

A VOID TAX LEVY.

The Assessments on the City Property Owners

AROUND THE CAPITOL SQUARE

May Not Have to be Paid on Account of a Technicality in the Law.

Judge Pro Tem L. A. Stebbins in the district court today, rendered a decision of more importance than any which has been handed down for many months. In the case of Frank Thomas vs. F. G. Heutig and W. W. Manspeaker, it was ruled that the tax levy to meet bonds issued to pay for paving half the streets which bound the capitol square, was void. In paving these streets the property owners along the streets in question paid half the expense, and as the state is not liable for tax assessments the other half which would have been paid by the state was met with by city at large with a bond issue.

This point was raised in the Thomas-Heutig case by Heutig resisting a tax certificate held by Thomas against lots 166 and 168 Tyler street, on the ground that the tax levy was illegal. Judge Pro Tem Stebbins held that Heutig was right, and that the whole cost of the pavement should have been met by the property owners alone, since the state was not liable. This would have been rather hard on the property owners, but they own nice lots fronting capitol square must pay the bill.

The case will be appealed to the supreme court. If Mr. Stebbins' decision is what the lawyers call "good law" it will invalidate all the tax certificates and tax deeds since 1887. Eight of the ten payments on the paving bonds have already been met. City attorney Tillotson says the city will have to get the legislature to provide a curative act to legalize the bonds. Some of the lawyers say this can't be done.

NO CHRISTMAS DINNERS

This Year, But Supplies Furnished by the Associated Charities.

There will be no Christmas dinners distributed by the Associated Charities this year. The office, at the corner of Third and Jackson streets, will be open, and those who bring the notes from the district visitors will be supplied from the store of things on hand. The contributions from the school children which would make more than a big wagon load are being unwarped. They are nearly all articles of clothing.

There are now 25 worthy people supplied every day at the office. There are 50 children to be fitted out with clothing before school commences. Only 15 have been entirely fitted out but there is enough clothing now to supply many more. The greatest trouble is in finding shoes to fit the children. Nearly all the shoes sent in are large sizes and new shoes will have to be bought in many instances.

TWO GOOD ATTRACTIONS.

Charles Dickson Friday Night and Stuart Hobson Saturday Night.

There will be two good and well known comedy attractions at the Grand this week.

Charles Dickson will be there Friday night and will put on "A Jolly Good Fellow." Dickson is a rising young actor of whom much is predicted. His success so far has been good.

Stuart Hobson, whom everybody knows as a comedian of high merit, will follow him and play "Leap Year" on Saturday night.

DEPUTY WANTS PAY.

A Man Who Served During the Strike Sues for Wages.

Chicago, Dec. 24.—A suit was begun by R. C. Rathburn against the Chicago & Eastern Illinois railroad which, if successful will add heavily to the expenses resulting to the railroad on account of the big strike last summer.

Rathburn sues for \$130 wages which he claims is due him, for services as deputy marshal during the strike and his attorney says that his suit is a test case for hundreds of men who served in similar capacities. The case will reach a hearing next week.

The Blue Headed Bank.

State Bank Commissioner Breidenthal said today that he has received word from Cashier Dick of the defunct Blue Headed bank that all the depositors of the bank have been paid in full. Mr. Breidenthal says he has also been informed that the Goodland bank will have the money to pay its depositors in a few days.

Bill Cook Very Much Alive.

MCKENZIE, I. T., Dec. 24.—The report that Bill Cook is dying is not true. He, in company with Bob Cook, three-ingered Jack and Bill Doolin, robbed Frank Cash of his horse and saddle on Dec. 22, five miles west of here. They were then west bound. Nothing has been heard from them since Cash's report.

A Remarkable Achievement in Railroad Affairs.

Was the running of the Exposition flyer, the famous twenty hour train between Chicago and New York, via the Lake Shore route, in service during the World's Fair. A handsome blue-water color of this train may be secured by sending ten cents in silver to C. K. Wilber, Western Passenger Agent, Chicago.

Awarded Highest Honors—World's Fair.

DR. PHOENIX'S CREAM BAKING POWDER MOST PERFECT MADE. A pure Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant. 40 YEARS THE STANDARD.

NORTH TOPEKA.

Items of Interest from the North Side of the River.

Mr. and Mrs. George Klusman of Manhattan are here for the holidays.

Mrs. V. B. Kistler will give a dinner party tomorrow to a few friends.

Mrs. E. Washburn went to Dodge City today to spend the holidays with relatives.

Miss Ella Woodburn has gone to Denison, Kas., to spend the holidays with friends.

Pocket knives for Christmas at Henry's.

10 per cent off on Banquet cook and Oak heating stoves for Christmas presents. J. H. Pucht.

Mr. and Mrs. Charles Sparks will spend the Christmas season in Atchison county.

Miss Belle Cromwell of Menoken has come down to spend Christmas with her brothers.

Miss Ludell McMasters and Miss Mamie Baird have gone to Chicago to spend the holidays.

News reached here this morning that Horace Murphy died last night at his home at Silver Lake.

Mr. and Mrs. Al Taggart have gone to their old home at Meriden to spend the holidays with relatives.

Mr. and Mrs. Geo. Sams, 1039 Central avenue, became the parents of an infant son yesterday afternoon.

Geo. Currier is preparing to publish a book. It is a story, and will deal with Kansas scenes and characters.

Finest skates and lowest prices at Henry's.

According to custom of many years standing Santa Claus has established his headquarters for the holiday season, at the 10 cent store 838 Kansas avenue. The collection of goods suitable for Christmas presents is larger and better and cheaper than ever.

Mr. and Mrs. Charles Steilberger will spend the holidays with Mr. Steilberger's parents, Mr. and Mrs. P. H. Steward, at Hoyt.

The young people are arranging for a masquerade party on New Year's eve. It will probably be given at the Union Pacific.

Rev. Calvin Holman will go to Kansas City tomorrow to perform the rite which is to unite in marriage James Vrooman and Mrs. Mary E. Kolsey.

Alarm clocks, 99c, at Ray Parmer's.

A full line of watches, clocks and jewelry at Ray Parmer's, 824 Kan. Ave.

The Mid-Continental Poultry and Pet Stock show which was held in the Exposition building at Kansas City last week there were a number of North Topeka exhibitors and they carried off a fair share of the prizes. C. H. Rhodes was one of the principal winners in black cochins, getting first and second prizes on cocks and first on pullets. E. G. Tompkins took second on white Plymouth rock pullets.

SNAP SHOTS AT HOME NEWS.

The Y. M. C. A. is to have basket ball.

Most of the city Sunday schools were crowded yesterday.

The Republican Flambeau club will elect officers January 9.

Dr. S. B. Alderson is expected home from Colorado tomorrow.

Most of the city pastors delivered Christmas sermons yesterday morning.

Bishop Vincent addressed the Y. M. C. A. men's meeting yesterday afternoon.

People who get Christmas presents by mail have to go to the postoffice after them.

Mrs. Van B. Prather has gone to her former home at Columbus to spend Christmas.

General Manager H. R. Nickerson and Mrs. Nickerson are in Topeka to spend Christmas.

It is said at the state house that Dr. J. H. McCreedy is now talking of going to Ohio to stay.

Justice J. B. Furry has scored up to 224 in the bowling tournament at the Athletic club.

Frank H. Foster will read a paper on "The Life of Oliver Wendell Holmes" at Unity church Friday night.

Several Topeka people will attend the meeting of the Kansas Academy of Science this week at Manhattan.

It cost the state \$2,690 to run the Reform school last month and \$9,495 to keep the Topeka asylum going.

Rev. A. E. Wagner, of Kansas City, filled the pulpit of the English Lutheran church yesterday morning and evening.

Miss Jessie Lewelling of the governor's office and her sister, Miss Pauline, have gone to Eldora, Iowa, to spend the holidays.

Martin Mobler has returned from a business trip to Pennsylvania and will spend the holidays with his family on College hill.

Dr. W. R. Kirkwood, of the College of Emporia, preached at the First Presbyterian church yesterday, both morning and evening.

The state board of charities has adjourned until Thursday, when the members will start on their regular tour of inspection of the state institutions.

Lieut. Governor-elect James A. Troutman and Congressman-elect Chester I. Long, of the Seventh district were former members of the Saturday Night club.

IT WON'T HURT THE FALLS

Niagara Falls Will Not Be Affected by the Water Power Scheme.

SYRACUSE, N. Y., Dec. 24.—Frank W. Hawley, vice president General Electric company, was shown a dispatch concerning the action of the state reservation commissioners at Niagara in bringing to the attention of the federal and Canadian governments the division of water with a view of stopping it.

"Such action on the part of the state commissioners is entirely uncalled for," he said. "The average depth of water at the brink of the precipice is said to be six and a quarter feet. The amount withdrawn by the charters comes on both the American and Canadian side. This would leave a column of water at least five and a half feet high pouring steadily over the falls.

Fern Levies Extra Duties.

WASHINGTON, Dec. 24.—The bureau of American republics has received official information to the effect that the president of Peru has announced that in order to meet the financial necessities of the country an additional tax will be levied on all tobacco, cigars and cigarettes sold in the republic. The law goes into effect January 1, 1895.

JAPAN'S PARLIAMENT.

It is Opened Today By a Speech From the Throne.

TOKYO, Dec. 24.—Parliament was opened today at home and abroad and the speech from the throne briefly referred to the victories achieved by the Japanese troops in every engagement and says they are steadily pressing forward in the enemy's territory, adding that it is especially satisfactory to note that in spite of cold and hardships the forces are more than distinguishing themselves by their valor.

The relations of Japan with the neutral powers are more friendly than ever. The revision of treaties on long cherished desires has been accomplished with some countries and with other states the negotiations for this purpose are making favorable progress.

In conclusion the speech says: "Having been placed in such a glorious situation we wish more than ever to promote the civilization of the country and enjoy the fruits of the imperial wishes."

The government is still skeptical in regard to China's peace overtures and points out that no authoritative statement has been made by China in regard to the mission, and that while China now professes to wish peace, it has reached the government of Japan that China is negotiating for the purchase of an entire squadron of the Chinese navy and the agents of Col. von Hannekin in Europe, it is stated, are trying to enlist a number of German officers for service in the Chinese army.

ONLY TWO LYNCHED.

Later Reports From Georgia Make the Number of Blacks Killed Less.

ATLANTA, Ga., Dec. 24.—Advices from Brooks county today say that only two negroes were killed in the rioting there today instead of seven as first reported. A Quitman special to the JOURNAL says that the whites are still highly incensed and are patrolling the settlement fully armed in search of Waverly Pike, the negro whose brutal slaughter of Joseph Lewis last week started the trouble. There is danger that other lives will be sacrificed before he is captured. The two blacks lynched yesterday were not implicated in Pike's crime and were apparently slain because they would not reveal his whereabouts.

ATLANTA, Ga., Dec. 24.—James Wiggins, the negro murderer, who killed an old man and wounded two officers in an attempt to evade arrest last night, has not been lynched and will not be. The sheriff with an armed posse is inside the jail and will fire if necessary to protect it. A special term of court will be convened Saturday which Wiggins' case will be pushed with all vigor. Detective Murray and Policeman Stringer, the officers wounded by Wiggins, are both alive.

Stringer will recover, but Murray's case is considered hopeless. The coroner's inquest over the body of John Davis, the old man killed in the riot, rendered a verdict at noon that he came to his death by a stray bullet.

DR. M'GLYNN'S NEW CHURCH

He is to Be Made Rector of St. Mary's Church, Newburg.

NEW YORK, Dec. 24.—The Rev. Dr. McGlynn is to be made rector of St. Mary's church, Newburg, until a vacancy shall occur in the rectorship of some prominent Catholic church in this city.

This fact was stated positively by the Rev. Father McGlynn of the Holy Cross church, West Forty-second street. He added that Dr. McGlynn would go to his new charge on January 1.

Dr. McGlynn will preach his Christmas sermon in Father McCready's church. He will say mass at 4:30 a. m. This will be the first sermon and his first public act since he left St. Stephen's church eight years ago.

Rev. Father Malone of St. Peter and St. Paul's church, Brooklyn, said during his early mass sermon that Catholics throughout the United States ought to rejoice over the reconciliation between Archbishop Corrigan and Dr. McGlynn. He expressed the hope that a great edifice might be erected for Dr. McGlynn, so that he could have the comfort for the remainder of his life of preaching to all classes of men the doctrines for which he had suffered so keenly.

THE STORM'S DAMAGE.

The Destruction Along the North Sea Coast Greater Than Supposed.

AMSTERDAM, Dec. 24.—The storm news from various parts of the coast shows that the damage done has been much greater than was at first supposed. The North sea beach in every direction has been washed away from fourteen to twenty feet, and many fishing vessels which had been drawn up on the beach have been destroyed.

The port of Flushing has been greatly damaged by the storm. The German bark Caroline has been wrecked off the coast. Ten of the crew were drowned and seven saved.

Several vessels in distress have been sighted at various points.

LONDON, Dec. 24.—The telegraph lines in the northern part of Great Britain are still down and the full amount of damage by the storm is not known. It is estimated, however, that 50 to 100 persons lost their lives in various manners during the passing of the gale. The weather chart today shows that a new disturbance is coming from the Atlantic.

FIGHT FOR A ROBBER.

Virginia and Ohio Contend for Possession of the Aquia Train Robber.

CINCINNATI, Dec. 24.—There is quite a sensational contest going on today over the possession of C. A. Morganfield, the Aquia train robber, who is wanted with Searcy for trial at Richmond. The Virginia authorities are here and expect to get him today, but two writs of habeas corpus had been issued.

On one of these he was being transferred from the city hospital to the county jail when the city authorities and the Virginia officers were alarmed about the time the patrol wagon was on the way, thinking possibly some sharp practice was being played. The contest over writs and other complications is still going on this afternoon. Morganfield is still in jail and his attorneys are resorting to every possible means to obstruct the Virginia authorities.

Least—Sunday, between pension office, 9th and Quincy, ladies golf watch. Engraved, Feb. 22, 1894. Suitable reward K. J. A., Journal.

EMBEZZLER GOT \$375,000.

A Detective Located Him but Became Friendly and Didn't Reveal His Name.

SEATTLE, Wash., Dec. 24.—An alleged embezzler from one of the oldest banks in Bloomington, Ill., has been run down by a Pinkerton detective here but the detective suddenly disappeared after he became friendly with the alleged embezzler without even giving the latter's name. The detective gave his name as Allen O. Pinkerton agency and Brooks started out to run him down. He trailed him to Kansas City, Ogden, Butte, Portland and finally to Seattle, where he was living under the name of Walker. Brooks after arriving here claimed to locate his man and got a confession from him that he had \$17,000 sewed up in him, lining of his coat. He said he did not want to return but would settle if the bank would give him \$10,000 that was owing to him. Extradition papers were made out but the matter was kept from the police because of the danger of their arresting the man and spoiling the chance of a recovery of the money. Suddenly the detective became friendly with the alleged embezzler and commenced avoiding the attorney. Then Brooks became involved with a woman, and after a trip into the woods, ostensibly for a deer hunt, he took a train for San Francisco, and the next day the two men followed by steamer. So far as can be learned nothing has been done to settle the affair with the bank. Brooks never let any one see the alleged embezzler, so it is not known who nor where he is.

PREACHED ON TRILBY.

Dr. Thomas Dixon Has Some Sharp Raps For So-Called Reformers.

NEW YORK, Dec. 24.—"The novel of Trilby," was Dr. Thomas Dixon's subject yesterday. He gave the Maurer's story in outline with his impressions of the book. "Is 'Trilby' a possibility?" he asked. "Only ignorance of humanity could doubt it. The men and women who allow social caste to separate them do worse than sell their birthright for a mess of pottage. Woman's keen sense of her position, when she realizes the moral law, is not a fair expression of human nature."

"It is the relentless expression of the inheritance of centuries of brutal punishment that the superior muscle of man has inflicted on her. Hence Trilby's faint sense of shame. The roots of the social evil in our environment. Take the case of Trilby. Her mother was a barmaid."

Dr. Dixon gave this sharp rap to reformers.

"In several of our nearby cities at this time crusades have been organized against fallen women. The promoters are stupid schemers who think they are following in the lead of Dr. Parkhurst. Nothing could be more absurd. Dr. Parkhurst never waged war on the unfortunate but tried to rescue them from official brutality."

There are 50,000 unfortunates in this city and if you could rescue or reform or drive away every one tomorrow in less than a year's time they would be back in numbers undiminished. Why? Simply because while there are 50,000 fallen women in this city there are ten times that number of fallen men."

GOLD OUTPUT INCREASED

The Leadville Mines Produced Nearly Two Millions This Year.

LEADVILLE, Colo., Dec. 24.—The statements of the smelters for the year 1894, show the bullion produced from Leadville ores during 1894, amounts to \$6,160,074. The gold output for the year is \$1,934,240, an increase in gold over 1893 production of \$311,940. The tonnage of this camp for the year is 322,907 tons of ore, an increase over 1893 of over 22,000 tons. The aggregate production of the Leadville mines 1879 to 1894, inclusive, in gold, silver and lead, amounts to \$106,449,447. The number of men engaged in the mining, smelting and ore hauling business in this district is as follows:

Miners, 2,391; smelter hands, 650; ore handlers, 159. During the last year the four Leadville smelters that are running, viz. Arkansas Valley, Union, Bi-Metallic and Elgin, handled 229,388 tons of ore, producing \$6,846,484.

The balance of the bullion from this district was produced by the Valley smelters.

TURKEY EXPLAINS.

Denies That Thirty-Six Armenians Were Executed at Erzeroum.

WASHINGTON, Dec. 24.—The Turkish legation here received the following official telegram:

"Certain newspapers announced the execution of thirty-six Armenians at Erzeroum. This information is not correct, the facts being as follows:

Out of forty-six Armenians under arrest at Erzeroum, thirty-six were liberated, five were condemned to death and the remaining five to ten years of hard labor. Several others were also condemned to death, but they are in flight. The condemned men were convicted of murder and criminal assault. But the legal formalities concerning these sentences have not yet been fulfilled.

GLOATS OVER GOMPERS.

Central Labor Union of Chicago Rejoices Over His Defeat.

NEW YORK, Dec. 24.—The Central Labor Federation held a meeting last night to rejoice over the defeat of Samuel Gompers. The delegates claim that the socialists downed him. Two red bandanas were displayed on the walls wreathed in laurel leaves bearing the inscription, "Remember Denver in 1894."

The delegates were adopted by the Central Labor Union, denouncing Judge Woods of Chicago in sentencing Eugene V. Debs to six months imprisonment and extending sympathy for and expressing confidence in Debs as the champion of the victims of a grasping monopoly.

500 Turkeys All weights. Tomorrow's market, 708 Kansas avenue.

510 Kas. Ave. WHAT 510 Kas. Ave. \$5 more appropriate and would be appreciated more than a handsome piece of Furniture for a Christmas present! This was our idea when we placed our orders for our fall stock. Before making your selection come and see our line of— Ladies' Desks from \$7.00 up. Our Center Tables in all the fancy woods from 75c up to \$20.00. Our fancy Rocker in Mahogany, Curly Birch, White Maple and Oak, from \$2.00 up to \$25.00. Our Library Chairs in Reed and Rattan, the finest ever shown in the state from \$5.00 to \$20.00. Our Dining Tables in all lengths and all prices from \$3.50 to \$40.00. If you have any doubt that there is a finer, more extensive line of FURNITURE under any one roof this side of the Missouri river, come and see for yourself. Reed & Tomlinson. Folding Chairs and Tables to Rent. Bell Telephone 350. 510 Kas. Ave.

WESTERN Foundry & Machine Works, ESTABLISHED 1875. FORMERLY Topeka Foundry and Machine Works ESTABLISHED 1868. R. L. COFRAN, Proprietor. MANUFACTURER OF STEAM ENGINES, MILL MACHINERY, SHAFING, PULLIES, GEARINGS, FITTINGS, ETC. Write for Prices. TOPEKA, KANSAS.

J. M. Knight, Undertaker & Embalmer. Anti-Combine Dealer in Heavy Weight Full Ornament Metallic Caskets, Drapery Cloth with Zinc and Copper Linings. Children's White Caskets, Full Ornament Metallic. A full line of Wood and Cloth Coffins and Caskets. 404 & 406 Kas. Ave. Phone 52.

"DIRT DEFIES THE KING." THEN SAPOLIO IS GREATER THAN ROYALTY ITSELF

THE CHICAGO & ALTON R.R. ONLY STONE BALLASTED TRACK. NO CHANGE OF CARS BETWEEN KANSAS CITY AND CHICAGO, KANSAS CITY AND ST. LOUIS, ST. LOUIS AND CHICAGO. No Extra Charge for Passage in Palace Reclining Chair Cars NOR IN Fast Vestibled Limited Trains. Christmas trees and tree ornaments, candles, holders and tree trimmings. TOYS - We have the cheapest and best assortment in the city. See our line of fine dolls and doll heads, shoes, stockings, hats, books, parsons, sleds, carriages, cradles, beds, furniture, etc. For the children we have games of all kinds, dolls, tin toys, rocking-horses, wagons, soap-boxes, bicycles, dishes, dressing cases, toilet sets, etc.

UNION PACIFIC ROUTE. HOLIDAY EXCURSIONS. The Union Pacific will sell tickets account holidays to points within 200 miles at open rates of one and one-third fare for the round trip. Date of sales Dec. 22, 23, 24, 25, 31 and Jan. 1, limited for return passage Jan. 2, 1895. A. M. FULLER, City Agent.

TRY THE LITTLE GROMP THE BEST CIGAR MARKET MANUFACTURED BY H. L. TROMP, Topeka, Kas. 312 and 114 West 8th, Peerless Steam Laundry. Institute of Arts and Languages, Elocution, Dramatic Art, F. P. Cleaves M. A., Instructor, Jackson and Eighth. For Christmas cut flowers ring up Bell telephone No. 295. R. J. Groves, 1178 Clay street.