THE OMAHA DAILY BEE.

ESTABLISHED JUNE 19, 1871. OMAHA, TUESDAY MORNING, APRIL 22, 1902—TEN PAGES. SINGLE COPY FIVE CENTS.

MAY FILE THE BILL

Washington Granted Leave to Institute Merger Suit Before Supreme Court.

CHIEF JUSTICE FULLER FILES OPINION

Says State Has Right to Submit Original Claim for Writ of Injunction.

CAREFUL INVESTIGATION IS MADE

Court Holds Obstacle in Minnesota Case Does Not Exist in Present One.

VAN SANT AND DOUGLAS ARE ELATED

Latter Thinks Disposition on All Sides Points to a Speedy Settlement of Action Against the Combine.

WASHINGTON, April 21.—The United States supreme court today granted leave to the state of Washington to file an original bill for an injunction against the Great Northern Railroad company, the Northern Pacific company and the Northern Securities company, in accordance with the petition of that state recently filed in the court.

The opinion in the case was delivered by Chief Justice Fuller, who stated that the court had always exercised the utmost care in its proceedings in original cases, and that the present decision to grant leave to file was intended to be entirely without prejudice to either party at interest.

The chief justice's opinion was very brief and consisted entirely of a review of original cases of the same character which have been brought to the attention of the court. The two most important of the cases thus cited were the case of the state of Louisiana against the state of Texas, concerning the quarantine regulation of the latter state in which leave was given to file, and the state of Minnesota against the Northern Securities company, in which petition to file was denied. Referring to the latter case he said the petition had been refused because of the unseparable objection that indispensable parties to the case could not be brought into the court. This objection did not, however, confront the court in the present case, and the court felt that because of its desire to proceed with the utmost care and deliberation in all cases where original actions are brought in this court the precedent of the Louisiana-Texas case should be followed rather than that of the Minnesota case in the present instance. Hence leave to file would be granted and subpoenas would be issued returnable on the first day of the next term of the court in October.

"The usual practice in equity cases has been to hear such applications," the chief justice said, "although under special circumstances a different course has been pursued."

After referring to several precedents he made brief mention of the Minnesota case. He said:

In Minnesota against the Northern Securities Company application to file a bill similar to this, and seeking similar relief was made, and after examining the bill we directed notice to be given and heard argument on both sides. The result was that leave to file was denied because of the want of certain indispensable parties who could not be brought in without defeating our constitutional jurisdiction.

Present Case is Different.

That insuperable difficulty does not meet us on the threshold here, but among other objections to grant leave it is urged that the court has no jurisdiction in the subject matter, because the bill does not present the case of a controversy of a civil nature, which is justifiable under the constitution and laws of the United States in that the suit does not involve rights of a proprietary or contractual nature, but is purely a suit for the enforcement of the local law and policy of a sovereign state, whose right to make law and to enforce law exists only within itself and by means of its own agencies, and is limited to its own territory.

In the exercise of original jurisdiction the court has always necessarily proceeded with the utmost care and deliberation, and in respect of all contested questions on the fullest argument. And in the matter of practice we are obliged to bear in mind to an especial degree the effect of every step taken in the instant case on those which may succeed it. It seems to us wisest, therefore, to take the same action on the pending application as was pursued in Louisiana against Texas; that is, without intimating any opinion whatever on the questions suggested to grant leave to file in accordance with the general rule.

Van Sant and Douglas Pleased.

ST. PAUL, Minn., April 21.—Both Governor Van Sant and Attorney General Douglas gave expression of their great satisfaction upon hearing of the action of the federal supreme court today in the so-called merger case.

Attorney General Douglas said:

This is a great and decisive victory for those who have contended that the supreme court has primary jurisdiction in such matters. Having prepared the brief in the Washington case I, of course, am elated over the result. I think the disposition on all sides is for a speedy settlement of the propositions involved. We will soon know whether or not state enactments have force and effect in cases like these.

The action of the supreme court is particularly gratifying because it will afford an opportunity for the state of Washington, which has statutes on this subject very similar to those of Minnesota, to test the scope and power of state laws to prevent or regulate such matters as the consolidation of parallel and competing lines of railroad. At the same time the action of the federal authorities will make a test of the effectiveness of the federal statutes to regulate these matters. The outcome of these two actions will be of great interest to the public in general.

As to our own suit we will make another move in that when we have examined all the knotty problems involved in the questions raised by the defendants.

CROWDER MAKES HIS REPORT

Submits Statement of Affairs at Chalmette, but No Details Are Disclosed.

WASHINGTON, April 21.—The complete report of Colonel Crowder of the judge advocate general's department upon his inquiry into the conditions at Port Chalmette, whence supplies are being shipped to South Africa, is now in the hands of the president. At the president's suggestion certain details were added that were not originally included.

An important feature of the document is that it makes no recommendations as to the treatment of affairs at Port Chalmette. It is merely a statement of the conditions there as they were discovered by Colonel Crowder.

The War department officials say that in making this inquiry Colonel Crowder is a personal representative of the president and so he is not accountable to the department. For this reason they decline to make any statement as to the character of the report, and for his part Colonel Crowder declares that it is for the president alone to make the report or any part of it public if he desires. It is said that the document will be laid before the cabinet at tomorrow's session.

MORGAN A RIVAL OF YERKES

American Money King Will Finance Underground Railroad System in London.

Neb. State Historical Society Aug 1931

LONDON, [illegible] Morgan will finance to the e[illegible] millions a new underground rai[illegible] London, which will rival Co[illegible]rkes' scheme of obtaining possession [illegible] all the intermural transportation.

Clinton E. Hawkins of the Morgan firm will testify tomorrow before the House of Lords' committee which is now investigating the whole question of the underground transit of London, in favor of the construction of a new system and guaranteeing the Morgans financial support.

Combined with the Morgans are the Siemens Bros. and other large British interests. The promoters expect they will meet with but little difficulty in getting the permission of the House of Lords' committee for the construction of their line. A decision is expected to be reached within a week, whereupon the Morgans will immediately begin the work of financing the concern and constructing the roads. The importance of the scheme consists chiefly in the amalgamation effected at the end of last week, under the Morgans' auspices, of the various projected tubes, which, when constructed, will extend forty miles in a continuous line to the north and to the west and southwest of the metropolis. These lines in turn, will connect with ninety miles of surface roads, the London United Tramways being also a member of the new syndicate.

QUEEN MAKES NO PROGRESS

Wilhelmina's Condition is Unchanged and Physicians Cannot Predict Date of Crisis.

THE HAGUE, April 21.—The condition of Queen Wilhelmina is unchanged. Her physicians say it is impossible to predict the date of the crisis in her illness. An extraordinary cabinet council was called today. The meeting engendered numerous rumors regarding the regency, but it is said on good authority that this matter was not discussed at the council. It was reported that one of the maids of Queen Wilhelmina's household has been attacked with typhoid fever.

The queen mother burst into tears when she was first told her daughter had typhoid fever. She seldom leaves the sick chamber.

LONDON, April 22.—In a dispatch from Castle Loo the correspondent of the Daily Mail declares the information vouchsafed the public increases the gravity of Queen Wilhelmina's condition and minimizes her chances for recovery. The grief-stricken nation, which loves the queen to the point of idolatry, is in a state of terrible suspense, while the politicians are aghast at the possibility of a fatal termination of her illness.

WORK IS GENERALLY RESUMED

Industrial Paralysis in Brussels Caused by Strikes and Riots Gradually Improves.

BRUSSELS, April 21.—There was a general resumption of work in this city and vicinity today. In the central district forty per cent of the workmen have resumed their tasks. The chartered metal and glass factories have again started work. The miners of Charleroi will resume operations tomorrow. No noteworthy incidents have been reported today from any district.

LONDON, April 21.—A dispatch to a news agency from Brussels says that during the last two nights, strikers in the Liege district attempted to wreck express trains, and that last night a cannister filled with dynamite and gunpowder, was found near the rails, over which the Brussels express passed shortly afterward.

STOPS INCENDIARY LETTER

Venezuelan Government Intercepts Message Suggesting the Assassination of President Castro.

CARACAS, Venezuela, April 2.—The government has intercepted a letter written by an officer of the British cruiser Indefatigable, belonging to the British North American and West Indian squadron, to an English friend, in which, in speaking of the Venezuelan revolution, the officer asked:

"Why does not someone assassinate President Castro and thus save further bloodshed?"

Official papers here have as a result made bitter attacks on the British navy and on the officials of the British legation in Caracas.

RATHBONE GAINS RELEASE

Former Director of Posts Gets Out of Havana Prison on Bail.

HAVANA, April 21.—Former Director of Posts Estes G. Rathbone has been released on bail.

Edward Holds Third Levee.

LONDON, April 21.—King Edward held his third levee today at St. James palace, to which he proceeded for the first time from Buckingham palace. The public took full advantage of the greater possibilities of viewing the procession afforded by the longer route. The levee was moderately attended. United States Ambassador Choate and the other members of the United States embassy were among the diplomats present. Otherwise no Americans were presented to his majesty.

Governor General Not Attacked.

VIENNA, April 21.—There is no truth in the report published by a news agency in the United States that a student fired three shots Friday night at the governor general of Warsaw, who was said to have been standing at a window of his residence at the time. It is also untrue that a newspaper of Prague published a report to this effect.

Nan Ning Still Safe.

HONG KONG, April 21.—A dispatch received here from Wu Chow contradicts the report, current at Canton Saturday, that Nan Ning, province of Kwang Si, had fallen into the hands of the rebels. Nan Ning is still safe, though surrounded at a distance of fifteen miles by rebels. River communication with Nan Ning remains open.

Germany Accepts Rhodes' Trust.

BERLIN, April 21.—It is announced that Emperor William has notified the executors of the will of the late Cecil Rhodes of his country's acceptance of the trust relative to the German scholarships at Oxford.

Kangaroos Have Bubonic Plague.

SYDNEY, N. S. W., April 21.—Bubonic plague has appeared among the Wallaby (smaller kangaroos) in the zoological gardens, which consequently have been closed to the public.

HOT WIND SWEEPS KANSAS

Great Damage to the Growing Crops is Now Feared by Farmers.

TEMPERATURE RISES TO ONE HUNDRED

Mercury at Kansas City Goes Up Thirty-Two Degrees in Seven Hours, While Dust Storms Visit St. Joseph.

KANSAS CITY, Mo., April 21.—The hot south winds that swept over the better part of Kansas yesterday prevailed again today, and this morning no reports of rain had been received at the local weather bureau. Increased damage to vegetation of all kinds will doubtless result.

The temperature at Florence and Abilene, in central Kansas, and Hiawatha, in the northeastern corner of the state, ranged from 90 to 96 degrees above in the shade yesterday, and the prospects today are for a repetition of this weather.

The ground generally is reported dry and hard and badly in need of rain. The midsummer weather experienced in Kansas City yesterday, when the thermometer rose 32 degrees in seven hours, from 59 to 91, prevailed today, with perhaps a slightly cooler wind.

The Weather bureau at 10:30 this morning reported that the only promise of relief for the next twenty-four hours in the southwest were indications of scattering showers. The highest temperature recorded yesterday was 100 at Concordia, Kan. Other readings follow:

Kansas—Hays, 99; Dresden, 95; Fort Scott, 91; Dodge City, 92; Baker, 96; Manhattan, 97; McPherson, 96; Osage City, 93; Toronto, 96; Wichita, 92.

Missouri—Kidder, 92; Harrisonville, 90; Lexington, 91; Maryville, 94; Brunswick, 89; Springfield, 84; Lamar, 87.

Oklahoma—Enid, 90.

ST. JOSEPH, Mo., April 21.—The hot wave which struck this city yesterday continues, and at 7 o'clock this morning the thermometer stood at 76 degrees. Two hours later it had crawled up to 82, with prospects of reaching a record-breaking height before night. Intermittent storms of dust accompanied the heat.

CHICAGO, April 21.—Chicago is feeling the effects of the hot wave which developed in the west yesterday. The thermometer at 8 o'clock registered 67 degrees. Relief, however, for a great portion of the central west is expected today. Prof. Walsh of the United States Weather bureau says a storm area of considerable magnitude is gathering over Missouri, Iowa and Illinois. Because of the excessive and unseasonable warmth thunder showers are expected. Particular interest in the weather is manifested for fear that unless rain comes to the relief of the winter wheat fields troublous times will ensue on the Board of Trade.

TOPEKA, Kan., April 21.—A hot wind blowing thirty miles an hour from the southwest and changing to the south prevails over this section of Kansas today, with a temperature of 74 at 10 o'clock. Many telegraph and telephone wires are down. Sunday the wind blew steadily from the southwest at the rate of forty miles an hour. The maximum temperature was 94, the highest in any April for sixteen years, except in 1897, when it reached 97. The soil is dry and wheat is being badly injured.

SNOW IN THE NORTHWEST

Blizzard in Nevada, Wyoming, Idaho and Portions of Colorado, Utah and Montana.

SALT LAKE, Utah, April 21.—Nevada, Wyoming, Idaho, southern Montana and parts of Utah and Colorado are experiencing a snow storm that at some points has taken on the proportions of a blizzard.

Snow began falling last night and still prevails to a greater or lesser extent over almost the entire inter-mountain region. At Lima, Mont., six inches of snow have fallen. High winds and low temperatures are reported from many points.

OMAHA MAN FATALLY STABBED

Resented an Insult to a Woman and Gets a Knife Thrust in Return.

WINFIELD, Kan., April 21.—(Special Telegram.)—H. B. Raley, a traveling representative of the Hand Sewed Shoe company of Omaha, was stabbed in the side by Bert Oaks on the Brettun house steps Sunday night. The stab was made with an ordinary penknife. The blade penetrated the left side, entering the abdomen and breaking off. Early this morning the injured man was taken to a hospital, where an operation was performed. This evening his physicians fear it is a fatal stab.

Early in the evening Mr. Raley and four other men, comprising the Wesleyan quartet of Rochester, were standing on the hotel steps talking to two young women. Bert Oaks pushed his way into the crowd, shoving Raley and others aside, and spoke rudely to one of the women. Raley knocked him down. Oaks got up and left, but in a few moments returned, accompanied by several of his friends, and stuck a knife into Raley's left side. Oaks ran and has not been captured. Raley's friends removed him to the Winfield hospital.

HALE REMOVED FROM OFFICE

Kansas City's Veteran Fire Chief Expelled at Order of Mayor Reed.

KANSAS CITY, April 21.—George C. Hale, chief of the fire department in this city, was removed from office by the city council tonight upon the recommendation of Mayor James A. Reed. Edward Trickett, first assistant chief, was chosen as Hale's successor.

Chief Hale has been at the head of the fire department here since 1873. He is the inventor of fire apparatus in general use and in 1900 took a fire company to Europe for exhibition.

The new chief has been a fireman here for twenty-three years.

CAUSE OF SILVER'S DECLINE

Selling by China and United States Sends Metal to Lowest Recorded Price.

LONDON, April 21.—Financial experts in London explain that the fall in the price of silver to the lowest point on record today was caused by the fact that China, instead of buying in silver, as usual, at this time of the year, is selling, in order to pay the war indemnity in gold.

It is generally believed that the fall in the price of silver would not have occurred had London supported the market. This, coupled with the fact that the United States is selling, caused the decline, which is now believed to have reached the minimum price.

WATER CURE A SURE REMEDY

Method, Says Witness, Never Fails to Extract Desired Information from Filipinos.

WASHINGTON, April 21.—The senate committee on the Philippines today resumed the examination of witnesses in connection with the investigation of affairs in the Philippine islands. Grover Flint of Cambridge, Mass., who served as first lieutenant in the Thirty-fifth Volunteer infantry, testified that early in May, 1900, he had been a witness to the water cure, as administered to the natives by the Macabebe scouts and that this was done to get information as to the whereabouts of their guns. The guns were delivered. The following day some men of his own regiment applied the cure, but their act was without authority of their commanding officers.

The Macabebes at the time referred to were not under command of a commissioned officer, but under a sergeant of the United States army. Flint had been, he said, a witness to at least twenty cases of water cure. He never had seen anyone die as a result of the cure, but had seen a hospital corps man working on a native who had been rendered unconscious. It also had been reported to him that one Filipino died from the effects of the water cure.

The witness then described the method of administering the water cure and said that in some cases where it had been given to old men he had seen their teeth fall out.

Mr. Flint, in response to a question by Senator Dietrich, said he was present upon these occasions "to draw the line on excesses." He did not recommend to his major that the practice cease nor did he give any orders to his men to stop the torture.

Answering a question by Senator Burrows, the witness declared that the effect of the cure was immediate, the victim invariably turning in his gun or a bolo and giving information as to the whereabouts of others. He said it was impossible to judge whether the victims were insurgent soldiers or peasants, but they appeared to be peaceable Barrios or villagers. Some of them were thrown down by force; others, who were timid, would submit readily, while those who resisted were simply held the more tightly. The treatment he said, never got to the point of great brutality.

Replying to a question by Senator Lodge, the witness said that he had been refused a commission in the regular army, because his colonel had reported him as using intoxicating liquors to excess. The witness deplored the raising of this question, but Senator Beveridge said it had an important bearing on the case. Flint denied that on any of the occasions when he had witnessed the water cure was he under the influence of liquor.

After considerable questioning he finally admitted that he approved of the water cure, and, responding to a query by Senator Beveridge, said that it was not an American invention, but as old as the "Chronicles of Newgate." Asked regarding Filipinos in guard houses, he said they were treated exactly the same as American prisoners, except that they were supplied with food which they were accustomed to and not with the army ration.

The witness described the burning of small villages, the idea being, he said, to drive the people to the woods or to the towns and concentrate them.

TO ABOLISH SEDITION LAWS

Teller Asks Senate to Pass Resolution Condemning Trial Without a Jury.

WASHINGTON, April 21.—Senator Teller today introduced a resolution declaring it to be the sense of the senate that the sedition laws in force in the Philippines should be repealed. The resolution is preceded by a preamble reciting the arrests of the editors of the newspapers, Freedom and Volcano, published in the archipelago, and asserting that they are to be tried under these laws by judges who owe their appointment and tenure of office to the government commission, for the criticism of which the men are to be tried.

The last paragraph of the preamble and the resolution are as follows:

Whereas, By the enactment of such laws and the denial of trial by jury to those accused under them, and the administration of such laws by judges appointed by the officials against whom the offenses are alleged to have been committed and who have reserved to themselves the right to remove said judges at pleasure, every vestige of civil liberty is destroyed, personal liberty and property are without the security of law and the Filipino people are being taught to hate the United States as much as they hated Spain; therefore, be it

Resolved, That it is the sense of the senate of the United States that the said sedition laws and all of them should be immediately repealed and prosecutions under them immediately ceased, and that no person shall hereafter be punished by death, imprisonment or fine in the provinces of the Philippines in armed resistance to the United States, unless the accused has been tried by a jury of his peers and lawfully pronounced guilty; and, further, that thereafter in the courts of said archipelago, when the offense charged consists of words written or spoken against any citizen or official of the department of said government the truth of said words spoken or written may be given in evidence and shall constitute a full and perfect defense.

USE OF ALCOHOL AS FUEL

Peruvian Government to Organize Exposition of Machinery Designed for that Purpose.

WASHINGTON, April 21.—Information has reached the Peruvian legation in this city that a general exposition of the methods, apparatus and machinery for the application of alcohol to the production of motive power, heat and light, will be held at Lima during the month of September, 1902. Peru is one of the chief alcohol-producing countries of the world, and the object of the exposition is to give alcohol producers an insight into the capabilities of alcohol in the industrial field. It is also believed that by encouraging the use of alcohol for industrial purposes its consumption as a beverage can be very considerably relieved.

Gold and copper medals and honorable mention will be bestowed upon successful exhibitors in the order of merit. The government has appointed a commission consisting of Mr. Jos Balta, director of public works; Mr. Edward Habich, director of the school of mines, and Mr. Alejandro Garland to formulate the program for the exposition, collect the necessary data and communicate with manufacturers, inventors and institutions with the view of obtaining their support and assistance through the sending of exhibits.

Cars Tied Up in San Francisco.

SAN FRANCISCO, April 21.—The tie-up of the street car system operated by the United Railroads company of San Francisco is complete, not a passenger car on this system moving today. Mail cars on this line are running without interruption, and the lines of two independent companies are being operated. The strikers are orderly and assert their ability to hold out indefinitely. A conference between railway officials, the mayor and a committee of strikers will be held today, and Mayor Schmidt expresses the belief that the strike will not be of long duration.

DIETRICH HAS CUBAN BILL

Proposes to Rebate Duties on Goods Imported to United States.

ISLAND TO GRANT TARIFF CONCESSION

State Chairman Lindsay and National Committeeman Schneider in Washington to Talk Politics with Senators.

(From a Staff Correspondent.)

WASHINGTON, April 21.—(Special Telegram.)—Senator Dietrich introduced a bill today which may solve the complicated Cuban situation and relieve the present stressful conditions regarding reciprocity between the United States and Cuba. The bill authorizes the president on behalf of the United States, to enter into a reciprocal agreement with the permanent government of Cuba, respecting trade between the United States and that country. The bill provides that when the permanent government of Cuba is established that the president shall make a trade arrangement between the islands and the United States for a period of five years and during that time to pay Cuba for its use and benefit a sum of money to be ascertained and paid as follows:

At end of each quarter of the fiscal year ending June 30, 1902, a sum of money equal to 40 per cent of the amount of import duties collected during each quarter of the year on articles of the growth and product of the island of Cuba coming directly from the island into the United States in American or Cuban bottoms; for the fiscal year ending June 30, 1904, during each quarter, 30 per cent is to be paid; for the fiscal year ending June 30, 1905, 25 per cent; for the fiscal year ending June 30, 1906, 20 per cent, and after the fiscal year ending June 30, 1907, 15 per cent. The amount thus collected is to be devoted under the terms of the bill to the construction of a permanent harbor, a system of sanitation and other public improvements and a system of public schools.

As a set off for this rebate which Senator Dietrich proposes to give Cuba for five years, that country is to remit on all imports from the United States, subject to payment at the end of each quarter of the fiscal year ending June 30, 1903, 75 per cent of the import duties and other charges imposed upon like articles imported into Cuba from any country other than the United States, for the fiscal year ending June 30, 1904, 80 per cent is to be absorbed; for the fiscal year ending June 30, 1905, 85 per cent; for the fiscal year ending June 30, 1906, 90 per cent and the same in 1907.

Fruit of Consultation.

Senator Dietrich, in speaking of this bill said: "Ever since the Cuban question came up I have urged that something should be done in the way of reciprocal trade relations with the new government. After a great deal of discussion among senators, to whom I submitted the outlines of what I believe would be a fair solution of the present difficulties, the bill I introduced today is the result. This bill turns back into the Cuban treasury 40 per cent of the import duties collected during the first year of the reciprocity treaty with Cuba, 30 per cent during the second, 25 per cent during the third, 20 per cent in the fourth and 15 per cent in the fifth year. And this refund is, by the terms of the bill, to be spent in permanent improvement in the islands, so that should the time ever come when Cuba joins the union of states these improvements would be beneficial to all the people, the Cuban people in the meantime having enjoyed the beneficial results of good harbors, good sanitation, good roads and good schools.

"Under the terms of my bill the whole Cuban people would be benefited by the rebate and not the sugar trust or speculators in sugar. On the other hand, if Cuba would give us trade concessions of first, 25 per cent reduction on imports from the United States it would be the means of stimulating enterprises and manufacturers would be induced to make Cuba one of the first markets in the country. The bill not only furnishes money for the government of Cuba, but will tend to build up its enterprises, and I believe is a happy outcome of the present conditions."

Papers in the case of the Schuyler National bank and others against George Thrush and others, remanded from the supreme court of Nebraska, have been received by the clerk of the supreme court of the United States preparatory to being filed and the case commenced.

Lindsey and Schneider in Capital.

Chairman H. C. Lindsey of the republican state committee of Nebraska is in Washington, having been summoned here by Senator Dietrich, presumably for the purpose of talking over some prospective postoffice changes and also to go over the situation concerning the judicial division bill which languishes in the house committee of judiciary. It is understood that Mr. Lindsey is slated for the position of United States attorney in the event of the bill becoming a law.

National Committeeman R. B. Schneider is also in Washington, it is believed for the purpose of talking over the political situation in Nebraska with Senators Dietrich and Millard. Mr. Schneider said his presence here was wholly without significance.

Postal Matters.

Senator Dietrich made the following recommendations for postmasters today: Sutton, Clay county, J. H. Tower, reappointment; Thayer, York county, J. A. Eckles, reappointment.

The following substations of the Des Moines (Ia.) postoffice have been ordered established July 1: No. 3 at Sixth and School streets, No. 4 at Ninth and Center streets, No. 5 at 615 East Scott, Easton Place station at Easton boulevard and Searle street.

William H. Schriver was today appointed substitute carrier in the Mount Pleasant (Ia.) postoffice.

Postmasters appointed: Nebraska, J. E. Stingley, Elyria, Valley county, vice J. W. Carkasgi, resigned. Iowa, C. F. Thayer, Avery, Monroe county; Lee Canfield, Benson, Blackhawk county; J. D. Comstock, High Point, Decatur county.

William Stanbo of Syracuse and William L. Kirkpatrick of York, Neb., were today admitted to practice before the Interior department.

The Interstate National bank of Kansas City, Kan., was today approved as reserve agent for the First National of Mount Pleasant, Ia.

These rural free delivery routes have been ordered established: Iowa, on July 1 next, Grinnell, Poweshiek county, four additional routes, with A. C. Norris, E. G. Ports, J. N. Houghton and G. W. Peace carriers. The routes embrace an area of 122 square miles, containing a population of 2,145. The postoffice at Chester Center will be supplied by rural carrier, Kellogg.

(Continued on Second Page.)

CONDITION OF THE WEATHER

Forecast for Nebraska—Showers Tuesday. Much Cooler in Southern Portion.

Temperature at Omaha Yesterday:

Hour.	Deg.	Hour.	Deg.
5 a. m.	74	1 p. m.	80
6 a. m.	73	2 p. m.	84
7 a. m.	72	3 p. m.	84
8 a. m.	74	4 p. m.	85
9 a. m.	75	5 p. m.	84
10 a. m.	78	6 p. m.	83
11 a. m.	79	7 p. m.	80
12 m.	82	8 p. m.	77
		9 p. m.	75

OLD FEUD IS FOUGHT OUT

Cattlemen Settle Bitter Hatred in Fatal Street Fight with Pistols.

VINETA, I. T., April 21.—In a fight between cattlemen west of Collinsville, in the Cherokee nation, William Phillips was instantly killed, and William Mayfield, Jess Skidmore and Lige Johnson were mortally wounded. All are prominent cattlemen, who owned pastures near Oologah, not far from Collinsville. The fight was the result of an old feud between Skidmore and Mayfield, which had its origin in a court contest over some grazing land.

All four men were in Collinsville, during the day heavily armed and apparently expecting trouble. Late in the afternoon Skidmore and Johnson left for Oologah, and a few miles west met Mayfield and Phillips, awaiting them by the roadside. Without any preliminary words, Mayfield leveled his shotgun and fired at Skidmore, who received the load in the right breast. As the wounded man reeled from his saddle, he turned his gun on Phillips, who had also raised his gun to fire at him, and shot him through the heart. As Skidmore fell from his horse, Mayfield turned his gun on Johnson and both men fired simultaneously. Mayfield was wounded in the shoulder and Johnson in the side.

Though desperately wounded the men fired again and again each man's shot took effect. Friends who had feared trouble and who had followed Skidmore and Johnson from Collinsville, arrived at this point and prevented the wounded men from finishing their fight. Though fatally wounded they were attempting to reload their guns.

The wounded men and the body of Phillips were taken into Collinsville. Skidmore's wounds were pronounced fatal, and little hope is given for the recovery of the others. The presence in Collinsville of a large number of armed men, friends of both sides, has led the authorities to take precautions to prevent a possible clash between them.

TO PREVENT COMPETITION

Object Sought in United Verde Copper Company's Deal as Given by Senator Clark.

NEW YORK, April 21.—Senator William A. Clark of Montana was cross-examined today in the suit of George A. Treadwell against the United Verde Copper company, Senator Clark and others to secure the appointment of a receiver for the company and to compel an accounting. Treadwell claims to own 620 shares of the stock of the United Verde Copper company, which, he says, are worth $165,000 and he alleges that he was damaged by the sale of the concern to a company of the same name organized in West Virginia. Senator Clark said that when he acquired the property he found it in very bad condition and he had to put a great deal of capital into the mines to make them profitable.

Senator Clark, in answer to a question concerning the contract between the United Verde and Lewisohn Bros., said that if the United Verde Copper company had in 1898 gone into the market and sold the product of its mines direct to the trade, a panic might have resulted. Under the contract Lewisohn Bros. took the entire output of the United Verde. It was better business for a company like his to sell its output in bulk rather than to go into the market and retail it. The idea was to do away with competition as much as possible.

HARD TO CROWD OUT RUSSIA

General Belief in Orient is that Czar Will Stay in Manchuria.

SAN FRANCISCO, April 21.—The Associated Press correspondent at Tokio, under date of April 5, says:

"The impending signature of the new Manchurian treaty was looked upon with some doubt by Japanese officials, who, however, regard the terms as the best procurable under the circumstances, and the consummation of the vexed question, if obtained, is due to the effects of the Anglo-Japanese alliance. The common belief, however, is that Russia will find some new pretext for remaining in Manchuria on the termination of the eighteen months agreed on and that she will never really withdraw from the province, whence she menaces the peace of the far east. The Japanese press professes to believe the northern power is acting in good faith."

LAUNDRY MEN FORM UNION

Operators of Illinois, Iowa and Missouri Co-Operate to Promote Business and Fix Prices.

ST. JOSEPH, Mo., April 21.—Twenty-five leading laundrymen from Missouri, Iowa and Illinois met in Chillicothe today and organized a tri-state association called the Missouri-Iowa-Illinois Laundrymen's association.

The organization was perfected this evening, with the following officers: C. F. Simmons, Peoria, Ill., president; G. H. Beach, Ottumwa, Ia., first vice president; John Cunningham, Marshall, Mo., second vice president; W. E. Fitch of La Salle, Ill., secretary-treasurer.

The association was formed to learn better methods and for co-operation in prices. Meetings will be held annually, the next one at Quincy, Ill.

ASSAULTED BY NEGRO BOYS

Professor in Kansas State Normal School is Seriously Stabbed by Ruffians.

EMPORIA, Kan., April 21.—Prof. Charles S. Huey, assistant in the department of physical training of Kansas State Normal school, was stabbed in the right breast and had the upper portion of his jawbone crushed today by young negro ruffians. Both wounds are serious. Huey had driven the negroes from the fence of the park where a base ball game was in progress. The negroes commenced throwing stones over the fence into the crowd. The professor went outside to stop their disorderly conduct and was attacked. Sam Harrison, the negro who did the stabbing, was arrested.

LONG LIST OF DEAD

No Reduction of Steamer's Victims After Two Days' Searching.

CAPTAIN KNOWS OF FIFTY-SIX LOST

Half of Original Number, One Hundred and Forty-five, Still Missing.

WRECK IS SMOULDERING ON THE RIVER

Work of Rescue Greatly Hampered by the Excessive Heat of Hull.

FOUR OF VICTIMS DROWNED RECOVERED

Definite Knowledge of Fire's Origin Still Lacking, but Uncredited Rumor Says It Was of Incendiary Character.

CAIRO, Ill., April 21.—After searching two days the death list of the burned steamer City of Pittsburg has not been reduced any from the first reports. Of the 145 persons who were on the boat when it burned yesterday morning, about half are still missing and tonight no further hope for them is expressed.

The books and valuables of the boat, crew and passengers are still in the ruins. The wreck is above water and still smoldering tonight. Owing to the heated condition of the hull search for those cremated in it has not been begun and very few of the bodies of those drowned have been recovered, owing to the swift current.

At the coroner's inquest today over the body of Captain Sylvester Doss and Miss Maria Tissin, a verdict was rendered that the former came to death from exhaustion and the latter from inhaling smoke, and nothing was developed as to the origin, cause or responsibility for the disaster.

Unable to Give the Origin.

Captain Phillips testified that he could not account for the origin of the fire unless an electric wire had started it. He stated that so far as he knew there were fifty-six lives lost. The coroner was advised of other bodies being recovered at distances from this city, but none of them has been identified.

Sensational reports have been circulated about an alleged quarrel between the officers of the steamer and the roustabouts and that the fire may have been of incendiary origin, but no credence is given to these reports. Many stories have been told today by survivors of their thrilling experiences in escaping and some of them are of a most startling character. The victims were from points along the Ohio valley and they have left a trail of bereavement from Pittsburg to the Mississippi river.

Burns to Water's Edge.

The steamer City of Pittsburg burned to the water's edge about 4 o'clock yesterday morning seventeen miles down the river. C. M. Ellis of the Telegram and Fred Connell of this place, who were the first on the scene from Cairo yesterday and sent to Mayor Wright for aid, have been investigating the disaster ever since yesterday and report as follows:

City of Pittsburg, with a crew of seventy and passenger list which included sixty-six men, women and children, was on its way from Cincinnati to Memphis. At 4:05 a. m., at a point three miles above Turner's Landing, fire was discovered in the forward hatches. This was apparently seen about the same instant by the engineer on watch and the first mate, Arthur Shriver. The former directed a deck hand to open a valve which would turn the water for the purpose of flooding the hold, when he exclaimed that the valve was red hot, indicating that its connection below was in contact with the flames.

Mate Shriver was just going on watch accompanied by his wife, who had gotten up early to keep him company. Seeing the flames and realizing the gravity of the situation he rushed to the roof and shouted to Pilot Harry Doss that the boat was on fire and to run to shore will all speed. He then hurried back to the cabin and aided in arousing the sleeping passengers.

Pilot Stays at Post.

The big bell was rung four times and then with one continuous clamor spread the news. Pilot Doss remained bravely at his post until the bow of the boat struck the bank. Then he rang the bells for the engines to stop. The "Texas" beneath him was blazing and he was enveloped in smoke. He leaped from the pilot house to the "Texas," thence to the roof, made his way to the wheel house, leaped in the river and swam ashore. Wesley Doss, his aged father, and an old-time pilot, who was making the trip for pleasure, had been in the pilot house with him, but left a few minutes before Harry did, making his way to the after guards, where he sprang into the river and despite his 67 years swam ashore in safety, but died a few minutes later from exhaustion and excitement. His body was brought to Cairo.

The flames spread with such rapidity that passengers had no time to dress, but they rushed to the guards, and while many sprang overboard to take their chances between death by drowning, or death by burning, others were assisted into a yawl by Mate Shriver and Sailor Ed B. Holly. The latter had climbed one of the supports that kept the yawl suspended, cut the ropes and let the craft into the water, where women and children were placed, until it was full and hurriedly taken ashore, fourteen persons at a time.

Men Risk Their Lives.

Several trips were made at the immediate risk of their lives, until it was too late to aid further in the rescue from the boats direct, when the men set themselves to the work of saving those who were afloat in the river. A number were rescued a mile or two below the wreck.

Dr. W. T. Daugherty, with his wife and baby was enroute from Marion, Ky., to Charleston, Mo. He placed a life preserver around his wife, another on himself and, taking his baby in his arms, lowered himself to the water by a rope. Then he held on until his wife followed and, with their baby clinging with her arms about his neck, they started for shore, but the swift current carried them down nearly two miles before they were rescued by people on the bank. The child had in the meantime become exhausted with cold and was unconscious. Her grasp relaxed, but her father grasped her nightdress in his teeth and held her head out of the water. When they were rescued he, too, was nearly exhausted, but when the child was resuscitated he was happy.

Revised List of Missing.

The following is a new and revised list of the names of the missing passengers who were aboard the steamer City of Pitts-