children of the Trostle family, whose bodies have not been recovered. It is not known positively that they were in the house at the time, but a search of the neighborhood has not revealed them. There is little doubt that there were eight killed. The other three persons killed are said to have been customers in the meat market.

The direct cause of the explosion is not known, but all indications point to escaping gas in the basement of the Trostle building.

The explosion came without a moment's warning. There was a dazzling flash, a deafening roar and a cloud of dust and shattered timbers where the Trostle house had stood.

On both sides of Archer avenue, between Twenty-second and Twenty-third streets, every pane of glass was blown out and a number of the residents in the damaged buildings suffered slight injuries from flying glass.

Saloon is Demolished.

Adjoining the Trostle building on the west was a two-story frame building, in which John McLeod had a saloon. It vanished in the same second as the meat market. It was reported that one or two people were killed here, but the story could not be substantiated.

In the ruins of the buildings occupied by Trostle and McLeod the flames burned so fiercely that even though the inmates had not been killed by the first force of the explosion they must have met quick death by fire.

FIRE RECORD.

Several Buildings at Seneca, Kan.

SENECA, Kan., Feb. 5.—At 2:30 o'clock this morning fire of unknown origin broke out in the mercantile house of Kennard, Vickers & Co., who made a assignment last Saturday. The building, which belonged to J. H. Hatch, was valued at $10,000, insured for $8,500. The stock was valued at $5,000, and was insured for $3,000. From the Hatch building the fire spread, destroying numerous other buildings. Among the victims are Simon & Dorcas, grocers, loss, $3,000; no insurance; Dr. J. H. Grindles, Wells & Wells, lawyers, said to have the finest library in the state.

New York Central Freight House.

SYRACUSE, N. Y., Feb. 5.—Fire of unknown origin tonight partially destroyed, with its contents, the historic New York Central freight house in Southwest street, a one-story brick structure about 800 feet long. The building was filled with freight, said to be worth $100,000. The entire fire department battled with the fire for five hours and several explosions of gasoline and naphtha made the work perilous. The damage to the building, which was worth about $20,000, was $10,000, while that to the contents was said to be about $100,000.

Plant of Wireton Heating Company.

CHICAGO, Feb. 5.—The plant of the Wireton Heating company at Wireton, thirty miles from this city, was destroyed by fire tonight, causing a loss of $300,000. The company is a manufacturer of heating apparatus and had in its buildings a large amount of machinery, all of which was practically ruined. The fire department from the town of Blue Island, two miles from Wireton, was called to the scene, but was unable to accomplish anything because of the lack of water.

Farmhouse Near Fort Dodge.

FORT DODGE, Ia., Feb. 5.—(Special Telegram.)—The home of John Flynn, a farmer, living near this city, was burned to the ground early this morning. The father and mother were at a funeral and the four little children, the oldest of which is 14, were in the house. It is thought that the fire was started by the children, who were rescued with difficulty from the blazing house. The nearest house is half a mile distant and the children were badly frozen before reaching it.

Off Van Rensselaer Island.

ALBANY, N. Y., Feb. 5.—A fire on Van Rensselaer island, just outside of Albany, today destroyed $50,000 worth of property and narrowly escaped destroying the big storage plant of the Standard Oil company. P. J. McArdle of New York is the heaviest loser. The loss is covered by insurance.

SCHLEY APPEALS IN VAIN

His Case, it is Said, Will Not Be Changed by President's Verdict.

WASHINGTON, Feb. 5.—The Post tomorrow will say:

It was stated last night that the president's response to the appeal of Admiral Schley would be made public next Saturday. It is understood that the response will be adverse to Schley. A visitor to the White House yesterday, with whom the president talked, quoted the president as saying that he thought the verdict of the majority of the court ought to be sustained.

Says Law is Unconstitutional.

CADILLAC, Mich., Feb. 5.—Judge C. C. Flustenden, in the circuit court here today, declared the state law prohibiting the sale of colored oleomargarine to be unconstitutional and discharged Frank Johnson, who was being prosecuted under that law. State food commissioners will now carry the case to the supreme court.

Scrofula

Is a disease as old as antiquity, and as young as the newest born infant.

It has infested the blood of humanity from ancient times down to the present minute.

It is hereditary or may be acquired.

It appears in swollen glands, scrofulous sores, hip disease, boils, pimples, eruptions, and, as believed by high authorities, even in the forms of catarrh and rheumatism.

It can be cured by taking Hood's Sarsaparilla faithfully and persistently.

We know this, because Hood's Sarsaparilla has done it.

It will cure you if you give it a trial.

You should begin to take it today.

Hip Disease—"I suffered from hip disease; had 5 running sores; used crutches and each winter I was confined to my bed for weeks at a time. Hood's Sarsaparilla has accomplished a perfect cure—saved my life. I have a good appetite and feel strong and well." ANNIE ROSZAT, 49 Fourth St., Fall River, Mass.

In Her Eyes—"My little girl had scrofula and sores appeared in her eyes. A few bottles of Hood's Sarsaparilla entirely cured her and she has never had scrofula since." MRS. HOWARD POPE, Alpha, Oregon.

N. B. If you decide to take Hood's Sarsaparilla do not be induced to buy any other.

HOOD'S Sarsaparilla

Is sold by all druggists. Prepared only by C. I. HOOD & CO., Lowell, Mass.

PASSES THE URGENCY BILL

Senate Puts Through Appropriation Measure as Presented by Committee.

NOYES-M'KENZIE CASE AGAIN IN SENATE

McCumber Assails Circuit Court Judges Who Condemned Noyes, While Tillman Returns Fire Against North Dakotans.

WASHINGTON, Feb. 5.—Throughout today's session the senate had under consideration the urgency deficiency bill, and just before adjournment passed it substantially in the shape in which it was reported to the senate by the committee.

During the early part of the session the case of Judge Arthur H. Noyes of the district court of Alaska and Alexander McKenzie and others was discussed.

Mr. McCumber of North Dakota said he had no desire to prolong the discussion, but most villainous charges had been made against men, charges which he personally knew to be unfounded and absolutely false.

He declared that certain syndicates had desired to obtain control of the whole Nome (Alaska) country. He believed that it would be premature for the senate to render a verdict for or against Judge Arthur H. Noyes and Alexander McKenzie before the courts had had opportunity to pass upon the merits of the case.

Did Not Know McKenzie.

He ventured the opinion that the senator from South Carolina (Tillman), who represented a chivalrous people, would not have made the charges against the accused if he had known Alexander McKenzie and been familiar with facts. He declared that no person could put a finger upon a single instance where Alexander McKenzie or Judge Noyes ever had wronged any man of a dollar.

He paid a high tribute to both Mr. McKenzie and Judge Noyes and, in answer to an inquiry, asserted that not one scintilla of evidence is contained in the entire record of the case that will support the charge of conspiracy against Alexander McKenzie.

Mr. McCumber then entered upon an extended statement of the case against McKenzie, going into minute details. He maintained that the order of the circuit court of appeals of San Francisco, who set aside the statement of fact made to it, in ordering McKenzie to turn over property of which he was the receiver.

Was Between Two Fires.

He asserted that McKenzie's lawyer advised him that the order of the court was void. McKenzie therefore did not comply with the writ, inasmuch as if he did he would be in contempt of an order of Judge Noyes. He therefore was between two fires.

Referring to the opinion of the circuit court of appeals, Mr. McCumber asserted that four-fifths of it was devoted to the discussion of an alleged attempted conspiracy between Judge Noyes and McKenzie, the greater portion of the information concerning which came from San Francisco newspapers.

He insisted that no man could conceive of a more heinous judgment than this. The parties were not convicted of conspiracy, but of contempt, and in his opinion ought not to have been punished to such an extent as were McKenzie, Noyes and Dubose.

Not Given Opportunity of Hearing.

The members of the court of appeals for the Ninth circuit, he said, might be honorable men, but he was obliged to judge them by their acts. That court had convicted Judge Noyes while he was 2,000 miles away and had arraigned him in most remarkable language without an opportunity of a hearing.

Reverting to the situation as Judge Noyes found it in Alaska, Mr. McCumber declared that the mining syndicates had made every effort to bribe him, $20,000 being offered to him in one sum. Finding it impossible to bribe him the syndicate hired, Mr. McCumber asserted, a man to make a perjured affidavit that Judge Noyes had accepted a bribe.

These facts, he said, had been reported to the attorney general of the United States, and for reporting these matters to the Department of Justice Mr. Frost, he said, had been sentenced to prison for one year because his work had come in conflict with the circuit court of appeals. That, he said, was the real reason for Frost's conviction. He simply would not be a creature of the syndicate.

The first amendment to the urgency deficiency bill was one appropriating $500,000 for the establishment at Manila of a military post, including the construction of barracks, etc., was agreed to, after Mr. Hale explained that the appropriation was put on the pending bill because it was desirable that the work should begin at once.

A bill providing $450,052 (Mexican) to reimburse the Philippine insular funds for small gunboats and ordnance stores turned over to the navy by the military authorities at Manila caused Mr. Tillman to make some inquiries. Mr. Hale replied that the secretary of the navy had made estimates for the purchase of the vessels and stores on the recommendation of a board of officers.

Mr. Tillman insisted, however, that the record did not show where the vessels came from and what had been paid for them.

"It does not appear from the record," he said, "that the money was honestly expended. This whole business is entirely too slipshod and slack-twisted for an honest government."

Amendment Agreed To.

It was explained by Mr. Hale that the vessels were small craft, acquired probably from private parties and had been converted into gunboats. They were being used for patrol duty among the islands. The amendment was agreed to.

An amendment that no change in the architectural features of the capitol or the landscape features of the capitol grounds should be made without the approval of congress was adopted. The committee amendment striking out the house paragraph reducing the number of land offices in Alaska to one, to be located at Sitka, aroused considerable discussion. Mr. Cockrell said that at only one of the offices were the receipts of any importance. At one, the expenses of which were in excess of $4,000 annually, the receipts were only $10. He contended that the house provision ought to stand.

After a long discussion the house paragraph was stricken out and another substituted limiting the number of land offices and land districts in Alaska to one, the location of which shall be fixed by the president, and the president may establish an additional land office for the land district in Alaska when, in his opinion, the public service demands it. The bill was then passed.

The senate at 5 o'clock, on motion of Mr. Cullom, went into executive session and at 5:50 adjourned.

LEAVE THE HOUSE OUT OF IT

Subcommittee of Senate Says that Body and President Can Fix Reciprocity Treaties.

WASHINGTON, Feb. 5.—The subcommittee of the senate committee on foreign relations, which has been giving especial attention to the legal aspect of the reciprocity treaties, today reported its findings to the full committee, and Senator Spooner was authorized to prepare a written report on the subject. The committee concludes that the power to make commercial treaties lies with the president and the senate, and that the fact that they involve questions of tariff does not render it necessary that the house of representatives should have equal opportunity to consider them.

Senator Nelson today introduced a bill prepared by the National Millers' association providing for the amendment to the interstate commerce law. It empowers the Interstate Commerce commission to fix rates for transportation and abolishes punishment by imprisonment.

With reference to the fixing of rates the bill provides that "if the commission after full hearing upon petition determines that the defendant is in violation of any of the provisions of the act in respect to any rate, relations to rate, whether between localities or commodities, classification of freight or other practice, it shall be its duty to determine what rate, relation of rates, classification or other practice should be observed for the future in order to correct the wrong found to exist, and it shall order the defendant to observe the same."

Power is given to fix joint rates where necessary. Every carrier who transports traffic at any other than the published rates or under other conditions not in consonance with the interstate commerce law, is made amenable to fines of not less than $5,000 nor more than $20,000. A fine of from $1,000 to $5,000 is provided against those who seek by false descriptions to induce railroad companies to carry goods contrary to this law.

The census committee of the senate today took up and partially considered the house bill making the census bureau a permanent institution.

Only the first five paragraphs of the bill secured attention, and the committee adjourned while the fifth section, relating to civil service classification of census employes, was under consideration.

The committee decided to recommend that the salary of the director should be continued at $6,500 instead of placing it at $5,000, as is done by the house bill. A recommendation that the chief clerk's salary should be increased to $2,000 was also adopted.

SOURCE OF OLD DISPUTE

Origin of Official Contention in Philippines is Explained by Taft.

WASHINGTON, Feb. 5.—In his statement before the senate committee on the Philippines today Governor Taft dealt especially with the question of the relationship of the civil and military authorities in the Philippines and his explanation was received with much interest by the members of the committee. The day's session began with the understanding that there should be no interruption by members of the committee until the presentation of this entire branch of the subject was completed.

Governor Taft said that originally the civil and military control of the islands had been in the hands of the military and that naturally there had been some difference of opinion between the military authorities and the commission as to the method of proceeding. This difference had arisen with General MacArthur and there had been more or less correspondence on the subject.

The general had contended that authority over the islands was vested in the military and the representatives of the chief executive, because the islands were in a state of war. In this view the commission did not concur. This difference did not extend to the control of the municipalities.

In this connection Governor Taft explained at some length the contention between the commission and General Chaffee which had, he said, arisen over the habeas corpus provision in the commission's code. That provision had been inserted, he said, to protect native officers who surrendered and who are subject to arrest on charge of crimes committed while in the insurrection service, believed to be contrary to the rules of civilized warfare. Such charges against these men were common, and often they were unfounded.

The provision had been invoked in the interest of an enlisted man serving in Cebu, who was seeking to secure his release from the military service in an indirect way. Thus, a conflict had arisen and the question had been referred to Washington, with the result that instructions had come back that the differences might be compromised. "General Chaffee and I are on the friendliest and most cordial terms," he said, "and we had no difficulty in reaching an understanding at a prolonged conference."

"Is it not true," interrupted Senator Dietrich, who has visited the Philippines, "while the women are engaged in conducting the affairs of the family the men are generally engaged in attending cock fights?"

Governor Taft said that he had never met a Filipino who was not a musician and courteous. "The Filipino also shows capacity for skilled labor, but he is negligent of machinery. I wish it were true that the Filipino is as industrious as is claimed, but he is not. Indeed, there are many of them who might secure work who do not seek it. This condition leads to a demand for the bringing in of Chinese."

This statement led Senator Hale to make inquiry concerning the presence of Chinese. The witness replied that the contractors and business men contend for the necessity of bringing in Chinese labor.

MAKES CHILDREN BRAINY.

Proof About Feeding.

It has been proved times without number that properly selected food will build up the brain. The testimony of a school teacher on this subject is good. The letter is long and only the important facts will be given.

"While I was teaching school in 1898, a little girl in the household where I lived was very fond of Grape-Nuts and would eat all she was allowed. I noticed that she was a remarkably bright pupil. There were five other children, all of one family, that were so marked in their work. They were really the brightest family I ever knew, so I questioned to find what they were using. They replied, 'Only Grape-Nuts.' I learned upon further inquiry that this was their chief diet for breakfast and discovered that their luncheon consisted generally of Grape-Nuts with cream and a little fruit.

"I had suffered from dyspepsia, headaches and general debility greatly and, as I knew, my diet was not well selected, I took up Grape-Nuts Breakfast Food and carried it to school for luncheon. I soon discovered a change in my condition and found that Grape-Nuts afforded more nourishment than bread, meat, eggs or anything that I could take in my basket. After luncheon I would feel strong and bright for the afternoon's work while before I had frequently been half ill.

"In the spring of 1900 I went to college, rented a room and boarded myself, subsisting largely on Grape-Nuts, and I cannot speak too highly of the food as a brain nourisher. At the end of a year's schooling I obtained a position in one of the ward schools in this, a college town, and am well and happy.

"The wife of the college principal tells me that there is no food that agrees with her as well as Grape-Nuts and that testimony was repeated by a lady friend in my own home." Name given by Postum Co., Battle Creek, Mich.

ASKS GERMANY'S AID FIRST

Spain Approaches Kaiser to Prevent War with United States.

ATTITUDE OF RUSSIA A POTENT FACTOR

Czar is Said to Have Prevented Success of Austria's Plan for Intervention by European Nations.

BERLIN, Feb. 5.—The German Foreign office confirms the substantial accuracy of the subjoined statement which the Kreuz Zeitung prints today relative to Germany's course toward the United States during the war with Spain.

The correspondent of the Associated Press understands that the article was prepared by Prof. Schiemann, professor of history at Berlin university, who enjoys special official sources of information. After a preface quoting the statement made by a British Foreign office official to a representative of the Associated Press January 21 last, it says:

Almost exactly four years ago the Spanish ambassador here asked Germany whether Germany would lend in action against the United States for the protection of the monarchy principle. The answer was a definite refusal, and the same answer was given a month later, or about the middle of March, when the invitation reached Germany to participate in the intervention undertaken upon the initiative of Austria.

This was in the weeks following the sad disaster of the Maine, when it was believed intervention would facilitate an understanding between the United States and Spain. Nevertheless, the government commissioned Herr von Radowitz, the German ambassador to Spain, to inform the Madrid government that Germany was not in a position to prevent the Spanish-American war.

After that several attempts were made to win Germany, or the Dreibund, for intervention, in which the pope was especially active. The final result was that Dr. von Holeben, German ambassador at Washington, was instructed to join in the step proposed by Austria, only in case all the other five great powers participated.

We are unable to state the details of how the united action came about. At any rate the collective note was handed to the officials at Washington April 7 advising a peaceable settlement and was signed by England, France, Italy, Austria, Russia and Germany.

Thought War Would Be Averted.

It was believed for a week that war would be averted. General Blanco received orders from Madrid to offer the Cuban insurgents an armistice, for Spain was resolved to give them far-reaching autonomy and to arrive at a settlement of the Maine question through arbitration.

Diplomatic circles, however, entertained no illusions, and when England, April 14, through its ambassador, proposed a new collective note, in which the powers should declare that Europe regarded America's armed intervention in Cuba as unjust, the other ambassadors telegraphed to their home governments asking for instructions. The step failed through Germany's positive refusal.

This gives, as it appears to us, a picture essentially different from the English end. A fortnight later war was declared.

Afterwards, in June and July, while the United States was making great progress in the Philippines, England tried to induce the Spaniards' commission in England to ask for peace proposals, for to no power was the American encroachment in the Pacific more annoying than to England.

The above is the historical connection of events. We hope that in giving the same we have thoroughly exposed the absurdity of the English legend.

Confidence in the Queen.

PARIS, Feb. 5.—The following statement is made by an official who held a high position during the early days of the Spanish-American war and is undoubtedly authentic:

The Spanish government believed that Queen Victoria would support any step taken with a view to preventing the war and coming to the aid of the queen represent it attributed at that time, perhaps too great an independence to the intervention of the queen in the councils of the British government. It was not ignorant of the fact that Mr. Chamberlain was in agreement with Lord Salisbury in the desire to render the United States a signal service, but information of a very confidential character which reached it conveyed to the Madrid government the idea that any mission of pacification would be well received by England. English society entertained the most hostile spirit toward the United States. It had not been able to forget the Venezuela affair and in London it was thought the proper thing to support the Spaniards.

Thus the principal diplomatic effort of Spain was brought to bear on the central European powers, and more particularly Russia. It was not thought that England would take the initiative in its favor, but being convinced and, as it appears, justly so, that England would not care to stand aloof from a common action undertaken by Europe to bring about peace, Spain thought before everything else to win over Russia to her cause.

Russia Key of Success.

Toward the end of March, 1898, one of the leading diplomats of Spain, who took an intimate part in the negotiations, then proceeding, said: "The key to the success of our negotiations appears to be now at St. Petersburg; we shall concentrate our influences there."

The Austrian emperor, for family motives, had taken the initiative in proposing to the various powers an intervention tending to induce Spain to grant concessions and by avoiding war to strengthen the dynasty. France and Germany were first well disposed to the Austrian proposal and an accord of the continental powers would undoubtedly have been possible had Russia given her support.

The Spanish diplomat of whom I have already spoken told me that at Madrid those who were in touch with the negotiations anxiously awaited the upshot of the conversation that the Spanish ambassador at St. Petersburg was to have with Count Muravieff. When the result became known the disillusion was all the more bitter, because hope had been so high.

Austria Acts Arbitrarily.

The step taken by the emperor of Austria appeared to be utterly unknown to the Russian minister of foreign affairs. When he was made cognisant of it he did not seem to attribute any great efficacy to it.

"If such a step," said Count Muravieff, "is confined to a simple council it will have no result, and if it implies anything resembling a threat the result obtained will be contrary to that desired."

This reply quickly undermined the friendly disposition that France and Germany had shown toward Spain, and the pacific action of the powers, instead of being exercised collectively and of great moral authority, reduced itself to individual advice, counseling Spain to make concessions.

"England was not, therefore, called upon to declare itself. The sympathy of certain statesmen in the conservative cabinet were certainly for the United States, but they were not required to display them. They afterward insinuated that their role had been to hold Europe in check to the advantage of the United States. As is seen from the foregoing, they did nothing of the kind.

TRAINMEN GET THEIR TERMS

Given Concessions Demanded by Their Representatives on Rio Grande System.

SALT LAKE, Utah, Feb. 5.—As a result of a conference between Manager Herbert, General Superintendent Welby and Superintendent of Car Service Welch of the Rio Grande system and representatives of the Brotherhood of Railway Trainmen, which includes the conductors, engineers, firemen and brakemen, concessions asked for by the trainmen in the matter of wages have been granted by the railroad. The increase asked was, it is understood, but a fraction of a cent a mile. It is stated that tomorrow the trainmen will present their demands to the Oregon Short Line officials for a similar increase. No trouble is anticipated.

ERIE IS STILL SNOWBOUND

Unable to Resume Operations Because of Storm—Other Roads Are Free.

ROCHESTER, N. Y., Feb. 5.—The Erie is the only railroad still closed as a result of the storm of Sunday and Monday. All other roads were opened during the last twenty-four hours and are running trains, regardless, however, of the scheduled time. Not since 1888 has the Erie suffered as in the present storm. It is completely tied up south of this city and not a train has arrived or departed since early Sunday morning. Between Lima and Livona the drifts are reported as from fifteen to twenty feet high and in cuts the snow is even with the level of the high banks.

ST. JOHNS, N. F., Feb. 5.—Another severe storm is raging here tonight. The northern coast of the island is blockaded with ice and the mail steamer has been unable to make its trips. Grecian, Captain Harrison, from Liverpool January 5, which arrived here today, was detained thirty-six hours in the fog and ice off the harbor.

Rock Island Back of It.

GUTHRIE, Okl., Feb. 5.—The Woodward & Quanah railroad was chartered here today to operate a line from Woodward, Okl., to Quanah, Tex., a distance of 128 miles and with $1,000,000 capital stock. The Rock Island is reported to be back of this company.

DISEASE IN FOREIGN CATTLE

Tuberculosis, Secretary Wilson Says, is Spread by Imported Stock.

KANSAS CITY, Feb. 5.—In a paper read before the Central Shorthorn Breeders' association at its annual meeting here today Hon. James Wilson, secretary of agriculture, states that it has been found that tuberculosis is being spread by imported animals purchased to improve the common cattle of this country, and suggests the propriety of shutting down on the importation of cattle and sheep, following the example of Great Britain. Glanders, too, he said, was an imported disease and he suggested that it might also be well to exclude foreign horses from the American markets. Secretary Wilson spoke against the sentiment that we must have fresh blood from Europe to maintain the standard of American herds, and he gave it as his belief that the sentiment had no other foundation than tradition and personal interest.

"The idea," he continued, "that foreign cattle as a class are the better in the show ring or have greater potency than our cattle is a fallacy that the American breeder should set about dispelling now and for all time."

He stated that statistics indicated that it is pre-eminently the development of the home market that has benefited the cattle industry. He explained at some length how American cattle are now being excluded from Argentine because English cattle have foot and mouth disease, and yet the United States permits the importation of British cattle. We are large buyers of Argentine and he thought we ought to insist upon our cattle being admitted there.

Mr. Wilson was unable to be present and his paper was read by George M. Rommel, an expert from the Department of Agriculture.

The association voted to hold its next convention outside of Kansas City owing to a desire to stimulate activity in the association elsewhere.

Before adjourning the association elected the following officers for the ensuing year: President, S. C. Hanna, Howard, Kan.; first vice president, T. J. Wornal, Liberty, Mo.; second vice president, G. E. Edward, Hawarden, Ia.; secretary, J. C. Canon, Springfield, Ill.; treasurer, H. R. Clay, Plattsburg, Mo.; vice presidents, N. A. Laird, Rolfe, Ia.; N. C. Lawson, Clarke, Neb.; E. B. Mitchell, Clinton, Mo.; E. B. Bowen, Delphi, Ind.; C. B. Dustin, Sumner Hill, Ill.; A. C. Crystall, Marshall, Mich.; C. L. Gerbaugh, Osborn, O.; Frank Harding, Waukesha, Wis.; H. F. Brown, Minneapolis, Minn.; Joe Hall, Paris, Ky.; David Harold, Austin, Tex.; J. G. Cowan, Cowan's Mills, Va.; B. C. Rumsey, Buffalo, N. Y.; J. D. Cole, Newburn, Tenn.

DEATH RECORD.

John H. Pell.

NEW YORK, Feb. 5.—John H. Pell, a well known attorney of this city, died of heart disease today at his residence. After graduating from Columbia university in 1852, Mr. Pell became a resident of Colorado, and later, after practicing law in Minnesota, was elected to the state senate. He served in the civil war with the First Minnesota volunteers and was provost marshal at Harper's Ferry. After the war he returned to this city.

George Wilson.

PITTSBURG, Pa., Feb. 5.—George Wilson, president of the Western Pennsylvania Humane society, and the oldest ex-mayor of Pittsburg, died at his home tonight. Mr. Wilson was mayor during the war of the rebellion and was instrumental in preventing the looting of the arsenal to supply the confederates with arms and ammunition. He was prominent in city affairs up to the time of his death.

Postmaster Fifty-Three Years.

NILES, Mich., Feb. 5.—Daniel Higbe, one of the oldest and best known residents of Berrin county, died today at Bertrand, aged 91 years. Up to a few months ago, when Bertrand postoffice was discontinued, Mr. Higbe was the oldest active postmaster in service in the United States, having served in this capacity for fifty-three consecutive years.

Mayor of Mobile.

MOBILE, Ala., Feb. 6.—Thomas S. Fry, mayor of Mobile, died this morning after a week's illness. He was born in Orange county, Virginia, and had been in this city forty years, being engaged in the cotton business as a member of the firm of Robbins, Frye & Co.

John M. Spann.

INDIANAPOLIS, Feb. 5.—John M. Spann, president of the Commercial club, and a charter member of the Columbia club, dropped dead in the Union station tonight. He was 50 years old and was one of the wealthiest and most prominent men in the city.

Orlando J. Lots.

MUNCIE, Ind., Feb. 5.—Orlando J. Lots, a former judge of the appellate court bench of Indiana, died here tonight in his 52d year. He was democratic candidate for congress against Congressman Cromer when the latter was first elected.

Mrs. Leonard West.

UTICA, N. Y., Feb. 5.—Mrs. Leonard West, aged 99, a real daughter of the American revolution, is dead at her home in Camden. Her father fought in the revolutionary war and her husband in the war of 1812.

Miss Elsie Bixby.

PERU, Neb., Feb. 5.—(Special.)—Miss Elsie Bixby, a graduate of the State Normal school and a teacher for several years at Valentine and elsewhere, died yesterday afternoon at her home in this city.

Oscar N. Burke.

CLEVELAND, Feb. 5.—Oscar N. Burke died tonight, aged 78 years. Mr. Burke was one of Cleveland's most prominent retired business men.

August Louis Fredinzon.

CINCINNATI, Feb. 5.—August Louis Fredinzon, French consul here, died tonight after a short illness.

GORDON SCHEME DEFEATED

Judge Keysor Sustains Demurrer to Yoder's Petition.

MAYOR'S SALARY IS NOT INVOLVED

Denial of Application for Injunction to Prevent City Council from Appropriating Money to Pay Mr. Moores.

In an opinion filed late Wednesday Judge Keysor gives Samuel I. Gordon another reversal in the latter's apparent endeavor to harass the city into paying him money for the time he pretended to serve as police justice of Omaha. The opinion of Judge Keysor sustains the demurrer to the petition of William C. Yoder for an injunction preventing Isaac S. Hascall and others of the city council from appropriating, by ordinance or otherwise, any moneys for the payment of the salary of Frank E. Moores as mayor for the month of January, 1902. The action is dismissed at plaintiff's cost.

In the opinion Judge Keysor says:

"It is conceded that the mayor took the oath prescribed by the legislature as found in section 1 of chapter x of the Compiled Statutes, and that he did not take the oath provided for by section 1, article xiv, of the constitution of this state; and it is also conceded by counsel on both sides in this case that if the mayor be not a constitutional officer that the injunction prayed for must be denied.

"The constitution of Nebraska, so far as the court has been able to discover, nowhere names mayors of incorporated cities among the officers for which it provides, unless the mayor be a police magistrate. Whatever may have been the function of mayors of cities in olden times, the offices of mayor and police judge are now too clearly separated to warrant the court in finding that the framers of our constitution intended to embrace mayors in the term police magistrate. The court is therefore of the opinion that the constitution does not embrace mayors within the term police magistrate which it employs, and that the constitution does not in express terms include mayors of cities in the list of offices which it names.

"Section 12 of article v of the constitution provides that the governor shall have power to remove any officer whom he may appoint in case of incompetency and neglect of duty or malfeasance in office. Here again we find the language of the constitution very broad and general; but the supreme court in the case of State against Smith, 25 Nebraska, 14, decided that this section applied only to officers named in the constitution. The court is therefore of the opinion that the words, executive and judicial officers, as used in section 1 of article xiv of our constitution means only such executive and judicial officers as the constitution itself names or provides for, and that the plaintiff is in error in his argument that the legislature is limited in providing for the terms and conditions of executive offices which it itself creates."

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take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

YOUNGERS STAY IN MINNESOTA

Their Application for Full Pardon is Denied by State Board.

ST. PAUL, Minn., Feb. 5.—The State Board of Pardons, after a long executive session, today denied the petition of Coleman and James Younger for full pardon. The board issued the following statement:

Application denied for the reason—other considerations aside—that it is premature. The petitioners are on parole by virtue of an act of the legislature extending the parole system to life convicts, and no decision should be made in this case that cannot be properly followed in other cases. The petitioners have been on parole less than seven months and we are unwilling to establish a precedent for the releasing of life convicts who have served on parole that length of time except in cases where the facts be special and extraordinary.

The board of pardons is composed of Governor Van Sant, Chief Justice Start of the supreme court and Attorney General Douglass.

CANVASS ON REVENUE MEASURE

House Leaders Secure Opinions of Members Regarding Reduction of War Tax.

WASHINGTON, Feb. 5.—The program for considering the war revenue reduction act was the basis for numerous conferences among house leaders today and an informal canvass of sentiment was made to learn whether members, particularly those of the majority, would favor a special rule bringing the bill to vote without an amendment.

The purpose of such a rule would be to avoid an amendment similar to that of Representative Babcock in the ways and means committee, reducing the rates in the iron and steel schedule or amendments from the minority in the line of general tariff revision. It is stated that the result of the canvass has shown a majority of the house favorable to such a special rule.

Strong Again.

The woman who knows the full value of health is the woman who has lost it and regained it; the woman who from being weak and sickly is once again made a strong woman. Half a million weak and sickly women have been made strong and well by the aid of Dr. Pierce and his "Favorite Prescription." It cures the ills which weaken women. It regulates the periods, dries enfeebling drains, heals inflammation and ulceration, and cures female weakness. It nourishes the nerves and so cures nervousness. It promotes a healthy appetite and induces refreshing sleep.

"I had female trouble for eight years," writes Mrs. L. J. Dennis, of 828 East College Street, Jacksonville, Ill. "Words cannot express what I suffered. I sought relief among the medical profession and found none. Friends urged me to try Dr. Pierce's Favorite Prescription. When I commenced taking this medicine I weighed ninety-five pounds. Now I weigh one hundred and forty-six pounds—more than I ever weighed before. I was so bad I would lie from day to day and long for death to come and relieve my suffering. I had internal inflammation, a disagreeable drain, bearing-down pain, and such distress every month, but now I never have a pain—do all my own work and am a strong and healthy woman."

Use Dr. Pierce's Pleasant Pellets with "Favorite Prescription" if the bowels are inactive or irregular.

MISS BONNIE DELANO

A Chicago Society Lady, in a Letter to Mrs. Pinkham says:

"DEAR MRS. PINKHAM:—Of all the grateful daughters to whom you have given health and life, none are more glad than I.

"My home and my life was happy

MISS BONNIE DELANO.

until illness came upon me three years ago. I first noticed it by being irregular and having very painful and scanty menstruation; gradually my general health failed; I could not enjoy my meals; I became languid and nervous, with griping pains frequently in the groins.

"I advised with our family physician who prescribed without any improvement. One day he said,—'Try **Lydia Pinkham's Remedies.**' I did, thank God; the next month I was better, and it gradually built me up until in four months I was cured. This is nearly a year ago and I have not had a pain or ache since."—BONNIE DELANO, 3248 Indiana Ave., Chicago, Ill.—*$5000 forfeit if above testimonial is not genuine.*

Trustworthy proof is abundant that **Lydia E. Pinkham's Vegetable Compound** saves thousands of young women from dangers resulting from organic irregularity, suppression or retention of the menses, ovarian or womb troubles. Refuse substitutes.

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A tonical stimulant to the weak and weary is

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It Cheers
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Removes Tan, Pimples, Freckles, Moth Patches, Rash and Skin diseases, and every blemish on beauty, and defies detection. It has stood the test of 57 years, and is so harmless we taste it, to be sure it is properly made. Accept no counterfeit of similar name. Dr. L. A. Sayre said to a lady of the haut-ton (a patient):

"As you ladies will use them, I recommend 'GOURAUD'S CREAM' as the least harmful of all the Skin preparations." For sale by all Druggists and Fancy Goods Dealers in the U. S. and Europe.

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NEXT BIG AMATEUR SHOW,
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12 O'CLOCK NOON LUNCH.

Try it. It's fine, and it's cheaper than to go home.

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Thursday, Feb. 6—Shriner's Night.

Admission 10 cents.