THE OMAHA DAILY BEE.

ESTABLISHED JUNE 19, 1871. OMAHA, TUESDAY MORNING, MARCH 11, 1902—TEN PAGES. SINGLE COPY FIVE CENTS.

MERGER BILL FILED

Action Against Northern Securities Company Instituted by Government.

BROUGHT IN ST. PAUL FEDERAL COURT

Proceedings Directed by Attorney General of the United States.

LEGAL TEST OF PROPOSED CONSOLIDATION

Great Northern and Northern Pacific Named as Defendants.

...ER SHERMAN ANTI-TRUST ACT

Bill Re... ...erging of Competing Railroa... ...onspiracy in Restrai... of Trade or Commerce.

ST. PAUL, Minn., March 10.—By direction of the attorney general of the United States a bill was filed at St. Paul today in the circuit court of the United States for the district of Minnesota in the case of the United States, complainant, against the Northern Securities company, the Great Northern Railway company and others, defendants, to test the legality of the alleged combination or merger of the two roads and others named in the bill. The action is brought under the act of July 2, 1890, known as the Sherman anti-trust act.

After reciting the fact that the Northern Securities company is a corporation organized under the laws of the state of New Jersey, that the Great Northern railroad was organized under the laws of the state of Minnesota and the Northern Pacific railroad under the laws of Wisconsin and that the two last named companies are common carriers doing an interstate business and that these companies at and prior to the doing of the acts complained of owned and operated two separate, independent, parallel and competing lines of railway aggregating over 5,500 miles in length, the petition goes on to say that they "were the only transcontinental lines of railway extending across the northern tier of states west of the Great lakes, from the Great lakes and the Mississippi river to the Pacific ocean and were then engaged in active competition with one another for freight and passenger traffic among the several states of the United States and between such states and foreign countries, each system connecting at its eastern terminals not only with lines of railway, but with lake and river steamers to other states and to foreign countries and at its western terminals with sea going vessels to other states, territories and possessions of the United States and to foreign countries.

Goes Back to Receivership.

"That prior to the year 1893 the Northern Pacific system was owned and operated by the Northern Pacific Railroad company, a corporation organized under certain acts of congress; that during that year the company became insolvent and was placed in the hands of a receiver. While in this condition, awaiting foreclosure and sale, an arrangement was entered into between a majority of the bondholders of the Northern Pacific Railway company and the Great Northern Railway company for a virtual consolidation of the two and placing the control of the Northern Pacific system in the hands of the Great Northern. This arrangement contemplated the sale under foreclosure of the Northern Pacific company to a committee of bondholders who should organize a new corporation to be known as the Northern Pacific Railway company. One-half of the capital stock of the new company was turned over to the Great Northern company, which in turn was to guarantee the bonds of the Northern Pacific Railway company.

Defeated by Supreme Court.

"The carrying out of this arrangement," says the petition, "was defeated by the decision of the United States supreme court in the case of Pearsall against the Great Northern Railway company was decided March 30, 1896, in which it was held that the practical effect would be the consolidation of two parallel and competing lines of railway and the giving to the defendant, the Great Northern Railway company, a monopoly of all traffic in the northern half of the state of Minnesota as well of all transcontinental traffic north of the line of the Union Pacific to the detriment of the public, and in violation of the laws of the state of Minnesota.

"Early in the year 1901 the defendants, the Great Northern and Northern Pacific Railway companies, in contemplation of the ultimate placing of the Great Northern and Northern Pacific systems under a common source of control, united in the purchase of the total capital stock of the Chicago, Burlington & Quincy Railway company of Illinois, giving the joint bonds of the Great Northern and Northern Pacific Railway companies.

Securing Control of Burlington.

"In this manner the Great Northern and Northern Pacific Railway companies secured control of the vast system of lines known as the Burlington system, about 8,000 miles in length. The attempt to turn over a controlling interest of the Northern Pacific Railway company to the Great Northern having thus in the year 1896 been defeated by a decision of the supreme court the defendants, James J. Hill and his associate stockholders, of the Great Northern, owning or controlling a majority of its stocks and the defendants, J. Pierpont Morgan and his associates, owning or controlling a majority of the stock of the Northern Pacific company * * * entered into an unlawful combination or conspiracy to effect a virtual consolidation of the Northern Pacific and Great Northern systems and to place restraint upon all competitive interstate and foreign trade or commerce carried on by them and to monopolize or attempt to monopolize the same, and to suppress the competition existing between said railway systems in said interstate and foreign trade, or commerce, through the instrumentality and by the means following, to-wit: A holding corporation, to be called the Northern Securities company, was to be formed under the laws of New Jersey, with a capital stock of $400,000,000, to which, in exchange for its own capital stock upon a certain basis and at a certain rate, was to be turned over and transferred the capital stock or a controlling interest in the capital stock of each of the defendant railway companies. * * * In this manner the individual stockholders of the two independent and competing railway companies were to be eliminated and a single common stockholder, the Northern Securities company, was to be substituted; the interest of the individual stockholders in the property and franchises of the two railway companies was to terminate, being thus

(Continued on Fifth Page.)

WANT MINISTER WU'S REMOVAL

Manchurians Memorialize Chinese Throne to Recall Representative to America.

PEKIN, March 10.—A prominent Manchu censor has memorialized the throne for the removal of Wu Ting Fang, the Chinese minister to Washington. The censor says that Wu Ting Fang corruptly retained ostensibly for repairs to the Chinese legation at Washington $800,000 of the Tien Tsin silver refunded by the American government.

WASHINGTON, March 10.—Mr. Wu said tonight that he promptly informed his government as soon as the United States turned over to him the Tien Tsin silver fund, and the money was placed at its disposition. An acknowledgment was received by telegraph. Not one cent of the fund could be misappropriated, he said, and if any portion of it were to be used for any purpose, this only could be done by the sanction of the Chinese government. The minister has not heard officially of the presentation of the memorial for his removal, but he treats the matter lightly.

According to a dispatch from Washington, dated January 23, Secretary Hay that day handed to Minister Wu Ting Fang a draft on the United States treasury for $276,600, the value of the silver bullion captured by American marines at Tien Tsin. The Washington dispatch continued that as Minister Wu was charged with the payment of salaries of the Chinese consuls in the United States and with defraying the expenses of the Chinese legations in Washington, Lima and Madrid, it was believed the money would be applied to those purposes.

OBJECT TO CARTEL SYSTEM

Sugar Dealers Urge Secretary to Increase Countervailing Duty on German Exports.

WASHINGTON, March 10.—Since the announcement that the Brussels conference, at which was represented all of the beet sugar producing countries of Europe, had decided to do away with all government bounties on sugar intended for export, the sugar interests of this country have brought prominently to public notice the cartel system in vogue in Germany, by which it is claimed a bounty in addition to that directly paid by the government is given to the sugar export.

By this system sugar is sold to the exporter at a less figure than it is furnished for domestic consumption, the purpose being to keep the domestic price steady and one yielding a fair profit by selling the surplus at a lower rate, which it is compelled to do in order to compete with the sugars of other countries in the markets of the world.

The Brussels conference recently decided that the effect of the cartel system was a bounty on export sugars. Several gentlemen interested in this question had a conference with Secretary Shaw at the Treasury department today and urged him to increase the present countervailing duty on German sugars by the bounty realized under the cartel system. The question of the propriety of this action has received some attention of late in administration circles, but there is reason to believe that this government will take the view that while the cartel system may and probably does result in a bounty to the exporter, it is not a bounty paid by the German government, and hence does not come within the provision of section five of the tariff act, authorizing the levying of countervailing duties on articles on which an export bounty has been paid.

The wording of the law, it is said, is such as not to warrant this government in taking any action in the premises.

MERCER ON THE COMMITTEE

Will Help Devise Plan of Cuban Reciprocity to Be Adopted by Republicans.

WASHINGTON, March 10.—A conference of the leaders in the opposition, which is being waged against the ways and means committee plan of Cuban reciprocity, was held tonight in the rooms of the house committee on naval affairs for the purpose of outlining a plan of action for the general caucus of republican members tomorrow night. About forty members, representing most of the northern states, were present. The canvasses which have been made were gone over carefully and claims were made that the opposition forces commanded a majority of the republican strength, despite the very positive claims made by the ways and means members early in the day. A vote was taken on the question of bringing the matter to a decisive issue tomorrow night and it was decided to have a steering committee confer with the elements supporting the reciprocity in order to secure an agreement for a final disposition of the subject at tomorrow night's meeting.

This steering committee consists of Messrs. Dick of Ohio, Tawney of Minnesota, Mercer of Nebraska, Crumpacker of Indiana, and Littlefield of Maine. It is expected that Mr. Littlefield will present the case from the standpoint of the opposition at the conference tomorrow night.

POSTMASTERS FOR NEBRASKA

Comstock at Central City, Prentice at Fairfield and Jackson at Fairmont.

WASHINGTON, March 10.—The president today sent the following nominations to the senate:

Postmasters:

Iowa—Edward H. Allison, Grundy Center.

Nebraska—Lucius G. Comstock, Central City; George H. Prentice, Fairfield; George W. Jackson, Fairmont.

Wyoming—William F. Brittain, Sheridan.

Treasury—Walter A. Wiley, Ohio, second lieutenant in the revenue cutter service.

Army:

Artillery—Second lieutenants, Earl Bicoe, District of Columbia; second lieutenant, C. F. Kilbourne, jr., Fourteenth infantry; second lieutenant, P. A. Barry, Fourth infantry; second lieutenant, A. U. Falkner, Third infantry; William Patterson, New Jersey.

GOVERNMENT TROOPS ADVANCE

Occupy Positions Abandoned by Revolutionists, Who Are in Desperate Situation.

WASHINGTON, March 10.—The United States minister to Colombia reports to the State department, under date of March 3, that during the preceding week the government troops had steadily advanced and occupied important positions near Bogota, which had been vacated by the revolutionary forces who are understood to be in a desperate situation and seeking an opportunity to escape.

HOLDS MESERVE AS TRUSTEE

Attorney General Argues that Treasurer Must Account for Interest.

ACCRETIONS TO FUND BELONG TO STATE

Argument on Defendant's Motion to Quash Indictment Drawing to a Close and Ruling Is Expected Today.

The few remarks that Attorney General F. N. Prout was physically able to make to Judge Baxter yesterday afternoon in the course of the arguments on the questions of law raised by the attorneys for the defendant in the trial of John B. Meserve, former state treasurer and an alleged embezzler, were matter-of-fact and pointed.

The county attorney and his deputy had, in their seven hours of argument threshed out the chaff in the numerous cases cited by Meserve's attorneys and the state prosecutor contented himself with reducing to a simple business proposition the contention of the other side that the state had no proprietary right to interest which Meserve received on permanent school funds placed where he had no authority to place them.

Interpreting from the constitution, the attorney general said that the very purpose of the permanent school fund is investment for the benefit of the schools and that its proportions are never to be diminished, but that the loan or investment is not to be in the way of a bank deposit. The purpose intended is that the fund should be kept continually invested in certain securities, the accretions to apply to paying current school expenses and when Meserve loaned the money elsewhere, even if he had no authority to so place it, every dollar of the interest belonging to the state.

Faithful Steward's Duty.

"I care not," he said, "whether Meserve had the right to loan the money—having loaned it and having received money for it, it was his duty as a faithful steward of the state to account for every dollar of accretion. When Meserve took office he became the trustee of the school fund—as much a trustee as any trustee ever regularly appointed for any estate or interest. And being the trustee of this special trust, he is obliged to account for every dollar of accretion, whether it come as interest paid by a bank for use of it or in some other way. The state impressed a trust and, having done so, it had a perfect right to follow that trust, no matter how invested. And if the treasurer converts to his own use so much as one dollar, that moment he commits crime and should answer at the bar."

The attorney general spoke only a few minutes, but was forced to excuse himself to the court immediately afterward and retire to the judge's private office. In addition to a general debility which has annoyed him for five weeks, his throat is troubling him and he coughed violently for several minutes. He told friends yesterday that it is his intention to go to either Hot Springs or Excelsior Springs as soon as supreme court adjourns.

Defense Takes Another Turn.

For the defense Attorney Ed P. Smith commenced to answer as soon as the attorney general finished. He occupied the last hour of the afternoon and will finish in a short time this morning, when an immediate ruling from the judge is expected. The jury and the witnesses are to return at 9:30 and some may be called by 10:30 or 11 o'clock. Even should the defendant's motion to quash the indictment be sustained, the first witness, John C. French, will have to be recalled to complete the record.

When C. J. Smyth first raised his law point for the defendant, after having repeatedly implied that the trial would not be hindered in any way, as his client was burning for "vindication," he asked that it be taken up, argued and disposed of at once to save the county much time and expense. But this feature of chronological economy is not fully apparent to those who have watched the proceedings for Smyth himself talked from 4 o'clock Thursday afternoon until noon of the next day, with the customary recess for sleep and breakfast, and those who answered him in order to dispose of all his citations have felt called upon to talk through the rest of Friday and all of Monday—and the end is not yet. Meanwhile the court costs and the jurors' fees go on just the same.

The attorneys for the state are said to anticipate that the end of their trouble in this trial will not come with the settling of this present contention. They have intimation that some of the witnesses are being advised as to the successful way of evading giving testimony by taking refuge in the statute of crimination.

FIVE BODIES FOR ONE GRAVE

Children Burned to Death Will Be Interred Together in Same Coffin.

BINGHAMTON, N. Y., March 10.—"Dig one large grave, children all dead." So reads a telegram received today by his sister in this city from Thomas Scanlon, whose five children were burned to death at Shinhopple, Delaware county, last night. They were: Mary, aged 13; Thomas, aged 13; Nellie, aged 8; Dennie, aged 4, and Michael, aged 2.

The bodies will be brought here in one large coffin for burial tomorrow. No details of the accident can be secured tonight. Shinhopple is a small settlement near Hancock, comprised of only a few houses, and the Finch-Ross Chemical company's works, where Scanlon was employed. The family removed there from this city five months ago. It is presumed the home was burned at night while Scanlon was away and that all the occupants except Mrs. Scanlon perished.

ROBBERS HOLD UP DOCTORS

Bind Their Victims and Desert Them Locked in a Strange Cellar.

KANSAS CITY, March 10.—Dr. D. E. Clopper, surgeon for the Atchison, Topeka & Santa Fe railroad, and Dr. B. J. Hockabout, a surgeon and a member of the Argentine council, were the victims of a daring holdup while they were driving in the western outskirts of Kansas City, Kan., today. They were confronted by two men with drawn revolvers and forced to leave their buggy, and, with the robbers, to enter the cellar of an unoccupied house. Here the robbers securely bound the hands and feet of their victims and robbed them of $200 and a gold watch, after which they escaped, leaving the two doctors in the cellar. Fifteen minutes later the doctors were released by a passerby who heard their shouts for help.

The robbers did not take the horse and buggy.

RECALLS SENSATIONAL STORY

Death of Peter Burroughs, "King of Auctioneers," Reminds Omaha of Marie Wilson.

A special to The Bee from Butte, Mont., announces the death in that city of Peter Burroughs, who for many years was known in all the principal cities of the country as the "King of Auctioneers." In the fall of 1898 he did a stunt in Omaha. He came here to sell out the jewelry stock of C. S. Raymond at Fifteenth and Douglas streets, and a few days after his arrival a woman named Mrs. Wilson, accompanied by her handsome daughter Marie, came to the city and took quarters in the hotel at which he was staying. Immediately Burroughs swore out a complaint and had the woman arrested on a charge of blackmail.

In police court he testified that they had been following him for nearly three years, trailing him about from city to city, and threatening him with all sorts of dire consequences if he didn't "come down" generously. He said they had learned that he was about to be married and that they made use of this fact to persecute him. Marie Wilson, who was traveling under the name of Burroughs, testified that a relationship of common law marriage existed between herself and the dashing auctioneer, and offered in evidence several letters tending to prove her allegation. These, Burroughs averred, were forgeries. The case resulted in the dismissal of the two women.

About three months after leaving Omaha Burroughs was married, from which it was inferred that he had managed somehow to rid himself of his Nemesis. Many business men and others in Omaha remember Burroughs as a handsome man and as something of a Beau Brummel in the matter of dress. It was said that he came by the title of "King of Auctioneers" by reason of his personal magnetism. He could hypnotize a potential buyer into parting with his cash where most others would fail.

VERDICT FOR FIFTY DOLLARS

Jury Assesses Damages in Figg Tarring Case Against Only One Defendant.

Mrs. Sarah C. Figg was given a verdict yesterday afternoon in her suit against Allan Wood, W. W. Browning and Albert Donahoo, whom she accused of tarring her two years ago this month, which she confessed induced her to wonder if there is anything else under heaven so uncertain as a jury's finding.

Three weeks ago Mrs. Figg sued three old neighbors for $2,000 because they had her before an insanity commission on a warrant sworn out by one of the defendants, and the jury in Judge Fawcett's court gave her a verdict for $1,150. Mrs. Donahoo tried the same proceeding in Judge Estelle's court and the jury didn't give her a cent, following the instruction of the court.

In this last case Mrs. Figg sued for the same amount as in the previous one, but related a tale of a midnight invasion of her home and rough handling of her person—and for this the jury gave her a verdict of $50 against Allan Wood, who in his testimony admitted having participated in the tarring, and found for the other two defendants. This last jury was out from 10:30 yesterday morning until 3:30 yesterday afternoon.

BOSTON BANKER IN OMAHA

Isaac Van Horn Tells of Work on Laramie, Hahns Peak & Pacific Railroad.

Isaac Van Horn of Boston, banker and president of the Laramie, Hahns Peak & Pacific Railway company, and several auxiliary corporations, was in Omaha yesterday, accompanied by his wife. Mrs. Van Horn was the guest of Omaha friends during the day, while the president of the new Laramie road was engaged at the company's office in The Bee building. Today will be spent in Chicago and a trip to Florida is on the program before returning to Boston.

Mr. Van Horn made the announcement here that the company is now getting out one thousand ties a day in the Medicine Bow range, and to date thirty thousand ties are piled up at Centennial. During his trip west one million feet of lumber for construction purposes was contracted for. Chief Engineer Stewart of the Florence & Cripple Creek railroad has been engaged to run the line across the range to Battle, Wyoming.

BUYS WRONG KIND OF STUFF

Why George Jeanneret is Suing Druggist for Fifteen Thousand Dollars.

Judge Fawcett will instruct the jury this morning in the case of George Jeanneret against M. A. Dillon, a druggist of South Omaha. The suit is for $15,000, the plaintiff claiming damages in that amount because his right arm was shattered and he was made "sick and sore" by the explosion of some black powder which he purchased at Dillon's store, thinking it was pure black oxide of manganese, which he (the plaintiff) was habitually using in the generation of oxygen gas. The explosion occurred when the powder was confined with chlorate of potash and subjected to heat. The defense argued that Dillon was not liable because the plaintiff had bought the stuff of a young clerk who didn't pretend to know.

TREE PLANTING ORDINANCE

Judiciary Committee Agrees to Report it Favorably to City Council.

The ordinance drawn by Major D. H. Wheeler, providing for the planting of trees and the laying of sod along street margins in the residence districts, the improvement to be paid for by a special tax assessment against abutting property, was dicussed Monday afternoon by the judiciary committee, to which it had been referred by the city council at its meeting of last Tuesday evening. It was unanimously agreed to report the ordinance favorably. It will be taken up this evening and placed upon its final reading and passage.

An ordinance similar to this was passed ten years ago, but was killed by Mayor Bemis' veto.

NEW DECLINES THE OFFICE

Indiana Man Prevented from Accepting Cabinet Position by Pressure of Business.

WASHINGTON, March 10.—H. S. New of Indianapolis has declined the proffer of the office of the first assistant postmaster general, tendered him several days ago by President Roosevelt. Mr. New's business will not permit him to accept.

HIGH WIND STRIKES OMAHA

Does Damage in Spots, Particularly on the North Side.

MISSION CHURCH AND FACTORY DAMAGED

Woodwork and Windows Scattered in Cuming Street Neighborhood—Lightning and Hail Accompany Pelting Rain.

A storm which administered damage in spots struck Omaha this morning at 12:30 o'clock. It came from the northeast, and was accompanied by a heavy fall of hail and rain. The hailstones were as large as birds' eggs and beat on the roofs and against windows with a roar that caused apprehension among suddenly awakened sleepers.

The greatest force of the wind was felt in the vicinity of Twenty-third and Cuming streets, where scattered debris and broken windows attracted spectators, even at the unseemly hour.

The building occupied by E. P. Rutherford's marble works, at 2216 Cuming street, was completely wrecked. It was a one-story frame, having a high square front. The walls were thrown in every direction and broken. The roof was lifted, but not carried away. The appearance of the wreck indicated that the square front was blown out first, followed by the general collapse of the entire building. Much damage was done to finished marble work in the building.

Across the street from the marble works is Taggert's undertaking rooms, 2224 Cuming street. Three heavy plate glass windows, six by seven feet in size, were broken to pieces, two facing Cuming street, and one Twenty-third street. The building remained intact and no other damage was done.

Church and Factory Wrecked.

A small frame building used as a mission church at Thirty-fourth street and Larimore avenue was blown down, being caught in the front, facing south, by the full sweep of the wind.

Anderson's match factory, on the east side of the Coliseum, was damaged. The windows were blown in and part of the roof was lifted. The wind scattered the tools and machinery about the place.

Part of the roof of the Coliseum and a portion of the Coliseum's high fence were wrenched away by the wind.

At 2121 Cuming street, occupied by Chris Boyer, a porch on the north side of the one-story building was torn loose, carried over the roof and hurled with a crash in Cuming street.

At 2209 Cuming street, unoccupied, a large window was blown in.

The tin roof over the Kennedy flats, at the corner of Twenty-fourth and Cuming streets, was nearly all torn off.

A zinc-lined coffin box weighing about 150 pounds, was lifted from the rear of Dodder's undertaking rooms and carried to the middle of Cuming street. No damage was done to the building.

A high wingboard recently constructed and extending along the north side of Cuming street, between Twenty-second and Twenty-third streets was thrown down with such force that it was reduced almost to kindling wood.

Street Car Rides Gale Safely.

Emerson Cheney, conductor on the Walnut Hill line of street cars, coming east in his car on Cuming street, when the storm struck the car, said:

"The wind struck my car with terrific force and I thought at times the car would be hurled from the track. I could hear planks and boards ripped from sidewalks and buildings, and striking fences and the street. I expected every second one would strike the car, but it escaped damage.

"The storm appeared to come from the northeast. The hail and rain, driven by the wind, fell with a terrifying roar. I could feel my car tilt up against the south rail and expected it would leave the track or be overthrown. The extreme force of the wind lasted only a few minutes. Then the rain and hail increased in volume, the fall of hail being intermittent. The hail beat against the car windows with such force that for a time it looked as if every window would be crushed. There was no one on the street that I could see when the storm began."

A barn at 3327 Larimore avenue, owned by a man named Jackson, was torn to pieces, only two uprights remaining. Two horses in the building disappeared during the storm.

Batters Officer Baldwin.

Police Officer Dan Baldwin, who was out on Cuming street near Thirtieth on his bicycle in the midst of the wind said he had the liveliest chase he has experienced for a long time.

"When the wind struck me," he said, "I dropped over the bicycle and all with a thump. I felt as if I had been struck by some heavy object. I couldn't face the wind, it was so strong. I couldn't find shelter, and when the hail and rain came tumbling down I thought no more of trying to find cover, so I managed to get on the south side of a big telegraph pole and gained some protection. There was no damage to property in the vicinity where I was caught. The storm came from the northeast and it certainly was a hummer for a few minutes."

The government thermometer in Omaha ran up to 65 degrees yesterday, and evidences abounded that winter flannels ought to take a day off. Frequent mutterings of thunder and occasional spatters of rain finally culminated in the smart electrical display of the early morning with a vigorous shower of rain and hail. Showers were prevalent in Nebraska. The forecast for Omaha today is showers and cooler.

PATROLMAN DWYER DISMISSED

Found Asleep While on Duty—Officer Gibbons Cleared of Bribery Charge.

Patrolman L. F. Dwyer who about a year ago arrested Jim Callahan, charged with being accessory to the Cudahy kidnaping, was dismissed from the force Monday afternoon, after a hearing before the Board of Fire and Police Commissioners. Dwyer was charged with being asleep while on duty. It was alleged that on the morning of March 2 he was found asleep in the office of the Oxford hotel. The records showed that several charges had been filed against him during the eighteen months he had been on the force.

Sanitary Officer John H. Gibbons, who was charged by Martin Hansen, saloonkeeper, with accepting a $10 bribe, was exonerated. Several witnesses testified that Hansen had threatened to "get even with those fellows" for posting smallpox placards on his doors, and the board concluded that the prosecution was the result of spite.

Officer Sullivan was reprimanded for being off his beat eighteen minutes on the morning of March 4.

CONDITION OF THE WEATHER

Forecast for Nebraska—Fair in West, Showers and Cooler in East Portion. Followed by Clearing Tuesday; Wednesday Fair; Variable Winds.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	54	1 p. m.	64
6 a. m.	54	2 p. m.	64
7 a. m.	54	3 p. m.	65
8 a. m.	54	4 p. m.	65
9 a. m.	54	5 p. m.	63
10 a. m.	54	6 p. m.	60
11 a. m.	57	7 p. m.	57
12 m.	59	8 p. m.	52
		9 p. m.	50

SAYS FIFE THREATENED TO KILL

Prosecuting Attorney Declares Accused Swore Murder Against Frank Richardson.

SAVANNAH, Mo., March 10.—Prosecuting Attorney Booher in making the opening statement in the trial of Stewart Fife, charged with the murder of Frank Richardson, his former associate in business, which began here today, said the state would show that Fife had in a St. Joseph saloon where he displayed a revolver, made the threat that he would kill Richardson, and that after the tragedy he had confessed to a woman in that city that he had committed the murder. It would also be shown, he asserted that Fife was seen standing in the middle of the street on the night of the murder looking in the direction of the Richardson home.

The jury is composed of ten farmers, a merchant and a teacher. Dr. David Bryant, the first witness called by the state, told of the scenes at the Richardson house on the night of the tragedy, practically as he had related them at the trial of Mrs. Richardson.

Frank Richardson, the 12-year-old son of the murdered man, was called. He told of going to the church entertainment on the evening his father was shot. He and his brothers had gone expecting his mother to come later. She did not come and the boy went to the store and met his father. His father had asked him to go home ane see if she was there. The boy demurred and Richardson went himself. A few minutes later he was shot, as he was entering the house.

William J. Mack, a bartender, saw Fife the morning after the murder, and defendant told him that Richardson had not spoken to him for several weeks until the day before he was killed. Fife had said he was glad he had made up with Richardson before he died.

FORCES MAY FUSE IN KANSAS

Democrats and Populists Evolve Plan for Union in Next Campaign.

TOPEKA, Kan., March 10.—Populists and democrats in Kansas may yet fuse in the coming state campaign. The members of the populists state committee who favor merging their party with the democrats, having failed to have their party declare for fusion at the recent conference, have evolved a plan to hold a joint session of the state committee for the two parties here on March 15, and arrange for union with the democrats. E. R. Ridgely, chairman of the populist committee, in a call for the meetings says:

It has been mutually agreed with the officers of the democratic and peoples' party committees, that much good might be derived from a joint meeting of the two committees, whereby the whole opposition to the republican party in the state might be united upon one ticket and platform.

J. Mack Love, chairman of the democratic committee, who has been opposed to fusion ever since the enactment of the anti-fusion law by the last legislature, now favors it, and has also issued a call for the meeting. It is said some plan will be discussed at the coming meeting for forcing a decision from the supreme court, as to the validity of the law.

SUES ASPEN MINING COMPANY

Shareholder Brings Action to Determine Management and Certain Banking Relations.

NEW YORK, March 10.—An action was commenced today in the federal court wherein Julia Francis Mackay is the plaintiff and Robert Holt and the Aspen Mining and Smelting company are defendants.

The plaintiff asks that the defendants in general, and Robert S. Holt in particular, be asked as to the management of the Aspen Mining and Smelting company and its relations with Jerome B. Wheeler. The company's mines are at Aspen, Colo., and Wheeler organized the corporation. It is alleged that in 1882 the J. B. Wheeler company, an Aspen banking concern which Wheeler had formed, failed, having $130,000 of the mining company's funds in its possession, which it is said, should have been deposited in New York. Then, it is said, Wheeler organized the J. B. Wheeler Banking company with R. S. Holt, but through this concern made money, the Aspen company directors made no effort to collect the old indebtedness.

The plaintiff is a shareholder in the mining and smelting company. Mr. Holt, the petition claims, is a director of the same company.

VAIN ATTEMPT AT SUICIDE

Once Wealthy Speculator Tires of Troubles and Takes Carbolic Acid.

KANSAS CITY, March 10.—J. W. Bidwell, aged 60 years, once a wealthy cattle speculator and for years a familiar figure about the stock yards, tried to commit suicide today at the yards, by swallowing six ounces of carbolic acid. His recovery is doubtful. While the physicians were trying to restore him, Bidwell asked to be allowed to die, saying: "If you had as much trouble as I, you would want to die too."

Bidwell lost his money several years ago.

COUNT VON BUELOW IS ILL

Imperial Chancellor at Berlin is Laid Up with Influenza.

BERLIN, March 10.—The imperial chancellor, Count von Buelow, is suffering from influenza.

Movements of Ocean Vessels, March 10.

At New York—Arrived—Karlsruhe, from Bremen; Staatendam, from Rotterdam; Aller, from Genoa, Algiers and Gibraltar.

At Gibraltar—Arrived—Lahn, from New York, for Naples and Genoa. Sailed—Hohenzollern, from Genoa and Naples, for New York.

At Liverpool—Arrived—Georgic, from New York; Ultonia, from Boston.

At London—Arrived—Glenshiel, from Tacoma, Yokohama, etc.

At Antwerp—Sailed—Zealand, to undergo repairs at British port.

At Hong Kong—Sailed—Tacoma, for Tacoma.

At Calcutta—Sailed—Ventnor, for San Francisco.

At Southampton—Sailed—Moltke, from Hamburg, for New York, via Cherbourg.

BOERS TAKE METHUEN

Forces Under General Delarey Capture the British Commander.

FOUR OF THE BIG GUNS ALSO ARE TAKEN

Three English Officers and Thirty-Eight Men Killed in Battle.

LARGE NUMBER WOUNDED AND MISSING

Desperate Effort Made in Vain to Drive Back Boer Troops.

DELAREY'S MEN PROVE TO BE INVINCIBLE

News Shocks London and Stirs Emotions in Parliament, Where General Methuen is Sympathetically Eulogized.

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LONDON, March 10.—(New York World Cablegram—Special Telegram.)—The disaster to the British under Lord Methuen is regarded in England as one of the gravest in the whole Boer war, morally, if not materially. The news, which came like a thunderbolt from a clear sky, has caused widespread consternation and alarm, as the public had been deluged by recent optimistic reports.

It is rumored tonight that Lord Kitchener has urgently called for heavy reinforcements. There was a feeling in the House of Commons lobby tonight that the government must call for from 30,000 to 50,000 more men, to demonstrate its determination to continue the war.

War Secretary Broderick's reading of Lord Kitchener's confused and unsatisfactory dispatch in the House of Commons caused profound depression, except for the Irish party, the members of which derisively cheered the statements that the British force was pursued four miles and that the British panic was caused by their mules being stampeded, the invariable reason given for these catastrophes.

Details of the Capture.

LONDON, March 10.—It was announced today that General Lord Methuen and four guns had been captured by the Boers, commanded by General Delarey. The news came like a thunderbolt to London. The extra editions of the evening papers, giving an account of the disaster were eagerly bought up, and their readers hurried through the streets with anxious faces, and bitter remarks were passed on the subject of the government's declaration that the war in South Africa was over.

The news came too late to effect business on the stock exchange, but excited curb dealing quickly followed the closing, in which South Africans slumped heavily. The news caused excitement in the mine market. Throgmorton street was thronged with South African operators, eagerly inquiring for details of the British defeat and watching the effect of the announcement. Shares were offered freely at first, but by 6 o'clock the excitement had abated and the curb tone hardened.

Excites House of Commons.

The news was received in the House of Commons amid great excitement. The reading of Lord Kitchener's telegram by the war secretary, Mr. Broderick, was listened to in deep silence, which was broken by loud Irish cheers. Instantly there were cries of "shame," "shame," from the government benches. Then the Irish members seemed to think better of their outbreak and suddenly subsided. The subsequent eulogistic references to General Methuen were received with cheers.

In brief, Lord Kitchener announced that when General Methuen was captured, wounded, with four guns, three British officers and thirty-eight men were killed and five officers and seventy-two men were wounded. In addition one officer and 200 men were reported missing.

The text of Lord Kitchener's dispatch announcing the capture of General Methuen is as follows:

Lord Kitchener's Message.

"PRETORIA, Saturday, March 8.—I greatly regret to have to send you sad news of Methuen. He was moving, with 900 mounted men, under Major Paris, and 300 infantry, four guns and a pompom, from Wynburg to Lichtenburg and was to meet Grenfell with 1,300 mounted men at Rovirainfontein today. Yesterday morning he was attacked by Delarey between Twebosch and Palmietekniil. The Boers charged on three sides.

"Five hundred and fifty men have come in at Marobogs and Kreepen. They were pursued by the Boers four miles from the scene of the action. They report that Methuen and Paris, with the guns, baggage, etc., were captured by the Boers.

"Methuen when last seen was a prisoner. I have no details of the casualties and suggest delaying publication until I can send definite news. I think this sudden revival of activity on the part of Delarey is to draw off the troops pressing Dewet."

In a second dispatch, dated Sunday, March 9, Lord Kitchener says:

Boers Are Invincible.

"Paris has come in at Kraaihan, with the remainder of the men. He reports that the column was moving in two parties. One, with the ox wagons, left Twe-bosch at 3 p. m. The other, with mule wagons, started an hour later. Just before dawn the Boers attacked. Before reinforcements could reach them the rear guard broke. In the meantime a large number of Boers galloped up on both flanks. These, at first, were checked by the flank parties, but the panic and stampede of the mules had begun and all the mule wagons, with a terrible mixture of mounted men, rushed past the ox wagons. All efforts to check them were unavailing. Major Paris collected forty men and occupied a position a mile in front of the ox wagons, which were then halted. After a gallant but useless defense the enemy rushed into the ox wagons and Methuen was wounded in the thigh. Paris, being surrounded, surrendered at 10 a. m. Methuen is still in the Boer camp."

Then follows the number of the casualties, as already cabled.

The killed include Lieutenants G. R. Venning and T. Nesham of the Royal artillery, who were both killed while serving their guns with case-shot.

As Lord Kitchener announced that Major Paris had surrendered and also telegraphed that he had reached Kraaipan with the remainder of the men, it may be inferred that the Boers subsequently released the major and his companions.

Lord Roberts Praises Methuen.

Lord Roberts, the commander-in-chief, who announced the British disaster in the House of Lords, said General Methuen for over two years had carried on his work with zeal, intelligence and great perseverance, and indicated that the general was beloved by his men and no work was too dangerous for the command.

The commander-in-chief was sure the