

# The Topeka State Journal.

TWO CENTS.

FRIDAY EVENING.

TOPEKA, KANSAS, APRIL 3, 1896.

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## USUAL STUMP

That Every Topeka Improvement Runs Up Against

Is an Envious Concern, Yeapt Richardson & Young.

ITS INJUNCTION SUIT

Is Heard by Judge Hazen in the District Court.

Enemies of the Bridge Still Fighting It.

A RIDE ON A RAIL

Ought to Be the Effective Way

To Stop Long Eared Obstructors of Public Improvements.

The argument of the bridge injunction case was heard today by District Judge Hazen.

Richardson & Young, who want the county commissioners enjoined from letting the contract to keepers & Thacher, the lowest bidders, were represented by C. H. Hated, W. H. Rosington and C. J. Dallas. H. G. Lantier and A. B. Quinton assisted County Attorney Safford in defense of the commissioners.

Some evidence was introduced before the argument was begun. Mr. Hated stated that as soon as the board was enjoined from letting the contract it retaliated by throwing out the bid of Richardson & Young, because they had not lived up to the advertised specifications in depositing a check for \$5,000 on some Topeka bank with the bid. He called County Clerk Chas. T. McCabe.

"Did you have a conversation with Mr. Ames C. Young about this check?"

"Yes, I did. He asked me this morning that if the bid was opened it is a certified check for \$5,000 on the Garden City Banking & Trust company of Chicago would be accepted with his bid instead of on a Topeka bank, as he had not had time to get a draft. I took the check to Commissioner Rogers, and he said it would be all right, and I told Mr. Young what Mr. Rogers had said."

In the cross-examination Mr. McCabe said:

"The board was not in session when you asked Mr. Rogers about this check?"

"No, there was neither of the other commissioners about."

Mr. Mosser, of New York, who has the power of attorney to let contracts for the bridge, said that he had received the bid of Richardson & Young, and that he had received one-third of the royalties. That the Metz company had no written contract with them, but simply a verbal agreement. The amount of the royalties was determined by the Detroit firm and his company had nothing whatever to do with it.

W. H. Kessers of Detroit, testified that the amount of royalties which they were to charge was stated in the county commissioners at the time of the plans and specifications were submitted.

The contention of Richardson & Young is that keepers & Thacher, by virtue of their having been employed to prepare plans and specifications, were employed by the county commissioners and had no right to the bridge contract of erecting the bridge. County Attorney Safford maintained that the service of keepers & Thacher ceased when the plans were completed, and they were no more in the employ of the commissioners at the time of the bid than they were at the time of the plans and specifications.

The question of the legality of the bonds was also brought in by the plaintiffs. They claim that the people of this county have no right to vote for a patented bridge.

The arguments were expected to last until the day Judge Hazen will not give his decision until Monday.

PLAYED HIS OWN DIRGE.

Death Overtook the Old Italian When He Was Playing "Gentle Spring."

New York, April 3.—A gray-haired Italian, while giving a musical tune on a wheezy, old-fashioned hand organ, fell dead in Ninety-fifth street, between Columbus and Amsterdam avenues, yesterday. At the time the street was almost deserted, there being only a few boys who were playing shinny near by.

The boys called Policeman O'Connell of the West 104th street station, who found the old man in the gutter with his organ across his body. On a piece of folded paper in his pocket was written "Vincento Albino, Sullivan street. It is thought that he died of heart disease.

The indicator on the organ showed that he was playing "Gentle Spring" when he died.

EXIT THEATER HAT.

The Ohio Senate Passes the Bill Dismantling the High Hat on Opera.

Columbus, April 3.—The theater high hat so far as Ohio is concerned is to be deemed Representative Fiedler's bill requiring theater managers to see that no hats are worn in places of public entertainment that will obstruct the view of other patrons of the house passed the senate yesterday, and only lacks the signatures of the presiding officers of the assembly to make it a law.

## CARRIED OFF IN A CART.

This Was the Last That Was Seen of Crawshaw.

George Crawshaw, a telegraph operator, who boarded at the Holiday house, disappeared last night in a somewhat mysterious manner.

Crawshaw had Oliver Cunningham, the big Auburn farmer who thinks he can wrestle, attended the boxing exhibition at Hamilton hall last night. Crawshaw had been drinking heavily and when he and Cunningham left the hall he was very much intoxicated. Cunningham went to the stable and got his cart and horse, intending to drive home, but he first took his companion to his hotel. They tied the horse and went in.

Cunningham said he would stay all night and would go and put his horse in a stable. Crawshaw went out and got in the cart and Cunningham untied the horse. As soon as the horse was released he started down the street, a weak-kneed, feeble-looking, heavily laden cart, with Cunningham sitting behind. The horse dashed up Fifth street and it is said when Quincy street was reached the occupant of the cart fell out. A man went into the Fifth avenue hotel and asked to be directed to the Holiday house. He was told that the horse and cart were supposed to have been in Crawshaw but he has not been seen since.

A search for the missing man was kept up all night but this morning no trace of him had been found. Cunningham, after changing the runaway horse several blocks returned to the hotel and spent the night.

## VOORHEES FAILING.

The Indiana Senator's Health Breaking Down Rapidly.

Washington, April 3.—The continued absence from the senate of Senator Voorhees of Indiana, has given some concern to his friends but it is stated by members of his family that his condition is perhaps a little better than it has been for some weeks.

The senator has been suffering all winter from a severe attack of rheumatism, complicated by nervous prostration. He has been out riding several days lately and it is hoped that he will improve as the weather becomes warmer and brighter.

## HOFFMASTER RUNS AWAY.

Gave a Wheel From Golms and Ships the Country.

Jake Hoffmaster, convicted in Justice Gays court yesterday of assault and wrecking bicycles, immediately after his conviction, secured a bicycle from J. P. Golms and left the city.

Hoffmaster was accompanied by Arthur Hagen, a lawyer connected in the assault with him, and whose trial had been postponed a week.

Golms, finding they had taken the Lawrence road, followed them, but finding no trace of the boys returned to the city and made his complaint to the police.

The police sent telegrams to Lawrence describing the wheels and their riders.

## DROP FURMAN BAKER.

His Place as Senate Messenger Given to a Winfield Man.

Furman Baker, who was street commissioner in Topeka under Mayor K. C. Cotran and who has been senate messenger for several years has been dropped from the rolls, and Charles E. Stevens of Winfield has been appointed in his place.

Baker is a Democrat and secured the appointment through Senator Martin. It is supposed that Senator Baker had Mr. Baker discharged to make room for a Republican. Mr. Baker still considers Topeka his home and will probably soon return to this city. The position pays only \$3 a day.

## WORD FROM MISS BARTON.

She Says Turkish Officials Do Not Control Relief Distribution.

Constantinople, April 3.—Miss Clara Barton, president of the American Red Cross society is much disturbed on account of the reports circulated in the United States to the effect that the Red Cross relief is being controlled by Turkey.

## BIG JEWELRY FAILURE.

Wade, Davis & Co. of Attleboro, Mass., Break—Assign Dull Times.

Attleboro, Mass., April 3.—Wade, Davis & Co., jewelry manufacturing jeweler, and Hurlan G. Davis of Lincoln, Mass., also in the jewelry business, have made assignments in favor of their creditors. The failure is feared that other jewelers will be forced into insolvency.

The firm of Lincoln, Hurlan & Co. is not affected by the personal assignment of Mr. Hurlan. The exact condition of those involved in financial difficulties cannot be ascertained for several days. The accounts are being investigated and the creditors will hold a meeting next week. The reason given is dull times.

## Not the Frisco Strangler.

San Francisco, April 3.—The police are convinced that Julius Feister, the Omaha man who was arrested Wednesday night for following a woman, had nothing to do with the recent strangling of two abandoned women in this city. An investigation shows that Feister had a fall of his own and was killed by Mrs. Edna Huffer and Miss Mabel Wenger of Holman. Mrs. Wenger is acting as poor Broderick's clerk on account of the poor health of his daughter who had been doing his work.

## The Columbia Bicycles

Will be exhibited at grand bicycle opening, Saturday evening, April 4th, 5:30, Kansas avenue. W. W. Webb, agent.

## PETERS' VISIT

To Washington was in Allison's Interest.

Preparing a Place for the Leland Crowd

TO FALL IF NECESSARY.

Making Arrangements for the Kansas Delegation

To Go to Allison if McKinley is Defeated.

From Our Special Correspondent.

Washington, April 3.—The visit of S. R. Peters of Newton, Kan., to Washington last week without doubt had considerable politics in it. Ostensibly Mr. Peters came on law business and to urge the appropriation for a fast mail service from Kansas City to Newton.

But Mr. Peters knows very well it was too late to do anything for the fast mail as that bill was ready to report to the senate when he arrived.

While here Mr. Peters had conferences with Gen. D. B. Henderson, and Representative Hepburn of Iowa. He chatted and shook hands with the Kansas representatives, but his business was with the new managers of the Allison bill.

This leads to the conclusion that Mr. Peters was dealing in presidential politics. Not a whisper concerning the real purpose of his visit was made known and what passed between him and the Allison boomers is only a matter of conjecture. But the fact that the Allison men were playing their cards so strong for second choice and that they are relying much on Kansas and other "neighbor states" leads to the belief that Mr. Peters came to get an understanding from them.

Kansas last course for McKinley and her delegates will vote for him, but it is by no means certain yet that he can be nominated. In case he can't be Allison is looked upon as the most likely compromise candidate. This being the situation it would be the most natural thing in the world for Cyrus Leland and his friends to be looking around for a place to fall in case their first choice should fail. Leland is too shrewd to cut himself off from means of retreat. Being an original and outspoken McKinley man he could not treat with the Allison boomers, especially with regard to second choice, but he could send Peters, a close friend, who is a delegate to the convention.

Therefore it is more than likely that an agreement has been arrived at between Peters and the Allison managers. He is a delegate to the convention and was acquainted with the Iowa men when a member of the house and they are not afraid to deal with him. The inference is that the probable situation in the convention were discussed.

"What is there in it if Kansas should go to Allison when it is seen McKinley will be nominated?" was asked at the point of the Kansas emissary's visit. With the answer to this he could return home and make plans accordingly.

If McKinley is nominated, reason Mr. Leland and his men, all will be well, if some compromise man, was must be fixed, who has more than one string to his bow.

To strengthen the belief that Mr. Peters conferred with the Allison men as to presidential prospects it may be said that the Allison men have been for some time acting in a confident manner. When it was proposed by the Reed men to form an alliance against McKinley in which the Allison men were to go to Reed or the Reed men to Allison, the Allison men refused. They would play their own game and if they were nominated would so to Harrison. On account of this independent confident spirit, it is not unreasonable that politicians who are prevailing against possible contingencies should make overtures to Allison men. The Allison people are very sure a nomination will not take place in the first ballot, and for several ballots and they are fixing second choices to meet just such a condition. With a large number of second choice promises already on hand, the Allison managers may not be unprofitable persons to confer with.

Perhaps thought Mr. Peters who was probably only a representative of others.

## Curtis on the Committee.

From Our Special Correspondent.

Washington, April 3.—Congressman Curtis has been made a member of a sub-committee of the committee on Indian affairs to form a bill for the government of the Indian territories. Mr. Curtis had a bill of his own and so did Mr. Flynn of Oklahoma. The two bills were given to the sub-committee with instructions to form a bill from them. The other members of the sub-committee are Sherman of New York and Little of Arkansas.

## Long Did Not Favor It.

From Our Special Correspondent.

Washington, April 3.—A report was sent out from here that the Kansas delegation was unanimously in favor of the fast mail from Kansas City to Newton. Congressman Long called attention to this report and said to the Journal correspondent that he had never supported the scheme and would not do so should the matter come up again in the shape of senate amendments.

## Bankruptcy Bill Reported.

Washington, April 3.—The senate committee on judiciary today decided upon a voluntary bill upon the voluntary bankruptcy bill.

From Our Special Correspondent.

Washington, April 3.—Several Kansas young ladies are visiting Congressman Broderick's family at the Elmers and will remain until the end of the present session of congress. They are Miss Daisy Moore, Miss Edna Huffer and Miss Mabel Wenger of Holman. Mrs. Wenger is acting as poor Broderick's clerk on account of the poor health of his daughter who had been doing his work.

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## HILLMON VERDICT.

At 4 o'clock this afternoon the Hillmon Jury was called in and discharged, being unable to agree. They stood 5 to 4.

## DOES MR. DEVLIN GO?

Through the Appointment of C. M. Higginson Superintendent Coal Properties.

President E. P. Hines of the Santa Fe has issued a circular announcing the appointment of C. M. Higginson as assistant to the president, with immediate supervision of the coal properties and coal lands of the company. Mr. Higginson's appointment will take effect April 10.

For many years Mr. Higginson has held positions in both the operating and mechanical departments of the Chicago, Burlington & Quincy road, and was associated with President Ripley when that official was connected with the traffic department of the C. E. & Q. He is an expert geologist, and at present holds the position of president of the Chicago Academy of Sciences. His headquarters will be in Chicago.

Whether or not the appointment of Mr. Higginson will interfere with C. J. Devlin, who has been manager of the coal properties of the entire Santa Fe system since 1888, is in question. Mr. Devlin is absent from the city, and could not be seen in reference to the matter. It is the general belief, however, that the appointment of Mr. Higginson is for the purpose of releasing the president from a portion of the work of his office, and that in that position he will have but a general supervision of the coal lands of the company. It is the general belief, however, that the appointment of Mr. Higginson is for the purpose of releasing the president from a portion of the work of his office, and that in that position he will have but a general supervision of the coal lands of the company.

Should the appointment of Mr. Higginson affect Mr. Devlin, it will undoubtedly be from personal motives. At no time have the coal properties of the Santa Fe been in such a flourishing condition as they are at present.

Since Mr. Devlin assumed charge of the fuel department, the earnings of that department have been increased 200 per cent. This condition has not been arrived at by increasing the price of the fuel, but by increasing the extent of territory in which it is supplied.

As president of the Colorado Fuel & Iron company, F. W. Morton, now third vice president of the road, was for a number of years in active competition with Mr. Devlin. Naturally a number of business clashes occurred, and on several occasions Mr. Devlin outwitted Mr. Morton.

It is the general opinion here that if Mr. Devlin is appointed to the position of superintendent of the fuel department it will be a remembrance of by-gones by the third vice president.

## COURT HOUSE DEDICATION.

It Will Take Place Saturday, April 11, With Brass Band Music.

The court house dedication has at last been decided upon. It is to take place Saturday afternoon and evening, April 11. Probate Judge Wood has had the arrangements of the reception and has announced that the plans are now complete.

All is expected that nearly every people will attend in the afternoon, and in the evening city residents who are not able to get away during the afternoon will be present. The court house will be completely lighted in the evening as well as in the day time, and business will be suspended.

The committee adopted the following program: At 2 o'clock the city commissioners will be on duty to receive and show the visitors about.

The programme will consist of an address by Gen. J. C. Caldwell, speaker and reminiscences by ex-District Judges John T. Morton, John Martin, and John Guthrie on "The Day." The address will be given by the Shawnee county. Gorman's band will play both afternoon and evening, and will also play upon the street.

## MR. VEALE'S THIEVES.

They Are Bound Over to the District Court Today.

Chicken thieves were on trial this morning in Justice Purty's court. On the evening of March 9, James Clark and James H. Hester, who were charged with the stealing of a chicken from the chicken house of George W. Veale, Jr., and carried away to worth of fancy chickens.

Mrs. Veale had the thieves arrested. Chief Gardiner, Sergeant Demovay and several of the police officers were present at the trial. The defense was conducted by the attorney who represented the defense and argued that while the chickens were taken there was no burglary committed. Justice Purty, however, found them over to the district court.

## AN UNPLEASANT SMELZER.

This One Seems to Be for the City of Topeka.

One case of interest to Topeka was decided by the appellate court in the recent decision at Colby. It was one of the numerous damage suits against the city. Pleasant Smelzer drove off the Shunganunga bridge several years ago and his horse was killed.

The case was tried and decided in favor of the city but a new trial was granted. An appeal was taken from the decision against the city. Smelzer has since secured a judgment against the city for about \$500 and this is still pending in the appellate court on appeal.

## Bankruptcy Bill Reported.

Washington, April 3.—The senate committee on judiciary today decided upon a voluntary bill upon the voluntary bankruptcy bill.

At the opening of the reserved seat chart for the Elks' circus on Monday morning at 2 o'clock every ticket, excepting for boxes, will be in its proper place, ready for the rush. Not even Grover Cleveland or Jake Einstein could get one before the proper time. This is official. Boxes can now be reserved through Mr. Edward Henderson at the First National bank. First come, first pick.

Come see the Kindergarten East-eggs hatched at Hamilton hall tomorrow afternoon at 2:30.

## MORE COUNTIES.

Secretary Bristow Claims That Morrill Will Have 75,

While Troutman Will Have But 20 Counties

IN THE CONVENTION.

These Claims Not Backed by Any Figures.

Evident Alarm at the Troutman Strength.

"Governor Morrill is just as certain of being nominated and elected governor as he was two years ago," said Chairman Bristow today. "Governor Morrill will have seventy-five counties when the time for the convention comes and Troutman will have not to exceed twenty."

Of course Chairman Bristow sees things through Morrill glasses; there are other members of the state administration who are not so certain. Troutman is the only man to be feared and there is probably not more than one or two state officers who secretly would not like to see Governor Morrill turned down if it would not impair their own chances of re-nomination.

The administration Morrill supporters are very anxious to see what will be the effect of the Troutman meeting held in Topeka. Some of them say that Troutman cannot control the support which was indicated by the long list of vice presidents named at the meeting. "I believe," said one of them today, "that if a secret ballot were taken by the vice presidents that it would be found that a majority of them would not be for Troutman."

The administration claims that Judge Horton who was named as a vice president is a Morrill man, but Judge Horton was interviewed with the rest and commented to act as one of Troutman's backers. Every man on the list had consented to act before his name was presented to the meeting.

This anxiety indicates that the Morrill people are at least very much alarmed at the growth of the Troutman sentiment in all portions of the state. Troutman will have the Shawnee county delegation.

## FELL FROM A TRAIN.

Crazed by the Blow John Franklin Shoots at Citizens, and in Turn is Shot.

Elliot, Ill., April 3.—When the Lake Erie & Western passenger train passed through the village of Elliot, a man, crazed by the blow, struck a man, striking him on the head with a tin. Apparently crazed by the blow, he got up and told those around him that some men were going to kill him, and then started across the fields.

The man, who started in pursuit, he soon turned, and drawing a revolver, and holding the crowd at bay, fired several shots hitting no one. He then resumed his flight.

Some other shots were fired at him by members of the pursuing party, and he was hit in the knee and hand, captured, and taken to a farm house, where his leg was amputated. The unfortunate man died late last night. His name was John Franklin, and his home Fort Recovery, Ohio.

## GOES TO THE HOUSE.

Representative Curtis' Territory Bill Favorably Reported.

Washington, April 3.—Representative Curtis has completed the report of the subcommittee on Indian affairs and the report together with the bill will be placed before the house.

The committee adopted the bill unanimously and agreed to ask for time in which to consider the bill at an early date. The members of the committee have a high opinion of the bill and are anxious to get it through the house this session. The bill, as agreed upon, touches very lightly the townships and simply providing a system of leases for one year; this, as explained in the report, because of the uncertainty at present about what should be done. The bill accepts the plan of the Dawes commission, leasing upon citizenship of the Indians, but provides that the land may be taken to the United States courts.

## RAIN IS PREDICTED

For the Coming Twenty-Four Hours by the Weather Prophets.

The wind has changed from the northwest to the southeast, and is blowing in from that quarter today. The change in the wind was responsible for a slight rise in the temperature and at 1 o'clock this afternoon the thermometer registering 42 degrees above. A slight shower is expected which the weather men say will increase as the day advances, and that by tomorrow we shall probably have rain.

A general partial cloudiness is reported along the lines of the Santa Fe and Rock Island in Kansas today, with light southeast winds, the thermometer ranging from 40 to 45 degrees.

In Colorado partly cloudy weather is reported, and in southern New Mexico it was reported to be falling. The weather in northern New Mexico and Texas a general partly cloudy condition is also reported.

## Ten Millions for Rivers and Harbors.

Washington, April 3.—The river and harbor bill was finished today by the senate. The bill, which is estimated to cost about one million less than ten millions or about one million below the bill last congress.

Gen. Weyler's Good Friday.

Havana, April 3.—Capt. Gen. Weyler and his staff, the civil and military authorities took part yesterday in the religious ceremonies in the cathedral at which were also assembled all the elite of Havana.

## "CUBA CAN WAIT."

Pickler's Rebuke to Congressman Who Seem to Represent Any Place But Home.

Washington, April 3.—Mr. Pickler, chairman of the pension committee demanded the regular order in the house today. This being private bill day he wanted to proceed with the consideration of private pension bills, reported from the committee of the whole.

Mr. Hill, chairman of the foreign affairs committee thought he ought to introduce the bills in the interest of the conference report on the Cuban resolutions.

"Cuba can't wait," replied Mr. Pickler. "While we pass these pension bills." Mr. Hill finally agreed to withhold introduction of the bills in the conference report on each bill as it was called up.

The Democrats insisted that there ought to be debate and Mr. Erdman (Dem. Pa) promptly made the point of no quorum on the first bill with the result that there were some thirty objections on these private bills and the speaker was compelled to count a quorum on them.

## REPENTED TO SLOW.

Before He Could Return the Stolen Watch He Was Arrested.

James Sawyer is a young man who thinks it does no good to repent. He is in the county jail, charged with stealing a silver watch from a Silver Lake man.

Sawyer says he took the watch, but it troubled his conscience so that he was going to return it. Before he could do so, he says, he was arrested. He slept with his victim in Silver Lake and when he fell in the morning he took the time piece.

Sawyer says his home is in Arkansas City. Although young, he is a stout fellow. He was committed to jail today by Justice George W. West of Silver Lake, before whom he will have his preliminary examination Monday.

## DEATH OF THOS. WHARTON.

The Philadelphia Editor Leaps to the Earth From a Fourth Story Window.

Philadelphia, April 3.—Thomas Wharton, Sunday editor of the Philadelphia Times, fell from a fourth story window of the house in which he lived early this morning and was instantly killed. It is generally believed that he committed suicide. He was a frequent contributor to magazines. He wrote several novels, the best known of which are "A Lively Day, Saint" and "Handicap of New York."

## DEPEW SAYS MORTON.

He Will Nominate the New Yorker at St. Louis.

San Francisco, April 3.—In discussing the chances of the candidates for the presidency at the state convention of New York, held at the Hotel Hamilton, Chauncey M. Depew who arrived in this city last night in company with Cortlandt Van Dyke, said:

There are only four men whose chances at St. Louis are worth speaking about. McKinley stands easily in the lead with Reed, Allison and Morton racing in the order named. Morton stands perhaps an even chance with Allison, as he starts in with 75 votes of the state delegation. We of New York, mindful of the past, think Morton stands a very good show. Presidents as a rule are not made out of cards. I am sure that these are all good and the country can be safely trusted to any of them. McKinley will go to the convention with a clear lead. The only man who is to be feared is by the field combining against him.

The field will combine and this because the strong force. The question then arises as to the name of the man upon whom it can be brought to unite. New York is a pivotal state. Morton will fight. Do not think he wants it. For these reasons we believe he will be considered the most available man.

"No, I do not think Harrison will fight. Do not think he wants it. He has said so so positively that there can be no doubt.

"I am for Morton to be sure. It is very likely that I shall nominate him at St. Louis unless some other son of New York shall think he can do it better."

## Duck Pin Tournament.

In the last three games of the duck pin tournament between the T. A. A. and the N. C. A. played at the First National alley Wednesday night the Athletics won by eight points. As the T. A. A. players led 16 pins ahead in the first three games they were the only games of the series yet to be played.

## Bicycle Mutilator Arrested.

Constables with Justice Gur's court connection with the Oakland bicycle mutilating case. His name is Lincoln Fisher and he lives in Oakland. Two of the boys William Jones and A. L. Brown, were discharged as they have been found innocent of any connection in the case. The hearing of the boy Fisher is set for April 5.

## Millionaire Langdon Held.

Philadelphia, April 3.—Upon the finding of the coroner's jury in the case of Annie McGrath, Samuel P. Langdon was today held for the action of the grand jury. Langdon was present at the trial today, occupied thus with fear and evincing little interest in the proceedings.

SALVATION ARMY IN CHURCH. Brigadier and Mrs. Sully arrived from Kansas City this afternoon and will conduct the wedding ceremony of the bride and groom at the First A. E. church this evening.