Great Britain and Japan Form a Mutual Protective Alliance.

BEEK TO PRESERVE CHINA AND KOREA

Desire Integrity and Independence of Empire Re Maintained.

PLEDGED TO NEUTRALITY IN OF WAR

Compact is a Startling Suprise of England.

PRESS GENERALLY GIVES APPROVAL

Agreement Which is to Obtain for Five Years is Outgrowth of Uninterrupted Communications of Two Years.

LONDON, Feb. 11.-An important parliamentary paper was issued tonight giving details of a practical alliance between Great Britain and Japan for the preservaton of China and Korea. The information covers a dispatch sent by Lord Lansdowne to the British minister at Tokio, Sir Claude McDonald, and comprises a signed copy of the agreement. In explanation the paper says the agreement may be regarded as an outcome of the events of the past two Throughout the Boxer troubles Great Britain and Japan have been in close and uninterrupted communication and actnated by similar views.

"We each desire," says Lord Lansdowne, "that the integrity and independence of the Chinese empire should be preserved and that there should be no disturbance of the territorial status quo, either in China or the adjoining regions.

The discovery that their far eastern polloies were identical resulted in each party to the agreement expressing its desire that their common policy find expression in an international contract of binding validity. Merely a Measure of Precaution.

Lord Langdowne further says that the British government was largely influenced in entering upon this important contract by the conviction that it contains no provisions that can be considered as agressive or self-seeking. He says it is concluded merely as a measure of precaution and that it in no way threatens the present position of legitimate interests of other owers. His majesty's government trusts that the agreement will be of advantage to At the hospital to which he was taken the two countries and should peace unfortunately be broken it will have the effect of restricting the area of hostilities.

The following are the terms of the agree-ment signed in London January 30: ment signed in London January 30:

The governments of Great Britain and Japan, actuated solely by a desire to maintain the status quo and general policy in the extreme east, especially in maintaining the independence and territorial integrity of China and Korea, and of securing equal opportunities in those countries for the commerce and industry of all nations, hereby agree as follows:

Article 1. The high contracting parties, having mutually recognized the independence of China and Korea declare them serves to be entirely uninfluenced by any ives to be entirely uninfluenced by any afternoon. They were picked up by the gressive tendencies in other countries, schooner J. C. Clifford, Captain F. H. Mediaving in view, however, their especial

Pledged to Neutrality.

Article 2. If either Great Britain or Japan, in defense of her respective interests as above described, should become involved in a war with another power, the other contracting parties will maintain strict neutrality and use its efforts to prevent where powers from joining in the hostilities health?

that neither of them will, without consulting the other, enter into separate arrangements with another power to the prejudice of the interests above described. Article is Whenever, in the opinion of either Great Britain or Japan the above mentioned interests are jeopardized, the two governments will communicate with one another fully and frankly.

Article is provides that the agreement come into effect immediately, remain in force for five years, and be binding for a year after either party renounces it. But if, when the date fixed for the expiration of the agreement arrives, either party thereto is actually engaged in war, the alliance shall, ipso facto, continue until peace is concluded.

The agreement is signed by Lord Lans-

The agreement is signed by Lord Lansdowne and Baron Hayashi, the Japanese minister to Great Britain.

These ministers so well kept the secret that the paper issued after Parliament had adjourned for the night announcing the and a yellow, or Oriental nation, comes as a startling surprise, and although the idea of an alliance with Japan is likely to meet with approval, the outcome of this sen-

Complete Surprise to Populace. LONDON, Feb. 12 .- Referring editorially to the British-Japanese alliance, the morning papers, to whom the agreement comes as a startling surprise, ask many pertinent stions concerning it. The Daily News

"Our magnificent isolation has come to an end with a pretty sudden shock. Whether the treaty is indicative of an anti-British coalition in the far east, whether it marks the tearing up of the Anglo-American treaty, and whether the visit of Prince Henry to America is an answer to the new naval alliance are matters of speculation We hope the government will make no further delay in elucidating the situa-

tion, which is fraught with the gravest The Standard says the agreement constitutes a dual alliance of exceedingly

binding character. "We are certain," says the Standard, British ministers."

"that the treaty will be received here not merely with approval, but with en-thusiasse, and Lord Salisbury may be con-We cannot flatter ourselves that the prospect is clear in the event of war, but at least much has been ach eved to enable us to face the storm should the roublons elements prove uncontrollable."
The Morning Post and the Daily Tele-

graph approve the treaty. Hohenzollern is Delayed.

HAMILTON, Bermuda, Feb. 1., -The im perial German yacht Hohenzollern, which

in Battle with Con-

CHICAGO, Feb. 11.-During a fight with

ifies this evening between the followers of rival claimants to property lying along the lake shore drive, the most aristocratic oulevard in Chicago, Frank Kirk, a watchman for one of the claimants, was shot through the head, sustaining a wound from which he died in a short while.

The property in dispute consists of land lying east of the shore drive and between it and Lake Michigan. Captain George W. Streeter who has for many years been a thorn in the side of North Side property owners, because of his propensity to settle vacant ground and then claim in the is the rights of a squatter, has erected small shantles upon this ground and

ot inasmuch as it was not origifuded in the government surveys of the state of Illinois it does not belong to the state, but was public property open to settlement. He claims to be the first settler and calls the ground "the district of Lake Michigan" and denies that the officials of the city of Chicago or the state of Illinois have any rights upon it.

Between Streeter and his men and the watchmen employed by the property owners along the lake shore drive there have been frequent fights. Tonight, Henry Cooper, a lawyer who has been active in his oppo sition to Streeter, accompanied by Police man O'Malley went upon the ground of the "district" and was attacked by Streeter who knocked him down with the butt of a revolver. Several of Streeter's followers covered O'Malley with their weapons and he was ordered to leave or be shot. Shortly after Cooper and O'Malley had left the ground a pitched battle broke out between three of Streeter's followers, William Mc-Manners, William Blocki and John Hoeldtke, and two watchmen employed by Cooper, Frank Kirk and Samuel Portorous. riot call was hastily sent to the East Chi-

cago Avenue police station and a wagon filled with officers under the command of Captain Revere was sent on the run toward the place. When the officers arrived Kirk's body lay in the snow outside his shanty while from the window Portorous kept up a steady fire upon the three men in the other house who were returning his fire with all the speed with which they could work their rifles.

McManners, Blocki and Hoeldtke claim that the first shot was fired by Kirk and that he was shot when they returned his fire. This is denied by Portorous who claims that the other side fired the opening shot. All persons living on the "district of Lake Michigan' were placed under arrest pending the death or recovery of Kirk. Kirk died without regaining consciousness

CREW IS SAFELY RECOVERED All Seamen of Wrecked Vessel, Mar. Graham, Survive the

NEW YORK, Feb. 11 .- The schooner which was burned to the water's edge off s point north of Cape May last night was Mary Graham, Norfolk, for New York, and

Disaster.

Norfolk three weeks ago yesterday. in China, is interested in a peculiar degree, politically as well as commercially and industrially, in Korea, and the signators recognise that it will be impossible for either of them to take such measures as may be indispensable to safeguard those interests if they are threatened either power, or by disturbances arising in China or Korea, necessitates the intervention of either of the contracting parties for the protection of the lives and property of and the hands of Charles Martin, mate, ta subsets. pumps. They suffered terribly from the cold and Charles Bergunson, sailor, were frostbitten. Plenty of hot coffee reduced the

cen's sufferings considerably.

Heavy seas were breaking over the ves sel and the bowsprit was carried away Soon both masts went by the board. In falling over the side the mast carried away the only boat. This left the crew helpless and their only hope lay in being picked up. The schooner was one mass of ice fro stem to stern and to add to the peril the captin found it was in danger of sinking. To lighten it the captain had about 20,000 feet of lumber thrown overboard.

Despite all efforts the schooner was settling rapidly, when J. C. Clifford, also lumber laden hove in sight. This was about 9 a. m. yesterday. Clifford lay to about 100 yards from Graham and sent a boat for the crew. The rescue was accomplished with much difficulty owing to the ice pack around

Seeing that there was no chance of sav ing the vessel, Captain Medley set fire to it before entering Clifford's boat, The wrecked schooner was 196 tons and owned by the Greenleaf-Johnson Lumber ompany of Berkeley, near Norfolk.

CRANBORNE DENIES REPORT Says British Never Prepared a Second Note for Intervention in

Spanish War.

LONDON, Feb. 11.-The under secretary for the foreign office, Lord Cranborne, reational departure will be received with plying in the House of Commons today to a question of Henry Norman (liberal), who make a mountain out of a mole hill; that asked whether the government's attention while some of them may believe there is a had been called to the statement in the German press, and alleged to have received Mormon intent, some of them know better official confirmation at Berlin, to the fact and are wilfully attempting to bear false that Great Britain April 14, 1899, through its ambassador at Washington, Lord ceive the American public Pauncefote, proposed a fresh note, in which the powers should declare that Europe did is well understood and so is the wish which not regard the armed intervention of the United States in Cuba as justifiable, and

to accept this proposal the step was abandoned, said: No. sir. Her late majesty's government never proposed through her majesty's ambassador or otherwise any deciaration adverse to the action of the United States in Cuba. On the contrary, her late majesty's government declined to assent to any such proposal.

Mr. Norman later said to a representative of the Associated Press:

"I am perfectly satisfied and, of course, implicitly believe that statement of the John Redmond, the Irish leader, com-

mented on Lord Cranborne's statement as follows: and England did so much for the United dred thousand persons will visit Paterson States at the time of the war is all humbug. To my personal knowledge the ma-

Death of General Egbert Brown. WEST PLAINS, Mo., Feb. 11.-General

Ministers Alliance Directs Specific Fight Against Utah Mormons.

WILL APPEAL TO CONGRESS FOR HELP

Opening the Hostile Campaign Evidence is Set Forth to Prove Existence of Pinral Marringes.

SALT LAKE, Feb. 11.-The Ministerial Alliance of Salt Lake has unanimously adopted the report of the committee of that organization appointed to investigate and report on the alleged practice and teaching of polygamy by the Mormons at the present

This report is to be used as a petition for the passage of a constitutional amendment prohibiting polygamy, and will be sent to the judiciary committees of congress. The report, which is quite lengthy, sets forth that positive evidence can be produced that polygamy is both practiced and taught by the Mormons at the present time in open defiance of the laws of the state.

Mormon leaders, in which the practice and teaching of polygamy is advocated and urged, regardless of man-made laws to the contrary. The ministers assert that the evidence is in such shape that it could be produced as evidence in court if it became necessary to do so. Besides being sent to the judiciary

The document contains numerous quoted

statements alleged to have been made by

committees of congress, the document, it is said, is to be extensively distributed in the east to further the campaign for the anti-polygamy amendment to the constitu-The report, after quoting a number of Mormon leaders in favor of the practice, dwells at some length on the colonisation schemes of the church, which, according to

Purpose of the Scheme.

To enable the Mormons to practice polygamy, "where they will be free from the scrutiny of their gentile neighbors," and to secure the balance of political power in the sparsely settled states of the west, thus blocking the way of any proposed heatile national legislation. The report sums up as follows:

The returns coming from parties whose eliablifty can in every case be vouched for by members of this body, show the following conditions prevailing at the presfor by members of this body, show the following conditions prevailing at the present time:

First—Polygamous cohabitation as evidenced by the birth of children or the acknowledgment of parties concerned or concurrent testimony of neighbors, and sometimes by all of these, is proven to continue in multiplied instances in Salt Lake City, Logan, Brigham City, Provo, Payson, Smithfield, American Fork, Price, Sandy, Toocle and elsewhere in Utah, and also in Paris and Montpeller in Idaho.

Second—That plural marriages have been contracted since the church manifesto was issued is shown by returns giving names of parties in several of the above mentioned places, some of the new plural wives not having come to a marriageable age as early as 1890, the date of that document.

Smith's Alleged Statement. Third—That the Mormon authorities con-tinue to publicly teach and insist upon the rightfularies of polygamy is abundantly proven by public utterances of high of-ncials.

Graham. It was a two-master, which left leaders on this question dwelt on in the report is the following:

Joseph F. Smith, formerly chief counselor to President Snow and now president of the church, said in 1896, while dedicating a meeting house in Payson: "Take care of your polygamous wives. We do not care for Uncle Sam now."

President Smith to a reporter of the Associated Press made the following statement:

I wish to declare emphatically that I never said any such thing, either at Payson or any other place. I have expressed my sentiments as to the families of men who contracted plural marriages years ago that they should provide for and educate and take care of them in every proper way. I say so now, but the remark attributed to me about "Uncle Sam" I never made and the statement that I did so is utterly and wickedly false.

Mormon Organ Resents the Attack. The News, the official organ of the Mormon church, tonight denounces the report of the Ministerial association as a mass of representations built on a number of stories. many of them grossly false; most of them purposely exaggerated, and the whole related to a very small portion of the population of this state and of the Mormon part of it."

"The unreliability of the tales told by people upon whom these ministers depend for the scandals in which they delight," says the News, "and the reports made by anti-Mormons of speeches delivered by Mormon elders, has been demonstrated time and time again.

"The plain and simple truth is that po lygamy is not taught or encouraged by the authorities of the Church of Jesus Christ of Latter Day Saints and that plural marriages are no longer solemnized, but that men who contracted such marriages in the past are expected to care for, love and support their families and would be regarded as recreant to their faith and viorefused or neglected to do so; that their numbers are very small compared to the bulk of the population; that the enemies of the Mormon people are endeavoring to little foundation for their foolish fears of witness against their neighbors and to de-

"The purpose of this misrepresentation Impels them."

that in consequence of Germany's refusal GIVE MILITIA CHARGE OF CITY Paterson Authorities Take Precau tions Against Trouble in Burned District.

PATERSON, N. J., Feb. 11 .- Mayor Hinch liffe, Sheriff Sturr and Major Rose, commanding the militia, had a conference this afternoon, at which it was agreed that the municipal and county authorities should give over to the militia the control of the burned district commencing tomorrow and lasting for the ensuing eighteen hours. The reason for this is that tomorrow "The feeling which existed in America a holiday, it is expected that several hunand the establishment of full military control was considered the best plan. jority of the House of Commons were side the fire line, the police, regular and strongly anti-American in those days. I special, and the deputy sheriffs with the

have no doubt Germany has evidence to aid of detectives will handle the crowds. The work of adjusting the fire losses will commence tomorrow. The Paterson in surance club has established itself in ample quarters, and clerks are already recording

Representatives Change Front and the Majority in Pavor

is Small.

WASHINGON, Feb. 11.-The voting on amendments to the oleomargarine bill in the house today indicated a couniderable change of sentiment since the last congress, when the bill had 106 majority and that the opposition to the measure has gained strength. While the passage of the bill, is not endangered it is not likely the majority tomorrow will exceed thirty.

The opposition today was strong-enough in committee of the whole to adopt two important amendments, one providing that nothing in the act should be construed to prevent the manufacture and sale of oleomargarine in any state for sale and consumption within said states, and the other to provide for branding of renovated or process butter. This amendment was especially obpoxious to friends of the measure, and when the matter came to the house a separate vote was demanded on it. That vote was pending when the house ad-

Although the amendment commanded a majority of two in committee of the whole, where no record is made it is not unlikely that the action of the committee will be reversed tomorrow, when members are obliged to go on record. Several committee amendments adopted today changed the phraseology of the bill, the most important being that making the 10 per cent tax apply to oleomargarine made in imitation of but-

"of any shade of yellow." Considerable feeling was injected into the proceedings toward the close of the ses-

minority of the committee for the proviso in section 1, another providing that "nothing in this act shall be construed to forbid a state to refuse to permit the sale or manufacture of eleomargarine in conformity with the laws of that state, provided it is manufactured and sold entirely within the showed that notwithstanding the high tem- was declared void.

the committee's report, have a twofold feit ice."

Minnesota.

The same vicious principles, he said, better. inderlies both propositions. His amendimitation of maple syrup:

evated and requiring that all renovated Lawrence and Rev. Sherard Billings. butter be stamped as such. The Allen amendment was carried amid a considerable display of enthusiasm, 17 to 107. Mr. Henry, in charge of the bill, offered

an amendment, which was adopted, which provided that the bill should no lette effect Mr. Richardson of Tennessee offered an of his son. tax of 10 per cent on the products of steel | the day were of the same nature as those corporations and on the products of other sent to Miss Alice Roosevelt, Washington.

which Mr. Richardson argued that the bill was brought in under the guise of a bill to used, and at the request quotations were raise revenue and as such his amendment also omitted. was germane. The point of order was sus-

Mr. Wadsworth offered the substitute for the entire bill, which had been provided by the minority of the agricultural committee. The substitute was defeated-155 to 146. When the committee arose Mr. Tawney demanded a separate vote on the amendment relating to renovated butter, but he described the amendment by the wrong number and discovered his arror after that amendment, with others of a minor character, had been adopted in gross. The exposure of the mistake tickled the enemies of the bill, but Mr. Tawney proceeded to retrace the parliamentary trail by moving a reconsideration of the vote. It took some time to straighten out the tangle, but this was accomplished finally, and with this amendment pending the house, at 6:15, adfourned.

FAVOR A BRIEF CONFESSION Presbyterian Revisionists Formulate New Creed of Faith for

Popular Use.

PHILADELPHIA, Feb. 11.-The Presbyterian committee on revision of the con fession of faith confined itself to a brief confession of faith for popular use. The statement contains sixteen chapters or sections which were formulated by the comlators of their sacred covenants if they first three chapters as outlined at Washington were reviewed today, and conclusions reached in the first two.

The three sections are entitled: Chapter I-Revelation and the rule of

Chapter II-God. Chapter III-Eternal purpose The committee will not give out what was adopted, but it is understod that no important changes have been made. The committee will adjourn next Friday regardless of what progress has been made.

Another meeting will have to be held prior to the opening of the general assembly, which convenes May 15, in New York. Former Moderator Dickey of this city said that no action taken up to date by the committee is conclusive, as it will be possible to make changes up to the concluding session if two-thirds of the mem-

GOULD PÜRCHASES PROPERTY

President of Missouri Pacific Railroad Secures Five Blocks in St. Louis.

ST. LOUIS, Feb. 11.-Property covering a total area of five blocks was today trans ferred to George J. Gould, president of the Missouri Pacific, and is on Iron Mountain Railway company's line. The consideration was \$825,000. It is rumored that Mr. Gould has made the purchase for the purpose of building an immense freight depot and to extend freight yard facilities.

Reports from Chamber of President's Son

More Encouraging.

CRISIS IN BOY'S SICKNESS NOT REACHED

King Edward Sends Message of Sympathy to Parents and Hope for Their Son's Speedy

Recovery.

GROTON, Mass., Feb. 11.-The reports from the sick room of Theodore Roosevelt, jr., the eldest son of the president, tend to show an improvement and at 8 o'clock to night his condition was authoritatively stated to be better than it was at the same

time last night. The crisis of the disease is still to come and is looked for within twenty-four hours. The president and his wife believe their building at Norfolk, Neb., has been referred son will meet this crisis in good shape and, to a subcommittee consisting of David H passing it successfully, will recover. In Mercer and Representatives Gillett and fact, the slight favorable turn in the dis- Bankhead. Hon. W. M. Robertson of Norease today has greatly relieved the strain folk, who has been here looking after the on both of them and the day closed much interests of Norfolk in the matter, is satmore cheerfully than yesterday. Still the isfled with the progress which has been reports issued through Mr. Cortelyou, sec- made and will return to Nebranka Thursretary to the president, ran between hope day.

and fear. after an admittedly hard night was reported appropriations for new buildings in the of applause at 3:25 yesterday afternoon as improved, although pleurisy in the right omnibus bill. It is probable a report of this when the judge made his adverse ruling on lung was mentioned, this favorable tendency committee will not be made before the latwas continued through the noon statement. Then at 2:40 o'clock in the afternoon it every assurance is given that when a report was stated that the boy's temperature had is made it will include an appropriation for risen, that it probably would remain high the Norfolk building. and if anything increase a little toward morning. This somber tone seemed alindemnity school lands was favorably remost to neutralize the morning's encourag-

perature the boy had more than held his The amendment was adopted 96 to 66. own all day and that his condition was the secretary of the interior, the state having filed its list of indemnity school of merriment by offering a substitute for an additional and voluntary report on Mr. land selections, and as the rights of innosection 3 in the language of that section. Cortelyou's part at 8 o'clock that the lad to impose a tax of 10 cents per pound on was in better condition than at the same failure of the state's title, Schator Diet-manufactured ice sold in imitation of the last night, although he said there had rich's bill has been introduced to cure any natural product, except when sold in blocks not been much change during the dayof one or two pounds and stamped "counter- meaning that the favorable condition of the morning had been practically maintained. Mr. Burleson amid much laughter de- All these reports were authoritative and, in clared that his substitute demonstrated the addition, there was a cheery interview with rank absurdity and injustice of the "selfish, Secretary of the Navy John D. Long after designing and ambitious statesmen from a hurried visit of courtesy to his chief, in which he frankly said that the boy was

To confirm this came the president's sudment was ruled out on a point of order, as den appearance, a little later in the afterwas one offered by Mr. Grosvenor to place noon, at the new sporting dome, a recreation of 10 cents per pound on syrups in tion house built by Mr. Gardner adjoining his own mansion. The president was dressed Mr. Allen of Kentucky proposed to test the good faith of the friends of the bill by offering an amendment to provide for the inspection under the Department of Agriculture manufactories where butter is ren-

King Edward Sends Message.

Another interesting event of the day was the receipt of a telegram from Ambassador Pauncefote at Washington, conveying King Edward's expression of sympathy for the president and hope for the speedy recovery

corporations, known as "trusts" of 5 per At the earnest request of the president the reports were not issued in bulletin form. Mr. Henry made the point that the Mr. Cortelyou absolutely refusing to give amendment was not germane, against statistics of temperature, pulse and respiration. In fact no technicalities were They were merely plain statements of the condition of the Each time one was given Mr. Cortelyou cautioned the newspaper men against making it look favorable, for the reason that unfavorable ones might have to be issued

Long's Cheering Words. Then came the interview with Secretary Long which contained far more encouraging words, than any from the sick room. The secretary said frankly that the boy was better, and that the president and his wife Knight, Uinta county Wyoming, with Dexwere much encouraged. He said that no ter C. Swartfager postmaster. plan had been made for the president's departure, although intimating that if the boy's condition continued to improve at the same rate the boy would be improved sufficiently to allow the president to leave for Washington Thursday. No arrangements he said, had been made for the removal of the boy when he is well enough to leave. The secretary said President and Mrs. Roosevelt were much worn and wor-

ried, but otherwise quite well. For two hours today the president was engaged in transacting official business and answering letters. He lunched with Mrn Roosevelt at the infirmary after the departure of Secretary Long.

Improvements for the Day. The 6:30 report from Mr. Cortelyou practically confirmed much of what Secretary

Long had said. It was in effect that th boy's condition, while unchanged, showed mittee last December at Washington. The improvements for the day. His temperature had increased slightly, but respiration and pulse were about the same. At 8 o'clock Mr. Cortelyou gave out an-

other report, stating that medical examination of the patient showed he was better than last night. The president spent the entire evening at

the Gardner house. The last sick room bulletin for the day was given out at Il o'clock. Mr. Cortelyou said that at this time every indication was for a favorable night for what and it was impossible to tell just when the crisis would come, although it high-class play. was looked for during Wednesday.

The condition of William Gammel, jr., of Providence and Howard E. Potter of New York also showed considerable improvement, in fact these two boys are in better condition than young Roosevelt. GROTON, Feb. 12.-1 a, m .- The lights in the infirmacy for nearly two hours have been turned low.

MURDERER STILL AT LARGE Slayer of San Francisco Girl Evader Traps Set by the

Police.

SAN FRANCISCO, Feb. 11 .- Nora Fuller's nurderer is still at large, and it is be- life would have been lost had there been lieved thousands of miles from the scene fire escapes on the building. of his crime, but the whole police force is still following every possible clue to the

whereabouts of the murderous John Bennett action of the murderous John Bennett, alias G. B. Hawkins.

Captain Seymour's confidence in the evidence which entangles Bennett has steadily increased. The chain of circumstances, to-ransport Wright, which was wrecked, as gether with the facts, have been care. transport Wright, which was wrecked, as gether with the facts, have been careperial German yacht Hohenzollera, which left St. Thomas, Danish West Indies, Satleft St. Thomas, Danish West Ind

FOR PEACE IN ORIENT MAN KILLED IN STREET FIGHT MOVE TO SUPPRESS POLYCAMY MEMBERS DESERT OLEO BILL CONDITIONS ARE FAVORABLE CONDITION OF THE WEATHER RESTRAINS TAX LEVY orecast for Nebraska—Cloudy Wednesday Probably Snow, Colder, with a Cold Wave at Night in Northwest Portion; Thursday, Fair, Cold, Winds Becoming Northerly.

Hour. I 1 p. m..... 2 p. m..... 3 p. m.....

B. Merter

O. Bisseree

10 a. m..... 20 11 a. m..... 22 12 m..... 24

Appropriation of Seventy-Five Thou

sand Dollars Stands Chance in

Omnfbus Bill.

(From a Staff Correspondent.)

WASHINGTON, Feb. 11 .- (Special Tele

gram.)-Congressman Robinson's bill carry

ing. \$75,000 for the erection of a public

It is the intention of the committee on

Senator Dietrich's bill conferring title to

ported today. The lands are described as

district, selection of which was approved

Last year this matter came up before

defect growing out of the erroneous ap-

Congressman Mercer was compelled to

abandon his trip to Grand Rapids, Mich.,

on account of the illness of his little daugh-

The South Dakota delegation today re-

commended Christian Aisenbray for post-

Representative Burke of South Dakota

of the house, provailed upon the committee

Rapid City Indian school. Twenty thou-

sand dollars was appropriated by the last

Congressman Hull expects to leave

lieves in being on the ground.

Washington.

Clay county.

county.

\$200,000 capital.

is H. G. McMillan of Cedar Rapids.

for his district March 7. He expresses ab-

Senator Dietrich was suddenly called to

Catskill today by the illness of his daugh-

ter, who was compelled to leave her school

at Bryn Mawr a week ago. Before leaving

Senator Dietrich made the following

recommendations for postmasters: J. H.

Jones, Marquette, Hamilton county, re-

appointed; Dr. G. M. Prentice, Fairfield,

Rural free delivery has been ordered at

Shell Rock, Butler county, Iowa, April 1,

with R. E. Dewey, H. E. Metzger and

Howard Prince carriers. The route em-

office at Custer will be discontinued

county, vice M. J. Conboy, resigned.

The Western National bank of New York

is approved as a reserve agent for the

DOES NOT GRANT INJUNCTION

Court Defers Action on Application of

Frank James to Dissolve

Show.

KANSAS CITY, Feb. 11 .- Judge Teasdale,

in the circuit court today, intimated that he

James for an injunction to stop the pro

duction of "The James Boys in Missouri,

a lurid drama being played at a local

It was announced today that James had

for him. James says it will be a clean,

First National of Gladbrook, Ia.

his decision until tomorrow.

Postmasters appointed:

mber of the committee on Indian affairs

master at Menne, Hutchinson county.

proval.

Judge Dickinson Overrules Motion to Dia-Temperature at Omaha Yesterday:

Hour. Deg. Hour. Deg.

5 s. m..... 10 1 p. m..... 27

6 s. m..... 16 2 p. m..... 30 selve Temperary Injunction.

RULING GREETED WITH MUCH APPLAUSE 5 p. m. 33
5 p. m. 35
6 p. m. 35
7 p. m. 31
8 p. m. 30
9 p. m. 20

Demonstration Most Remarkable Ever Noted in Iquity Court Room.

NORFOLK PUBLIC BUILDING COUNCIL MUST AWAIT SUPREME COURT

Lavy Cannet Be Made Before Mandamus Case is Bettled.

CITY ATTORNEY IS SOMEWHAT ALARMED

Mr. Connell Says Serious Condition Exists and Will Work Great Injury to City-Real Estate Men Jubilant.

Despite the forbidding frown of Judge Charles T. Dickinson and despite the vigorous knocking of Bailiff Stout, the official gavel wellder for district court room public buildings and grounds to include all No. 7, the crowd therein burst into a round ter part of March or the first of April, but solve the temporary injunction which he had issued restraining the city council from levying a tax for the year 1902, based upon the assessment of taxable property within Omaha as the same now appears

the state of Nebraska of certain selected upon the assessment rolls. The real estate men predominated in the crowd and many laughed outright at what aggregating, 2,228 acres in the O'Neill land they assumed would be the discompture of the corporations, while others sought long in 1897, but two years later the certification for an opportunity to shake the hands of the judge, as well as that of Attorney J. H. Mcintosh, who had combatted the motion. The judge remained on his bench, stern and unapproachable by the effusive, until the latter drew from the room. It once seemed certain that the crowd would break out in cheering, but the nearest approach was when one very elderly man sang out: knew Dickinson would give us our rights." The demonstration was one of the most remarkable ever noted in an equity court in this district and followed four days of what had been almost a continuous de-

Considers it a Misfortune.

City Attorney Connell, however, considers the result as unfortunate for the city. He calls attention to the statutory provision (section 138 of the charter) that the tax commissioner "shall assess for taxation all to insert in the Indian appropriation bill street railway property in the city and \$20,000 for increasing the capacity of the place the same on the tax list, fixing the valuation of the property owned by a street railway company in the same manner as congress for this school. The additional other property is assessed." This he conappropriation, it is thought, will be suffitrasts with that part of the injunction cient for the erection of additional buildwhich enjoins the council from levying the tax until it has, sitting as a board of equalination, "raised the several assessments of owa soon to attend the primaries called the said franchised corporations to 40 per cent of the fair cash value of their said solute confidence in his nomination, but beproperty and franchises." He says that this contrast seems to indicate that the court overstopped itself by prescribing what the charter does not demand shall be Congressmen Lot Thomas of the Bleventh Iowa district in pushing the candidacy of The reports issued by Mr. Cortelyou during J. U. Sammis of Lemans for United States done and which it will be almost impossidistrict attorney. The present incumbent ble to do because of the difficulty in ascer J. W. Blythe of Burlington, Ia., is in fair cash value. In an interview last eventaining what is exactly 40 per cent of the ing Mr. Connell said:

"Had Judge Dickinson seen fit to dissolve the injunction in accordance with our cor tention that the plaintiffs had already had a hearing with reference to the subject matter in controversy, I would have advised the council to at once proceed to make the levy. Or if it was possible for the council upon reconvening as a board of equalization to lawfully comply with the conditions in the order of injunction. I would be in favor of that course.

Says Compliance is Impossible.

"But the order as prepared by Mr. Mcbraces an area of sixty-seven miles, containing a population of 1,485. The post-Intosh for Judge Dickinson's signature goes to such an extreme as to make a compli-A postoffice is ordered established at ance therewith impossible. Had the order been simply a restraining order Judge Dickinson might modify it, but being a tempor-The postmaster at Shenandoah, Ia., is to ary injunction he has no power to do so, be allowed one additional carrier June 16. so as to make his modification immediately operative. A supersedeas bond could be Nebraska-S. C. Allen, Rogers, Colfax given and the order as originally made kept in force until final hearing by the Iowa-George Lanster, Arnold, Humboldt supreme court, but in the ordinary course of events such hearing could not be had The postoffice at Burt, Ia., becomes a during the present year. The mandamus presidential office April 1, at a salary of case can have no effect on this action. Even should the supreme court refuse the 'the First National bank of Waubay, S. D. writ of mandamus applied for at the hearhas been authorized to begin business with ing, this order of injunction issued by

Judge Dickinson would continue in force. "To sum the whole thing up, the hands and feet of the mayor and council are completely bound by this order of Judge Dickinson's. All legislative power by the mayor and council with reference to the annual levy of 1902 is taken away and we now have only a city government by injunction. Of course the council might take the bits in their teeth and, later on, pass the levy ordinance in spite of the injunction, but this they are not likely to do, Certainly a serious situation exists could not grant the application of Frank which will work great injury to the city."

Order of the Court. The temporary injunction which theater. The judge did not say that he city attorney considers so disastrous, but which the court announced that it would would not grant it, however, and postponed continue in force until the supreme court has had opportunity to pass on the plainsigned with a Pittsburg firm to appear tiffs' application for a writ of mandamus," the boy, but the fever had fluctuated some- thirty weeks next season in a play written which is expected to be done the eightsenth inst., reads as follows, being dated February 3:

BLAMED FOR ELEVEN DEATHS

Proprietor of Hotel is Held Responsible for Lives of His

Guests.

St. LOUIS, Mo., Feb. 11.—J. W. Gillham, proprietor of the Empire hotel, which was burned hast Sunday morning, was this afternoon held responsible for the death of the eleven persons who lost their lives as the result of the fire.

The jury says his responsibility lay in his neglect to furnish fire escapes and life lines, as provided for by statute and ordinances. Police Sergant Hall, who was present when the fire was raging, teatified that not a life would have been lost had there been fire escapes on the building.

Movements of Ocean Vessels Feb. 11.

At New York: Arrived—Kalser Wilhelm der Grosse, from Bremen: Masadam, from Rotterdam; Nomadie, from Liverpois. Sailed—Fuerst Bismarck, for Naples, etc. At Sydney, N. S. W.: Arrived—Venture, from San Francisco, via Honolulu and Archiand.

d by law. CHARLES T. DICKINSON, Judge. In delivering his opinion, Judge Dickin

sou sald: We will first eliminate from eny con-