taken, unconscious, from the

to Match. CHILLICOTHE, O., Jan. 27.-Joseph Cox shot and killed Howard Ratcliff at church Sunday evening at Eagle Mills, fifteen miles east of here. Cox had been paying attention to Ratcliff's sister and Ratcliff strongly objected. Cox took Miss Rateliff to church a conference with the board concerning the last night and when Ratcliff saw them to-\$1,200 said to be due Hess for services as gether in church he at once assualted Cox. truant officer. Their communication was who drew a weapon and fired, the ball passreferred to the auditing committee and the ing through Ratcliff's body. He fell in the aisle and expired amid the shricks of terrified women. Both men are of respectable families and both are school teachers. Ratcliff married a sister of Cox. Cox was ar-

rested and taken to McArthur today. MOR LYNCHES TWO NEGROES Accused of Murdering a White Man

in Trouble Over Some

Hogs.

NEW ORLEANS, Jan. 27.-Two negroes have been lynched in a distant portion of

West Carroll parish, Louisiana, for the murder of G. N. Grant, a police juror from Floyd. Grant, while out hunting with a friend named McKay, came upon some negroes who had killed and were cleaning He found that the animals were his groes, when one of them fired at him, the bullet entering his brain. McKay aroused the whites in the neighborhood with the news of the murder. A posse was hastily COLLINS REFUSED REHEARING formed. Three negroes were captured and two of them were lynched at once. Movements of Ocean Vessels Jan. 27.

> Portland. Me.-Arrived-Dominion m Liverpool.
>
> t Muroran—Arrived—Foreric, from Partd, Ore., for Manila.
> t Manila—Arrived—Oscane, from Tana, via Muroran.
> t Liverpool—Arrived—Etruria, from New Plymouth-Arrived-Kaiser Wilhelm Grosse, from New York, for Cherbourg Bremen. Sailed-Patricia, for New

At New York-Arrived-Calabrian, from Jenoa and Naples; Minnehaha, from Lon-

Meet Death from Terrific Explosion in

Million Dellars Damage is Done to Build-

CAUSE OF THE WRECK NOT DETERMINED

Combustion of High Explosives from Unknown Means.

DEBRIS FLIES IN VARIOUS DIRECTIONS

aged, Hospital Shattered and Other Structures Seriously Disfigured.

NEW YORK, Jan. 27.-The reserve supply of high explosives stowed at the Park avenue shaft of the Rapid Transit tunnel, now in course of construction, blew up shortly after noon today. The giant blast seriously damaged all the property reached by the flying debris and the vibration of

The killed were: CYRUS ADAMS, Murray Hill hotel.

B. C., a guest at the Murray Hill hotel. RALPH H. THOMPSON, assistant engineer (all outside reports seem to agree as to his death, but his body is not reported by the police or by the hospitals).

Contractor Ira A. Shaler. The list of injured is an exceedingly long one, but most of those in it have only cuts caused by flying glass. Those more seri-

Charles B. Gaines, New York, shoulder dislocated and many bruises. W. J. Nok, 31, New York City, severe scalp wounds.

face and arms cut. - Wiess, New York City, scalp wounds, concussion of brain, internal injuries.

The sunken approach to the street railway tunnel used by the Madison avenue line cuts through Park avenue and the shaft for the Rapid Transit subway was run beside it at the intersection of east Fortyfirst street. The street railway approach was housed over with a superstructure used for operating the plant of the Rapid Transit contractors. Temporary buildings for storage purposes were thrown up against the superstructure at the mouth of the

high in the air. Much of it went battering against the front of the Murray Hill hotel. and although the walls and main structure of that building stood the shock, nearly every room in the front of the house was

wrecked.

Hospital is Abandoned.

that injured the greatest number. Fortunately the explosion occurred at the noon hour. Not more than 100 persons were in the main waiting room of the Grand Central station, Some of these were slightly injured by bits of glass. Four ticket sellers were cut about the heads and arms with the flying debris.

Clerks Stay at Their Posts.

The cierical force in the executive offices of the New York, New Haven & Hartford railroad, which occupy the floors above the first in the eastern wing of the depot, were thrown about by the shock. Chief Dispatcher G. H. Wilson and his four assistants, who were directing the trains of the New Haven line, having several hundred trains to look out for, were scratched with flying glass, but did not leave their chairs even when they could not see their instruments on account of smoke. One man. Foster, who was watching a single track strip in Connecticut, did not even get up to look at the ruins after the smoke cleared away.

The station tonight presented somewhat the appearance of a dismantled castle, with the big windows only ragged holes. General alarms brought firemen, police reserves and every available ambulance to the district. A majority of the injured

were treated on the spot, and the whitecoated ambulance surgeons worked for an hour in the debris-strewn streets. Police lines were thrown over across either end of Park avenue and across the intersections of Park avenue. Cause of Accident.

The quantity of explosives blown up and

the cause are not definitely known. Several causes are given. One was that a fire started near the powder room, and the master mechanic, William Tuggs, lost his life that it started from a spark produced by a stray current of electricity. A third placed the blame upon a blast in the tunnel. Still another gave a gas explosion from

CONDITION OF THE WEATHER SIX MEN ARE KILLED

Heart of New York.

EIGHT OTHERS ARE SERIOUSLY INJURED

ings Nearby.

Grand Central Station is Badly Dam-

The irregular square formed by the Murray Hill hotel on the west, the Manhattan Eye and Ear hospital and the Grand Union hotel on the east and the Grand Central station on the north was the scene of the explosion. The buildings named sustained the greatest damage, but the area affected extended for several blocks in the four directions from the center.

JAMES CARR, 32 years, a waiter employed at the Murray Hill hotel. LAWRENCE HINE, 20 years, of Ansonia, J. RODERICK ROBERTSON of Nelson,

THOMAS TUBBS, master mechanic for

ously hurt are:
Walter R. Bristol, 50, Murray Hill hotel, concussion of brain, St. Vincent's hospital.

Mrs. Benjamin Moore, 35, Madison N. J., Manhattan hospital, face and hands cut. Rev. Father Ryan, New England, head,

Debris Hurled in Hotel. J. Roderick Robertson of Nelson, B. C., was killed by debris hurled with the force of artillery into his room at the Murray Hill hotel. He was general manager in Canada for the British Columbia Gold Fields company, limited, and a prominent citizen in the community where he lived. He was a Scotchman and leaves a wife and four chil-

shaft, and there the explosion occurred. It tore a great gorge in the street, demolished the temporary buildings and part of the superstructure and sent a mass of earth, splintered timber and twisted iron

The Manhattan Eye and Ear hospital, in the east side of the avenue, fared nearly as bad and had to be abandoned by the management. The Grand Union hotel lost all of its windows and glass partitions and practically every front window in the Grand Central station was shattered. The great clocks on its front towers were blown from their cases. Thousands of windows, some of them seven blocks from the tunnel shaft, fell in fragments. It was the

shower of broken glass and falling debris

in a desperate attempt to quench it before it reached the deadly fuel. Another was Hamburg-Sailed-Patricia, for New At Bremen-Sailed-Breslau, for New York, via Southampton. At Gibraltar-Arrived-Trave, from New York, for Naples. electrical contact in the trolley conduit of