THE HOLMES HORRORS.

No One Knows How Many Lives the Demon Took.

THE LIST GROWING EVERY DAY.

Three Men and Another Woman Traced to the Slaughter Den.

One of Holmes' Undertakers, Who Mounted Skeletons of Victims, Readily Gives Evidence—Pat Quinlan Likely to Be Executed—Arrest of Another Employe of the Castle.

Chicago, July 28.—Developments in the investigation into the criminal deeds of H. H. Holmes in Chicago close the net still tighter around Pat Quinlan and add still more proof to that already existing that he was an accomplice of the arch-murderer and fully cognizant of most if not all of his deeds.

The name of Milford Cole, formerly of Baltimore, has been added to the list of Holmes' possible victims, as is also that of another woman who was for a short time a resident of the castle in Sixty-third street.

The date of the disappearance of Mrs. Julia Conner was today fixed as Christmas day, 1891. This information was obtained from Mrs. John Crowe, who occupied rooms in the Holmes castle from early in 1891 to September, 1892, and whose name in connection with the case has never before been mentioned.

Tonight Officer Fitzpatrick arrested a man in Englewood who is believed to be H. S. Mack, who worked for Holmes during the last six months he lived in the Sixty-third street house. Mack's identification with the druggist's operations is furnished by Railroad Detective Young, who used to live in the castle. The police have been looking for Mack since Friday, and now that they have him in the toils they admit unreservedly that they have the most important witness yet rounded up. Whether he can tell anything about Holmes personally they are not certain, but that he knows all about Quinlan and his wife and their connection with Holmes they feel sure, from certain admissions he has made to friends.

The whole trend of the present investigation is not only to fasten the crimes upon Holmes, but also upon Mr. and Mrs. Quinlan, so that they can be arraigned for murder. Chief Badenoch says he does not believe the Philadelphia authorities will ever surrender Holmes, and therefore he is determined that Illinois justice shall be meted out to his accomplices here.

The police are satisfied that the skeleton which is now safe in their vault is that of Annie Williams, sister of Minnie. They have no means of proving that this is so, because all evidences have been destroyed and the jaw broken, but nevertheless, they are satisfied that their conclusion is correct. Today's revelations have also convinced the police that the house on Sixty-third street was the scene of all of Holmes' murders, and that the myterious office on the third floor was employed exclusively for the butchery of his victims.

Charles M. Chappelle, of 100 Twenty-ninth street, is the man who gave the police on Saturday night the information that he had articulated skeletons for H. H. Holmes and had bodies taken away from the castle. Chappelle is a machinist, carpenter, painter and engineer, a sort of jack of all trades. From the information which Chappelle gave to the police Saturday night and yesterday they learned that Chappelle had been an all-around mechanic for Holmes, and had built two tanks in the basement for the destruction of bodies. These tanks will be opened in the morning. Into them went the bodies of that long list of women once tenants of the castle and now numbered with the dead.

Chappelle's admissions are the most remarkable and damaging yet received by the police against Holmes and his confederates. They reveal the existence of a complete system of machinery in the castle for the commission of murder, commencing with the steel chamber or vault, the dissecting table, and ending in the acid tanks, where all evidence of the deed but the bones was removed.

In addition to the confession of Chappelle, the police also located some of the clothing of Minnie R. Williams and Julia Conner, which Holmes gave away after they disappeared. The combination to the steel vault has been found in the possession of Chappelle. It is now believed by the police that Howard Pitzel was killed in Chicago and his remains disposed of.

Tomorrow Chappelle says he will lead Inspector Fitzpatrick to the place where the skeleton of Annie Williams will be found. He has told the police that it is in the possession of a West Side medical student, who does not suspect its identity. It was feared if the location was published the young man might be led to dispose of it. Chappelle was hired by Holmes to clean the flesh off this body and "rig up" the skeleton, as he had others, but, failing to get his pay, he kept it. It was the last work he did for Holmes.

In another place Chappelle will recover the arm and hand bones of Mrs. Conner. They are articulated and doing service also for the science of surgery. From the same place came the skull which was taken into the central station by Detectives Fitzpatrick and Norton Saturday. The police thought at first that this was part of the remains of Annie Williams. Chappelle does not make plain just how he knows to the contrary, but in fact the police do not see how he will do so without bringing suspicion upon himself. But he says unequivocally: "That head belonged to Mrs. Conner."

Besides these matters the police have secured the trunk which Holmes said he had used in sinking Annie Williams in the lake. There are plenty of signs that it once held a body freshly mutilated, and Chappelle says Holmes brought the trunk to his home with the remains of Annie Williams in it.

"In this way," said Inspector Fitzpatrick tonight, "we are told four victims of the Englewood house were disposed of. This witness took away the skeletons partly cleaned and asked no questions, $36.50 being paid for each job. One of the bodies was that of a man. We have not been able to conclude who he was. There is only a supposition that this was Robert E. Phelps, who was supposed to have married Miss Cigrande. Holmes said he wanted him to take care of the bodies of two children, and was so anxious about it that he offered to pay him $250 for the job. Our witness says he refused to mount the bones of any children, but he does not say anything to explain what distinction he saw between children's bodies and any others, if his business was legitimate and he had no knowledge of foul play. You see it's very suspicious."

Inspector Fitzpatrick was today put into the possession of facts which weave closer the web of proof around H. H. Holmes and adds another victim to the already long list. This information was furnished by Attorney George E. Chamberlain, manager of the Lafayette mercantile agency. This murder is shown to have been prior to or during 1891. B. F. Pitzel, who later fell a victim, was a participant in the murder of this man, and, Attorney Chamberlain says, equally guilty with Holmes. The crime was committed in Chicago in 1891 or early in 1892. Again the victim was traced to the Holmes building in Englewood. There it was, Mr. Chamberlain gives the impression, that the crime was committed. The police do not think this body has been found. The skeletons that were articulated were furnished a year or two years later. It is the belief that the body was dissected and cremated, or buried deep in quicklime in the bottom of the basement. The name was kept from the public, the attorneys say, to allow the police to work up further evidence. It is believed that this was the first victim of Holmes.

Little Rock, Ark., July 28.—It is probable that John C. Allen, alias John H. Caldwell, the associate of insurance swindler H. H. Holmes, and who is serving a fifteen-year sentence in the penitentiary here for horse stealing, may be the means of fixing upon Holmes the responsibility for another murder. Sheriff McRae, of Fort Worth, Tex., who was in this city last week, had a long talk with Allen, and during the conversation the disappearance last year of Milford Cole, a wealthy Baltimorean, was mentioned. Cole came here a year ago last spring as the representative of a Baltimore lumber syndicate. He at once became prominent in lumber circles, buying a sawmill near Beebe, north of here, on the Iron Mountain road, and contracted for the purchase of 25,000 acres of timber lands in Southeastern Arkansas. In July, 1894, he spent two weeks at Fort Worth, Tex., becoming well acquainted with Holmes, who tried to interest him in some business enterprises. These facts Cole mentioned to friends on his return to Little Rock. About three weeks afterward he was summoned to Chicago by a telegram from Holmes, and has not been seen or heard from since. Both McRae and Allen, it is said, recalled Holmes at Fort Worth last year and Cole's subsequent disappearance.

Anderson, Ind., July 28.—Peter Cigrande, the father of Holmes' victim, was seen this morning and shown the morning papers. He denies very positively the story given out by Holmes that Miss Cigrande was a party to the insurance swindles, and that she held $75,000 worth of stock in the company. He is positive of this for many reasons. He is becoming worked up over the matter, and is liable to give some very good pointers on the case before long. He is a man of slow action, and very conservative. He says that Holmes and Phelps gave his daughter a gold watch and two diamond rings. She said they were both very kind to her. The fact that they were to have gone to Michigan to be married, and that no point was given by them, in his mind is conclusive that Holmes was sure of erasing every clue. Even though she was married it would be impossible to find her marriage record. From the description she gave in her letters and to her sister when the latter was in Chicago on a ten days' visit, he is quite certain that Phelps was Pitzel. She never spoke of a man by the name of Pitzel. Another thing that adds greatly to their discomfiture and makes them believe that the daughter has been foully dealt with, is the fact that although Miss Phoebe Cigrande was in Chicago visiting her sister ten days, less than a month before Phelps was to marry her, he never showed up. She never saw a picture of him, and her sister seldom spoke of him. While she called at Holmes' office in the castle almost daily, and stayed some time with her sister at work there, she never saw Holmes, who always, it seems, was in his private apartments or had just this moment dodged out. She never got beyond the first floor, and knew nothing of what was going on in the castle. Miss Emma Cigrande, the victim, she says, was very confidential with Holmes, and attended to all of his work in the office. She was very close mouthed, and had little to say of what was going on. She thinks that her sister was getting too familiar with the workings of the place and was best out of the way for Holmes' good. She is quite confident now, and has thought for years that her sister was murdered. She, however, never fastened the crime on Holmes, for he was always described as "such a nice man." The parents thought that she had really gone to Europe, and were awaiting her return. A close inspection of the letters show that the one signed Emma and supposed to be from her three weeks after her marriage, is not her writing on the typewriter. It was done by some one who was by no means an expert, and there are traces everywhere that would indicate it was not the work of a proficient typewriter. It was, however, written on a Yates-Campbell notehead, and told that her husband was a drunkard and a gambler, and that they would leave immediately for Europe, where he had been sent. This was the last heard of her.

A lock of her hair was found today. It had been taken from her head in 1892, and is about a foot long, brown and very fine. It corresponds with some of the hair found in the cellar. The detectives at work on the case at Indianapolis are expected to arrive today or tomrrow morning.

A Pretty Girl Murdered.

Cleveland, July 28.—At an early hour this morning Emma Mitchell, a pretty mulatto girl, aged 16, was shot and fatally injured by James Lock, a musician, who turned the revolver upon himself and sent a bullet through his brain. Lock had been paying attentions to the girl for some time. Last night he called upon her. It was long after midnight when he started to leave her home at 28 South Alley. The young people stood at the door more than half an hour. Then the girl's mother was startled by two shots of a pistol. Going to the door, she found the girl unconscious, with a bullet wound in her forehead and the musician lying dead. The girl was taken to a hospital, where she died in about an hour. It is believed that jealousy prompted the crime.

An Innocent Old Negro Lynched.

Meridian, Miss., July 28.—Charlie Burwell, colored, about 65 years of age, was lynched near here last night. It was thought that he was concerned in the Farmer outrage, which occurred near where he was hanged. On the night of the Fourth of July Lewis Farmer and his wife, who run a small store about two miles from here, were murderously assaulted and left for dead, after which their store was robbed. Later developments seem to fasten the lynching on the real culprits, since it is learned that this old negro Burwell was promised a reward to ferret out the guilty parties. This became known to those concerned in the Farmer outrage, and they are thought to have made away with Burwell.

HEBREW TAILORS STRIKE.

Sixteen Thousand Said to Be Out in New York and Neighboring Cities.

New York, July 28.—The Hebrew clothing-makers of this city today for the first time observed the American Sunday. They went on strike. Trouble has been brewing between the tailors and contractors for some time, and today it culminated in the general strike of workers which was forecasted yesterday. It is claimed by the strikers that 16,000 workers have responded to the call of the United Hebrew Order of Tailors, and that not only this city, but Brooklyn, New York and Brownsville suffered. The number of strikers out in this city is 9,000. The United Brotherhood of Tailors had hoped the strike might be averted until September, when the agreement between the workers and contractors would expire, and when work would naturally cease until a new agreement had been arranged. The workers assert that the contractors were unwilling to wait and now, when there is plenty of business they will force a strike. They claim that the contractors broke their terms of the existing agreement by refusing to pay their hands on the day specified, and that better to insure the success of their scheme to force a strike, they locked out several hundred of their employes.

The contractors allege that work is slack and that orders are so few that they were compelled to knock off some of their men. They deny having any unwillingness to live up to the terms of the agreement and that they were anxious to force the men to the action taken today. But, however things may be, one thing is certain, the tailors were dissatisfied, and they demonstrated this by responding instantly to the call issued by the United Brotherhood, the spirit of which is Mr. Choppell, who styles himself "official organizer of the United Garment Workers of America." Their wage demand is: For operators, $15; basters, $13; pressers, $10; trimmers, $10; twisters, $9. They also insist that all members of the brotherhood must be reinstated, and that representatives of the brotherhood have access to the shops to investigate grievances and see that their employes have their due books as proof of their membership in the union.

"The Pet Cigarette"
Is known the world over as the best.

THE SNOHOMISH SEAT.

Full Text of the Decision of the Supreme Court.

THE VOTE NOT CANVASSED.

Matters Are in the Same Position, the Court Says, as if No Election Had Been Held.

Olympia, July 27.—Special.—Following is the text of the decision of the supreme court in the Snohomish county seat case, entitled: "John Krieschel, respondent, vs. the board of county commissioners of Snohomish county, Wash., and Quinton E. Friars and Thomas Moran, as members of said board, and W. W. Mish, as county treasurer, appellants. Peter Leque et al., public officers of Snohomish county, Wash., defendants."

In response to a petition purporting to be signed by the requisite number of qualified electors of Snohomish county, the board of county commissioners of that county caused to be submitted to the electors of the county, at the general election held in November, 1894, a proposition to remove the county seat from the city of Snohomish to the city of Everett. After the election had been held, and on December 18, 1894, the commissioners caused to be spread upon their records a statement in substance that a meeting of the board of county commissioners of Snohomish county was duly and regularly called to assemble at the court house in the city of Snohomish in said county on December 16, 1894; that the returns of the general election held in said county on the 6th day of November, 1894, having been received, the board duly proceeded to canvass and compare the same, and to ascertain the result of said election on the question of the removal of the county seat, and continued in session for the purpose of such canvass, comparison and ascertainment continuously, adjourning from time to time as necessary; that said board, having duly canvassed, compared and ascertained the result of said election, as shown by the returns from the voting precincts of the county, upon the question whether the county seat should be removed from the city of Snohomish to the city of Everett, do find as the result of said canvass, comparison and ascertainment, that 2,890 votes were cast for and 1,906 against removal, and that the total number of votes cast upon the proposition was 4,796; necessary to removal, 2,878. Their record further states that the board thereupon declared the city of Everett to be the county seat of Snohomish county from and after January 21, 1895; that notice of the result of said election be given by posting notices thereof in all the election precincts of said county, and that the county officers whose offices are required by law to be kept at the county seat, remove their respective offices, files, records, office fixtures and furniture, and all public property pertaining to their respective offices, to the city of Everett, from, on and after said January 21, 1895. It also appears from their record that, after examining the certificate of the county canvassing board, the county commissioners, by a majority vote (Mr. Evans voting contra), refused to consider, and rejected, the returns from the precincts of Port Gardner and South Snohomish, on the ground that the returns from those precincts bore evidence of erasures and alterations on their face, and appeared to be forgeries, and that the returns of those precincts were in such a condition that it was impossible to determine the correct vote cast in said precincts from said returns.

The respondent, who became one of the commissioners of Snohomish county on or about January 15, 1895, and who therefore was, and still is, a resident and taxpayer of said county, brought this action to restrain and enjoin the defendants, who were county officers, from removing their respective offices, or the files, papers and property pertaining thereto, from the city of Snohomish to the city of Everett in pursuance of the declaration and order of the board of county commissioners.

The grounds upon which he asked the interposition of the court were, that the petition upon which the county commissioners submitted the proposition of removal to the electors of the county was not signed by the requisite number of the qualified electors, and was fraudulent and illegal; that the question of removal was not properly submitted, for the reason that no separate ballots or ballot boxes were prepared for the votes upon the question of removing the county seat; that the board of commissioners never canvassed the votes cast on the question of removal and never ascertained the result of the election on that question from the returns from the various election precincts, but fraudulently, and in violation of law and contrary to their knowledge of the fact, declared that more than three-fifths of the votes cast upon the proposition were in favor of removing the county seat from Snohomish to Everett; that the law concerning the removal of county seats, under and by virtue of which the commissioners submitted the proposition to the voters of the county, is unconstitutional, inoperative and void, and that the removal of the county offices to the city of Everett will result in an unnecessary and illegal expenditure of the public moneys, and illegally and unjustly cause the respondent and all other taxpayers of the county to pay a larger amount of taxes than they justly ought to pay.

Upon the filing of the complaint a temporary restraining order was issued, and thereafter the cause was set down for hearing upon plaintiff's motion for a temporary injunction. On the day fixed for the hearing the defendants appeared and objected to the proceeding on several grounds, among which were that the court had no jurisdiction of the subject matter of this action; that the complaint failed to state sufficient facts to entitle the plaintiff to the relief demanded, and that the plaintiff had no legal right or capacity to maintain the action. Those objections were overruled by the court, and the application for a preliminary injunction was heard upon affidavits submitted by the respective parties. After argument by the respective counsel, and due consideration by the court, a temporary injunction was ordered, to reverse which order this appeal is prosecuted.

It is claimed by the learned counsel for appellants that, under the law of this state as announced in Parmeter vs. Bourne, 8 Wash., 45, the court below had no jurisdiction of the subject matter of this controversy, and it was therefore error to entertain and consider plaintiff's complaint. The case of Parmeter vs. Bourne involved the removal of the county seat of Pacific county, and it was therein sought to restrain a transfer of the county offices from Oysterville to South Bend, on the alleged ground that fraud had been committed in the counting of the votes by the judges of election and in the issuing of returns of election to the board of county commissioners. It was not claimed or pretended that the commissioners themselves did not honestly and faithfully discharge the trust imposed upon them by law. From the returns of the election and the poll books of the several precincts of the county, they ascertained and declared the result of the election on the proposition of removal, and this court was constrained to hold, under the circumstances, that their determination of the result of the election was final and could not be set aside by the courts. The conclusion arrived at in that case was the result of a careful consideration of the authorities applicable to the question presented by the record, and we are not now disposed to challenge its correctness.

But it must not be understood from that decision that in no case can any action of a board of county commissioners respecting the removal of a county seat be called in question, as might perhaps be inferred from some general observations made in the course of the opinion, if considered apart and disconnected from the real questions under consideration. While it was said generally that the removal of a county seat is a political question, it was not intimated that such removal could be effected at the mere will or caprice of the county commissioners, regardless of the law and the constitution of the state. Although a political question, it is nevertheless one over which even the legislature has not absolute and unlimited control, for its power is plainly limited by our constitution. In some of the states the legislature seems to possess practically unrestricted power as to the removal and location of county seats, and, under such circumstances, the courts hold, and not without reason, that where it has designated some body or tribunal to determine the question of removal, the determination of such tribunal is final and conclusive. But we have been referred to no case, and have found none, in which it has been held that a board of county commissioners to whom the law confides the duty of ascertaining and declaring the result of an election upon a proposition to remove a county seat, can finally and conclusively determine the question in a manner contrary to, or different from, that prescribed by law. In this state it is the will of the qualified electors of a county, as expressed by their ballots, and that only, which authorizes the removal or relocation of a county seat. Neither the legislature nor the county commissioners, who are its agents, can effect a removal in any other way than by a submission to a popular vote. The only power the commissioners have with respect to the matter is the power to submit the question to a vote of the people, and to ascertain, declare and publish the result of the election thereon. When they have submitted the proposition to the electors and have ascertained from the returns that three-fifths of all the votes cast upon the proposition are in favor of removal, it is their duty to give the proper notice and declare the county seat to be at the place so selected from and after a specified date, not more than ninety days after the election. See Genl. Stats., title 38, chap. 3.

An examination of the law concerning the removal of county seats will disclose the fact that the legislature did not intend to clothe the several boards of county commissioners in this state with arbitrary power to determine this question, for it provided that, "when the returns have been received and compared, and the results ascertained by the board, if three-fifths of the legal votes cast by those voting on the proposition are in favor of any particular place, the board must give notice of the result by posting notice thereof in all the election precincts in the county." The statute also provides that the place selected to be the county seat of the county must be so declared in the notice mentioned in the section which we have just quoted: but this language evidently does not mean that the place selected by the board shall be the county seat, but the place selected by the people of the county, and declared so selected by the board.

The statute upon the subject is in perfect accord with the constitution, for that instrument declares that "no county seat shall be removed unless three-fifths of the qualified electors of the county voting on the proposition at a general election, shall vote in favor of such removal, and three-fifths of all the votes cast upon the proposition shall be required to relocate a county seat." Const., Art. XI, sec. 2.

While the removal of a county seat necessarily involves the exercise of political or legislative power, it is thus seen that the people, the source of all political power, have not seen fit to leave the matter of removal to the unrestricted will of the legislature. And, although the legislature has delegated certain powers to the county commissioners, it has taken care to designate the character of their duties and the manner of discharging them. What, then, would be the consequence should a board of county commissioners in a given case declare a county seat removed without first ascertaining whether or not the legal and constitutional number of votes had been cast in favor of such removal? Would such a declaration effect a removal in spite of the contrary declaration of the constitution and the law? The contention of appellants is in effect that it would, but we think their position is untenable. If the county commissioners can cause the removal of a county seat by a mere declaration, unwarranted by the law or the facts of the case, then it was the extreme of folly on the part of the framers of the constitution to incorporate into the fundamental law the provision above quoted, and the legislature did a vain and useless thing when it enacted a law for their guidance. If there is no legal remedy for such a wrong, it were far better if this question had been left to their uncontrolled discretion.

But since the law is otherwise, it becomes necessary to determine whether, upon the facts presented by the record, the court below was warranted in awarding the preliminary injunction of which appellants complain. We think it may be stated as a general proposition that every citizen has a right to be protected against the consequences of the illegal acts of all persons. If, therefore, the board of commissioners were not authorized, in this instance, by the facts and the law to declare that the city of Everett had been selected as the county seat of Snohomish county, we must conclude that the respondent was entitled to be relieved, in some manner or form of action, from any injurious consequences which would result to him from the removal of the county seat to that place.

In Rickey vs. Williams, 8 Wash., 479, this court affirmed the judgment of the lower court enjoining the removal of the county seat of Stevens county, on the ground that the board of county commissioners acted upon an insufficient petition in submitting the question to a popular vote; and it was also held in that case that a county officer whose office was required by law to be kept at the county seat might maintain an action to enjoin an illegal removal thereof, that is, a removal attempted to be consummated by an illegal and void election.

In this case, the petition upon which the commissioners acted seems to have been sufficient. At least, the trial court so concluded, and we see nothing in the record indicating error in that regard. But it is alleged in effect in the complaint, and proved by the evidence, that the board of county commissioners never received, compared or canvassed the returns of the election upon the question of the removal of the county seat. The proof fairly shows that neither the returns nor the poll books were ever in the possession of the board of commissioners. It is claimed, however, that a majority of the board were present at the canvass of the election returns made by the county canvassing board, of which the chairman of the board of county commissioners was, ex officio, a member, and, by that means, ascertained the result of the election on the proposition of removal. But there was no session of the board of commissioners during the time the county canvassing board was in session, and no such meeting could have been held unless the chairman of the board of commissioners was capable of acting as a member of two boards, and discharging distinct duties, at one and the same time, which we hardly think was possible. Mr. Evans, one of the county commissioners, knew nothing of any meeting of the board between the 16th and 18th days of December, and on the latter date the board were not in session to exceed fifteen minutes. The orders we have mentioned, and which were entered upon the records, were prepared in advance of this meeting by a majority of the board, and were adopted as expeditiously as possible, evidently with the intention that no one should interfere to prevent the removal of the county seat to Everett.

In the absence of the returns and the poll books, and without considering the returns from the precincts of Port Gardner and South Snohomish, the correct number of votes in which precincts they say they were unable to ascertain, two members of the board declared that the city of Everett had received more than three-fifths of all the legal votes cast upon the question of removal, and thereby became the county seat of Snohomish county. The records of the board itself, as well as the evidence adduced at the trial, conclusively show that the number of legal votes cast upon the proposition was not ascertained by the board of county commissioners. And in that matter they were vested with no arbitrary or even discretionary power. They were commanded by the law to ascertain from the returns whether a sufficient number of votes had been cast to authorize the removal of the county seat, and not simply to declare that the required number had been cast.

The result of the election not having been ascertained, the pretended canvass and ascertainment by the board was not merely irregular, but absolutely void, and constituted no foundation or authority whatever for the order and declaration entered upon the records. So far as the location of the county seat is concerned, the effect of the election is neither greater nor less than if no election whatever had been held upon the proposition, and it follows, for aught appears to the contrary, that the city of Snohomish is still the county seat of Snohomish county. And that being so, the question is, can a county officer and a taxpayer maintain an action to enjoin its removal and prevent the consequent illegal expenditure of public money? That he may do so was determined by this court in Rickey vs. Williams, supra. In Crampton vs. Zabriskie, 101 U. S., 201, the court said:

"Of the right of resident taxpayers to invoke the interposition of a court of equity to prevent an illegal disposition of the moneys of the county or the illegal creation of a debt which they in common with other property holders of a county may otherwise be compelled to pay, there is at this day no serious question. The right has been recognized by the state courts in numerous cases; and from the nature of the powers exercised by municipal corporations, the great danger of their abuse and the necessity of prompt action to prevent irremediable injuries, it would seem eminently proper for courts of equity to interfere upon the application of the taxpayers of a county to prevent the consummation of a wrong, when the officers of those corporations assume, in excess of their powers, to create burdens upon property holders."

Upon the authority of these cases and many others which might be cited, as well as upon considerations of right and justice, we conclude that the court below properly interfered to prevent the consummation of a wrong which would otherwise have resulted from the unwarranted and illegal acts of the majority of the board of county commissioners. Moreover, it must be conceded that there is much force in the suggestion of counsel for respondent that Sec. 6, of Art. IV., of the state constitution, conferred jurisdiction upon the superior court to hear and determine this action. It is there provided that "the superior court shall have original jurisdiction * * * of such special cases and proceedings as are not otherwise provided for." This provision of the constitution was not pressed upon the attention of this court, or passed upon, in either of the county seat cases above mentioned. The language there used is certainly very broad and comprehensive and might well be said to apply to cases of this character, as they are "not otherwise provided for," and, if contemplated at all, fall within the purview of this provision. At all events, it is manifest that it was not the intention of the framers of this section 6 to exclude any sort or manner of causes from the jurisdiction of the superior court.

As what we have already said disposes of this case, it becomes unnecessary to enter upon a discussion of other points made in the briefs of the learned counsel for the respective parties. The judgment is affirmed.

ANDERS, J.

We concur: HOYT, C. J.
SCOTT, J.

BICYCLE RECORD BROKEN.

Chicago to New York in 6 Days, 3 Hours, 5 Minutes.

New York, July 28.—Pedestrians on Broadway near Fourteenth street tonight saw a bicycle rider faint and fall off his wheel. Just behind him came a dust and travel-stained rider on an old wheel. It was George W. Wolfe, who had ridden from Chicago since 3:10 p. m. Monday. The young man who had fainted had been piloting him from the city limits into town, but he could not stand the pace. Wolfe arrived at the city hall at 7:15 p. m., having covered the distance from Chicago in 6 days 3 hours and 5 minutes. He had broken the record by just forty-five minutes. The rider looked remarkably fresh after so long a ride.

Wolfe said he struck a heavy rainstorm at Waterloo, Ind., which lasted six hours. At Bowling Green he was sent in the wrong direction and had to ride thirty miles in the sand, losing fully six hours. Continuing, Wolfe said: "I had started in to beat the record ten hours, and should have done it but for the delays encountered. I arrived at Cleveland 12 hours late, but I rode from there to Buffalo, 200 miles, in 22½ hours, and left the latter city only five hours behind. I reached Albany, 180 miles further on, three hours ahead of time, and reached Poughkeepsie ten hours ahead of the record. Then I ran into an awful rainstorm. I had to walk to Tarrytown, reaching there at 2 o'clock Sunday mornig. After one hour's rest I started for New York. I was almost asleep on the wheel, having had no rest for two nights to speak of, when I met a young man out for a morning's spin. He volunteered to pace me, but I'm afraid it was too hot for him, for he fainted, as you know. I did not ask his name."

Wolfe rode from Chicago to New York last fall, breaking the record at that time.

GAMBLING AT SARATOGA.

An Elegant Joint to Be Fitted Up Outside the Village.

Albany, N. Y., July 28.—It is probable that the restrictions against gambling now in effect at Saratoga will be abrogated in the first part of next week, and that those persons who go to the summer resort for the purpose of gambling will again patronize the hotels. The proprietors are complaining bitterly of the closing of the club houses.

In this city today an interested party said: "A number of moneyed gentlemen who have made the club house of Saratoga their headquarters for a number of years today visited the old Hilton mansion, out on the outskirts of the village and beyond the control of the police commissioners. It was decided to take this property and convert it into a club. No person not a member will be allowed inside its doors. The new club house will be fitted up on the most gorgeous plan, rivaling the old one and in many respects exceeding it. Those who are to furnish the funds number among them the wealthiest patrons of the springs, and it will be conducted in a most fashionable way."

The Dallas Battles.

Dallas, July 28.—Today articles of agreement for the O'Donnell-Maher contest and the Ryan-Smith contest were received in this city. They have been signed by all parties except President Stuart. He will affix his signature tomorrow.

CONDENSED DISPATCHES.

At Glen Hazel, a lumber village south of Bradford, Pa., Saturday, fourteen dwellings and W. S. Weed & Co.'s sawmill, with 5,000,000 feet of lumber and five freight cars, were burned. The fire was of incendiary origin.

The engagement of Marquis Pierre de Chambrun and Miss Margaret Nichols, daughter of Congressman and Mrs. Bellamy Storer, of Ohio, is announced. The marquis is counselor of the French embassy, a grand nephew of Lafayette, and a man of some property.

The new building of the Dane county insane asylum at Verona, Wis., was struck by lightning at midnight Friday and entirely consumed. Superintendent Ewen, fighting the fire on the roof, was precipitated to the ground with the falling walls, and was fatally hurt. The patients were moved in safety.

When Baby was sick, we gave her Castoria.
When she was a Child, she cried for Castoria.
When she became Miss, she clung to Castoria.
When she had Children, she gave them Castoria.

"Pet" Cigarettes,
A little high in price, but—

BALKAN WAR CLOUD.

The Macedonians Win Another Victory Over Turkey.

TIME FOR ANOTHER CONGRESS.

Demonstration at Sofia in Favor of the Bulgarians—Friends of Assassins Revile Stambuloff.

London, July 28.—The correspondent of the Chronicle at Constantinople says: The Macedonians, after a sharp conflict with the Turkish troops, have captured the town of Menlik, southeast of Nevrocop. The victors burned the telegraph station and the Turkish quarters.

The Vienna correspondent of the Chronicle says: According to the statement of the Roumanian minister at Constantinople, many of the insurgents in Macedonia were found to be Russian officers. The porte intends to send the documents found in their possession to the powers as proof that the Macedonian uprising is due to Russian agents and money.

The Chronicle also has an editorial on the above information with regard to affairs in the Balkans as menacing the peace of Europe. "We see no way out of the trouble," the editorial says, "except by summoning another congress. Failing in this, we may expect atrocities in Macedonia and Albania."

Sofia, July 28.—A funeral service in the cathedral in honor of two Bulgarian officers who were killed recently on the frontier, fighting on behalf of the Macedonian insurgents, was made the occasion of a remarkable political demonstration. After the service the president of the Macedonian committee delivered an impassioned oration. Portraits of the deceased officers were exhibited in the cathedral and then brought into the square. The crowd filed past, kissing the portraits. Some Macedonians who were engaged in the fighting when the officers were killed were borne high upon the shoulders of the crowd. A procession of several thousand paraded the streets with the portraits, crying Macedonian war songs. They were received with acclamations everywhere. A demonstration occurred today at the cemetery at the graves of the men who were executed for the murder of M. Beltcheff. Five hundred people assembled. Speeches were made denouncing M. Stambuloff, and letters were read to the same purpose. The grave of Stambuloff is guarded by the military.

JAPAN GETTING READY FOR WAR.

Increasing the Army and Navy—New Warships Arriving.

St. Petersburg, July 28.—Advices to the Novoe Vremya from Vladivostock say Japan is assiduously raising her army and navy to a war footing. Two cruisers, bought in Peru, have already arrived, and crews will shortly be sent to England to bring out three ironclads, each of 12,000 tons, which have been ordered there. A strong and warlike temper prevails in Japan.

International Naval Exposition at Kiel.

Washington City, July 28.—Consul Robertson, located at Hamburg, in informing the state department of the intention to hold an international naval exposition at Kiel from the 25th of May to the 30th of September, 1896, says: "The grounds chosen for the exhibition are beautifully situated along the shore of the bay of Kiel, close to the eastern entrance of the newly opened canal, and with a splendid view of the harbor of Kiel. They measure about 35,000 square meters. Large exhibition buildings and small pavilions will be erected, as well as covered galleries. The exhibition will comprise all articles in any way connected with the navy or shipping in general, as well as on the sea and the rivers or canals. It is also to give a complete history and review the development and progress made in ship-building and its kindred industries. The waters of the harbor of Kiel offer excellent opportunities for showing steam and electric launches, sailing craft, rowing boats, etc. The official programme will be ready in September next. The navl exhibition will be given in connection with an industrial exposition of the province of Schleswig-Holstein."

Alfaro's Conquest of Ecuador.

New York, July 28.—A Herald dispatch from Panama says: Gen. Alfaro's agent has just telegraphed to Guayaquil from Guaranda, saying that Alfaro's column, by a forced march, reached Chimboya, thence proceeded to Guaranda, which was reached the same evening. By Gen. Alfaro's order the heights of Guaranda were at once occupied and fortified. Scouts then located Gen. Saracasti's forces on the road between Guaranda and Chimbo. A general battle may be fought at any moment, and will certainly take place within a short time. The Herald's correspondent in Guayaquil says that Gen. Vernaza with a force of 300 men has left Guayaquil for the interior. Ignacio Robles, Gen. Alfaro's confidential agent in Lima, Peru, reports that the Peruvian government has formally recognized the revolutionists headed by Alfaro as belligerents.

Americans Honored by France.

Paris, July 28.—Three Americans have been appointed chevaliers of the Legion of Honor, Messrs. Bartlett, the sculptor; Stuart, the artist, and Odell, director of the Sulphires Society at Lyons.

England Gives Up Trinadad.

London, July 29.—The Chronicle this morning says it is reported that the English bank at Rio Janeiro has received a cablegram announcing that England has abandoned her claim to the island of Trinidad.

London, July 28.—A Rio Janeiro dispatch to the Times says: The senate has unanimously adopted a motion to grant the government every aid in maintaining its rights to the island of Trinidad.

Train Wreck in Japan.

Yokohama, July 28.—A train bearing 400 Japanese soldiers, who landed at Hiroshima on their return from the war, while en route to Kobe, ran off the rails where the line is constructed along the seawall. Plunging over the wall, the first section of the train was thrown into the sea. It consisted of twenty-three cars and two engines, one in front and one in the rear. A gale prevailed at the time, and immense waves washed over the railway track. When the train reached the most exposed place on the morning of the accident, it was very dark. A succession of heavy breakers struck the train and cut it in two. The first engine with eleven cars fell into the sea. It is stated that the killed number fourteen.

The Cholera in Japan.

Yokohama, July 28.—Since the outbreak of cholera in Japan 9,000 persons have been attacked with the disease and over 5,000 have died.

How Is Your Blood?
If it is poor and thin and lacking in the number and quality of those red corpuscles, you are in danger of sickness from disease germs and the enervating effect of warm weather. Purify your blood with
Hood's Sarsaparilla
The great blood purifier which has proved its merit by a record of cures unequalled in medical history. With pure, rich blood you will be well and strong. Do not neglect this important matter, but take Hood's Sarsaparilla now.
Hood's Pills are tasteless, mild, effective. All druggists. 25c.

Chronic Nervousness
Could Not Sleep, Nervous Headaches.
Gentlemen:—I have been taking your Restorative Nervine for the past three months and I cannot say enough in its praise. It has
Saved My Life,
for I had almost given up hope of ever being well again. I was a chronic sufferer from nervousness and could not sleep. I was also troubled with nervous headache, and had tried doctors in vain, until I used your Nervine. MRS. M. WOOD, Ringwood, Ill.
Dr. Miles' Nervine Cures.
Dr. Miles' Nervine is sold on a positive guarantee that the first bottle will benefit. All druggists sell it at $1, 6 bottles for $5, or it will be sent, prepaid, on receipt of price by the Dr. Miles' Medical Co., Elkhart, Ind.

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SECOND AND JAMES STS.

Banjos, Guitars, Mandolins.
The celebrated Washburn Models. Try our professional Strings.
LOWMAN & HANFORD, Stationery & Printing Co., 616 Front St., Pioneer Place.

For Colds And Coughs
"Early in the Winter, I took a severe cold which developed into an obstinate, hacking cough, which troubled me for nine weeks, in spite of medical aid.
AYER'S Cherry Pectoral
being recommended me, I began to take it, and inside of 24 hours I was relieved. That one bottle cured me, and I cannot speak too highly of its excellence."—Mrs. E. E. Bosch, Eaton, Ohio.
Highest Awards at World's Fair.

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Gilman Coal is just as satisfactory a fuel for summer use as for winter. It is the kind of coal that is good all the time. Try a ton of it.

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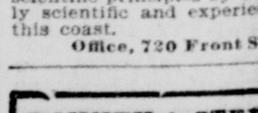
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