HOBART FUNERAL

SCORES OF MOST EMINENT MEN OF THE NATION PRESENT.

MOST IMPRESSIVE CEREMONY

CHURCH WAS MOST ELABORATELY DECORATED.

President, His Cabinet, Supreme Court, More Than Half the Senators and Nearly Half the Representatives Present—The House Services.

PATERSON, N. J., Nov. 25.—With the impressive religious services of the Presbyterian church and with the dignity due to his high office, all that is mortal of Vice President Garret A. Hobart was committed to the earth this afternoon. The president, Secretary of States John Hay, Chief Justice Fuller, Former Vice President Levi P. Morton, Former Secretary of War Alger, Secretary of the Interior Hitchcock, the supreme court judges, members of the senate, members of congress and the vice president's personal friends filled the beautiful Church of the Redeemer and, with moistened eyes and bowed heads, testified silently and eloquently to his worth as a statesman, friend and neighbor.

Through the west window from the center of the stained glass Maltese cross pierced a shaft of crimson that shed its light around the catafalque and bathed the orchids, narcissus blossoms and white roses in bright tints. The eye of the clergyman traveled along the shaft of light to the cross as he repeated the words: "The Lord gave, and the Lord hath taken away; blessed be the name of the Lord."

The chief magistrate of the country bowed his head in his hands. He was visibly agitated. There was scarcely a dry cheek in the crowded edifice, and the widow was apparently the most composed.

All the pomp of an official pageant, which was omitted in deference to the wishes of the deceased, could never have caused the impressiveness of this scene. The imposing and solemn strains of Chopin's funeral march filled the edifice with its solemn melody as the casket was brought up the aisle on the shoulders of the stalwart members of the capital police and placed on the bier prepared for it in front of the pulpit. Following it came the pallbearers, members of the senate. Following them came the family, the widow and her son, President McKinley, the cabinet dignitaries and intimate friends. They all sat close around the casket.

On every side of it the floral offerings were banked, in a wealth of beauty and color. The funeral services were opened by Rev. Dr. Charles S. Shaw, who read a portion of the nineteenth Psalm, verses i-vi and x-xii. This was followed by a selection from Job xiv, verses i-ii and vii-xii, and concluded by a reading from the fifteenth chapter of Corinthians i. After a prayer sixty male voices filled the church with the beautiful melody of "Nearer My God to Thee."

After the sermon, in which the business, statesmanlike and social qualities of the deceased were extolled, the Orpheus Club sang a cantata by Chwatal. Dr. Mage then pronounced the benediction, and, in the same order that it arrived, the funeral procession left the church. As the casket was borne down the aisle and out into the porch, the vast multitude, which could hardly be kept under control by the police and soldiers, uncovered, and when the president appeared with bowed head, leaning on the arm of John Hay, there was only a murmur of greeting.

Through a long lane of thousands of uncovered heads, the cortege wended its way to Cedar Lawn cemetery, where the body was placed in the receiving vault.

The city wore its most sombre garb today in mourning. All the mills, big business houses and stores were closed. The municipal buildings, banks and factories looked gloomy in draperies of black and purple. On every hand were signs for the loss of New Jersey's statesman.

Out of deference to the wishes of Mrs. Hobart, there were no visitors this morning to Carroll hall, except the immediate relatives of the family. The body of the vice-president rested in its casket of oak on the catafalque in the library. His right hand rested lightly on his breast and held a bunch of violets placed there by his window. On the coffin was a bunch of calla lilies, a sheaf of palm and some smilax and roses. Around the room were many floral tributes, conspicuous among them being several pieces from the White House conservatory. The coffin lid bore the inscription:

"1844—Garret A. Hobart—1899."

There were never gathered in New Jersey, and seldom in any part of the United States, so many mourners of eminence in the nation. They represented distinct stages of our national life, combining the history of tremendous civil strife now buried with the marvelous record of progress that followed the days of Lincoln. In the throngs were senators from states that were territories before the war and so years after. There were Hoar, of Massachusetts, representing the old, and Beveridge, of Indiana, representing the new in national life. There were John W. Daniel, of Virginia, representing the Confederate soldier, and Hawley, of Connecticut, standing as a type of the Union veterans, each of them to-day as senators, mourning the loss of their presiding officer. There was Jones, of Arkansas arm in arm with Frye, of Maine.

From every state came men of broad culture and prominence in national affairs to honor the memory of the illustrious American, whose acknowledged ability had won him a foremost place among men of the time. More than three-fifths of the senate and nearly half of the members of the house of representatives were in the chruch with the governors of one-third of the states.

Before the body arrived at the church, the members of the United States senate and house of representatives, distinguished men of states of the Union and representatives of the legislature of New Jersey and supreme court were seated. This left room only for the funeral party from the house.

The church floral decorations were magnificent. A band of smilax over three feet wide and thick enough to hide the wall, ran around both sides and the front of the main auditorium above the windows. The wreath ran unbroken before the pipes of the great organ. At the windows, giant palms reached up to the smilax. These palms and the festooning around the windows were laden with white flowers, principally lilies of the valley, orchids and chrysanthemums. Around the organ and the pulpit, lilies were strewn in lavish profusion. The fonts before the pulpit were covered with American beauty roses to the height of nine feet. A large space before the pulpit was left undecorated, where the casket rested, surrounded by floral tributes.

The pew regularly occupied by the late vice president was filled with floral offerings.

The order of services was as follows:

Organ prelude by A. Mortimer Wiske, from Chopin and Beethoven. Reading of scriptures and prayer by Rev. Mr. Charles D. Shaw, of the Second Presbyterian church, of Paterson.

Hymn, "Nearer, My God, to Thee," by the Orpheus Club.

Address and prayer by Rev. Dr. Magie.

Anthem, "Weary Hands," by the Orpheus Club.

Benediction by Dr. Magie.

A brief funeral service was held at the residence of the deceased prior to the church services, the officiating clergyman being Rev. Dr. Magie.

President McKinley and his cabinet officers and over sixty members of the senate and a great many congressmen who came on special trains, attended the services at the house.

The service at the house was brief and simple. It was held in the library, which was banked with flowers, sent by friends of the dead vice president. Mrs. Hobart, with her son, Garret A. Hobart, Jr., sat near the head of the casket, while near her were grouped the president and his cabinet, judges of the supreme court, the honorary pallbearers, immediate friends of the family and the family servants.

Funeral of Lady Salisbury.

LONDON, Nov. 25.—The funeral of Lady Salisbury, who died November 20, was held to-day. Lord Salisbury was not present at the public services, owing to illness, but attended the services in the house. All the premier's children now in England followed the body to the grave.

SEVEN LIVES FOR ONE.

Members of Polish Secret Society Convicted of Murder of a Fellow Miner.

POTTSVILLE, PA., Nov. 25.—Michael Baronosky, Andrew Corres, Anthony Machulas, Joseph Sachinskey, Peter Stenkowicz, Anthony Stenkowicz and John Stenkowicz, all miners, were convicted today of murder in the first degree in causing the death of Joseph Ruthowski on September 21, last, at William Penn, this county. The three last named are brothers. The trial consumed the entire week. Matthew and Rollas Buhness, also charged with the crime, elected to have a separate trial. The jury was out all night. The murder was the result, it is said, of a vow taken by members of a Polish secret society, of which the defendants were members.

ST. LOUIS SINGERS NOT COMING

Lack of Public Interest Has Caused Cancellation of the Engagement.

The sale of seats for the St. Louis Choral-Symphony Society opened last Thursday, but the demand has been so small that Mr. Kronberg has decided to cancel the engagement. The concert was to have been given at Convention hall the evening of December 8.

"I dislike very much to give up the engagement," said Mr. Kronberg last evening. "Not that I expected to make money out of it, but because I desired to bring the St. Louis people here and present them in Convention hall. It would have been a fine attraction. The expenses would have been about $3,000, and there was little opportunity to make money. If the Kansas City people want to take hold of the affair as a compliment to St. Louis, I will give $250 toward the concert myself, in addition to what I have expended in advertising."

IS ALL BUT ENDED

LITTLE LEFT OF THE INSURRECTION IN THE PHILIPPINES.

BRAINS OF "REPUBLIC" TAKEN

SECRETARY OF STATE BUENCAMINO LOCKED UP AT MANILA.

Aguinaldo's Mother and Son Are Prisoners Also—Three Provincial Governors Come to Manila to Ask for Positions Under American Regime.

MANILA, Nov. 25.—The news which the steamship Brutus brings from Dagupan dispels all doubts that the so-called Filipino republic is crumbling like a house of cards. Aguinaldo is deserted or being abandoned by the politicians, and the army which a fortnight ago was intrenched at Tarlac and exercised a de facto government over nine-tenths of the people of Luzon, is fugitive in the mountains, with small hope of re-establishing the machine. The army is scattered in the hills on both sides of the railroad, and widely separated detachments are within the cordon which Generals Lawton and Wheaton have cemented.

The ruling spirit of the cabinet, Senor Buencamino, the secretary of state, is a prisoner in Manila—a white elephant on the hands of the authorities—and the small fry are tumbling over one another to get to Manila. Three provincial governments have arrived in Manila to request General Otis to install them in their old offices under the new regime. Dr. Luna, a brother of General Luna and a prominent insurrectionist, has arrived here, and his friends and many others are applying to General Otis for permission to enjoy the luxuries of Manila after months of separation from civilization.

There were no demonstrations over the victory here. The flags are flying at half mast out of respect for Vice President Hobart. The natives appear to be unmoved, and business is unruffled.

Last night parties of insurgents made feeble attacks upon Imus and the Zapote bridge. The only large organized forces of insurgents known to remain are those in the Cavite province, at San Mateo and in the Zambeles mountains, though several seaports have large garrisons.

Aguinaldo began his retreat with 2,000 men under General Gregorio del Pilar. That force was probably brought to its present proportions by desertion. The last definite news as to Aguinaldo's whereabouts is that he passed through Trinidad east of Aringay toward Bayombong, escorted by 200 men of the Bulacan battalion.

Buencamino, the brains of the Filipino insurrection, is locked up here in charge of Brigadier General Edward B. Williston, the provost marshal. When Tarlac fell, Buencamino fled northward with Aguinaldo's 3-year-old son and mother and a guard of a hundred soldiers. Reaching the neighborhood of the coast, November 13, Buencamino found American soldiers on every side and escape impossible. So he sought refuge in a little Pangasinan village, six miles from Manoag, living in a mean little hut belonging to natives, who were lukewarm toward the insurrection. On learning his identity, some refugees brought the news on November 20 to Colonel Luther B. Hare, commanding the Thirty-third infantry, garrisoning Manoag. After communicating with General Wheaton, Major Marus D. Cronin's battalion surrounded the village, November 21. Buencamino's guard had hidden their rifles and uniform and Buencamino surrendered without resistance. He had only a few clothes and $2,000 in gold.

General Wheaton kept the woman and child and sent Buencamino to Manila on the transport Brutus, in charge of Lieutenant Smith, of the Twentieth infantry. He seemed cheerful and rather glad that his troubles had culminated. On the Brutus arriving at Manila this morning, Lieutenant Smith took Buencamino to the palace. He was only a few minutes in General Otis' office. The prisoner told General Otis that he desired peace and had for a long time used his influence for peace. Aguinaldo, he added, was retreating north with 2,000 men and two cannon. General Otis then summoned Provost Marshal Williston, who, previous to driving away with Buencamino, received instructions to lock him up in comfortable quarters and allow no person to see him.

Buencamino is the chief author of the Filipino constitution and most of the state documents.

General Young, with the Macabbees and Chases troop of cavalry, is still on the trail of the rebels. The men and horses are badly used up. General Wheaton is trying to get reinforcements and supplies to them from the coast. General Young left Tayug on November 13, to connect with General Wheaton, with the Macabees and three troops of cavalry. Two troops, commanded by Captain Hunter and Lieutenant Thayer, pushed through to Asingan. From that point, Lieutenant Thayer, with twelve men, started for San Fabian, taking the chances of getting through the line to the enemy, who were supposed to be between Asingan and San Fabian. After a daring ride by way of Magaldan and San Jacinto, he arrived at San Fabian on November 14, dashing through a considerable force of the enemy at Magaldan. His undertaking was reported at Manila by courier from General Young to San Jose. The fate of Lieutenant Thayer and his companions was not known until to-day, and fears prevailed here that they had either been killed or captured.

Major Swigert, with the other two troops, reconnoitered toward Pozorrubie, twice attacking a force which it was afterward learned was Aguinaldo's rear guard. In the meantime, General Wheaton sent the Fifteenth regiment to Santo Tomas and Rosario, two launches from the Oregon, Lieutenant Niblack commanding, accompanying them along the shore. A hundred insurgents were found entrenched at Rosario. Buck's battalion and the Lancers drove them from the trenches and routed them, the Thirteenth regiment losing one man killed and three wounded.

Cronin's battalion marched to Pozerrubio, there finding General Young's force, which had just learned that Aguinaldo had passed through Asingan on his way to Binalonan the night before.

General Young started to head off the party as Pozorrubio, and might have succeeded but that he took the wrong road, reaching Manoag, where he struck the rear guard of the insurgent chief, capturing a quantity of supplies, Aguinaldo's wife's effects and thirty-five Remingtons. Darkness coming on, compelled him to abandon the pursuit for the night, and a heavy rainfall on the two following days handicapped him further, else Aguinaldo might have been captured.

Buencamino's endurance was exhausted. He had left Aguinaldo's party there and remained among the Americans a week until the natives betrayed him. Aguinaldo is on the mountain trails, having twenty-five horses in the party and has a good chance of eluding the Americans unless he gets among hostile natives.

General Lawton entered San Fabian with his staff on November 18, after a perilous and exhausting trip. He arranged the distribution of troops in the surrounding country and started to return to Tayug on Sunday.

The business men of Dagupan and many foreigners have sent word to General Wheaton that the insurgents had evacuated, and requested that he garrison the place. Captain Howland took a battalion of the Eighteenth regiment and proceeded to Dagupan. He found 2,500 people in a town whose nominal population is 50,000, the remainder having fled to the swamps. Captain Howland reinstalled in office the local authorities of Aguinaldo's government, all of whom took the oath of allegiance.

The Third cavalry had one man killed and three wounded in the fight at Santo Tomas.

WASHINGTON, Nov. 25.—The adjutant general has received the following cablegram from General Otis:

Manila, Nov. 25.

Vessel from Lingayen gulf with dispatches from Wheaton to 23d inst., brought in Buencamino, insurgent secretary of state, captured on 21st inst. He was with Aguinaldo and party, which left Tarlac the night of the 13th to be escorted north by 2,000 troops from Bayambang and Dagupan. These troops Wheaton struck at San Jacinto, going eastward. Aguinaldo, with part of his family, escaped north with 200 men, passing between Young and Wheaton. Young was still in pursuit at last accounts, and has been rationed at San Fernaldo. Aguinaldo's mother and oldest child, with Buencamino, separated from the rest of the party; the mother is lost in the woods, and child 4 years old with Wheaton's troops; $2,000 in gold, belonging to the mother, was captured, and is now in the Manila treasury. A heavy storm in Langayen has prevented the loading of troops there for the north. MacArthur has captured the insurgent director of railroads, who endeavored to destroy the railroad to Dagupan; also Cautain Lawrence, who served in Aguinaldo's artillery. Our troops have liberated some 300 Spanish prisoners recently.

OTIS.

The following cablegram has also been received at the war department from General Otis:

Manila, Nov. 25.

The insurgents made a feint on Imus last night. Three enlisted men wounded; their loss two killed, one captured. They quickly withdrew. Additional troops sent from Manila to-day. The insurgents will be driven south. Reports from Negros encouraging. Chief insurgent north of island surrendered voluntarily. More planting being done. More sugar mills at work than at any time since revolution against Spain began. Officers report apparently cheerful and hopeful. That form of government in operation well suited to conditions and working smoothly.

OTIS.

DRIVEN TO MOUNTAINS.

Insurgents in Island of Panay Defeated by Forces Operating From Iloilo.

MANILA, Nov. 25, 10:30 p. m.—The movement against the insurgents in the island of Panay has resulted in driving them to the mountains, twenty miles inward. The troops engaged were two battalions of the Nineteenth regiment, a battalion of Twenty-sixth regiment, the Eighteenth regiment, Gordon's mounted scouts, and Bridgman's battery of the Sixth artillery.

The Americans in all, lost five men killed and had thirty-eight wounded.

General Hughes, Colonel Carpenter and Colonel Edmund Rice, commanded during the various fights. Thirty-two insurgents were killed in the engagements and the natives report that nineteen cartloads of wounded were taken away.

Among the Americans killed was a lieutenant of the Eighteenth regiment and a sergeant of artillery.

Twelve obsolete cannon were captured.

Santa Barbara and Maasin arsenal were deserted before the Americans arrived. The insurgents, seeing it was impossible to resist the movement, retired with most of their stores.

The Third infantry, reconnoitering from Balinag, met the insurgents on the main road and had a running fight to San Ildefonso, where they drove 200 Filipinos from an old Spanish redoubt.

Proceeding toward San Tiguel, the Americans found the insurgents in a series of strong works, two miles south of the town, probably General Pio del Pilar's old command, numbering 750 men. An officer was killed and a private was wounded. The insurgents had four men killed and ten wounded. Nine Filipinos were captured.

This is probably the largest band of insurgents north of the Pasig river.

Strengthens System Body Brain and Nerves.

VIN MARIANI

(MARIANI WINE)

No other preparation has ever received so many voluntary testimonials from eminent people as the world-famous Mariani Wine.

Appetizer Before Meals

Digestive After Meals

Tonic At All Times

To those who will kindly write to MARIANI & CO., 52 West 15th street, New York city, will be sent, postpaid, book containing portraits with indorsements of emperors, empress, princes, cardinals, archbishops and other interesting matter. Mention this paper.

The "Big Three" Sale

AT FROM

25 Cents to 40 Cents on the Dollar

EGELHOFF FIRE STOCK of Boots, Shoes and Slippers, from Kansas City.
PAPE FIRE STOCK of Boots, Shoes, Slippers, Clothing, Gents' Furnishing Goods and Hats, from Centralia, Mo.
BARNES & McNEELY STOCK of Shoes, from Chicago.

All thrown in one great sale. Note the prices and then come and see the goods.

Men's $6 Shoes at, a pair $3
Men's $5 Shoes at, a pair $2.50
Men's $4 Shoes at, a pair $2
Men's $3 Shoes at, a pair $1.50
Boys' and Youths' Shoes from the best manufacturers at 50c on the dollar.
Men's Odd Vests, worth three times the money, 25c, 35c and 40c
Men's Coats, worth four times the money, 50c, 75c and $1
Men's Coats and Vests, worth $5, $6 and $7, at $2 and $2.50
Men's Corduroy Pants, worth $3, at $1.65
Men's Cassimere Pants, worth $2.50, at, pair 90c
Men's Fancy Silk Vests, worth $5, at $2.25
Men's Ulsters, worth $10 and $12, at, apiece, $4.50 and $5
Men's Winter Gloves, worth four times the money, a pair, 15c to 50c
Men's Overcoats, worth $12 to $15, at, apiece, $6 and $7.50

Women's $2.50 and $3.50 Shoes and Oxfords at, a pair, 50c and 75c
Women's Shoes and Slippers, worth $3, $3.50 and $4, at, a pair $1.00
Misses' and Children's School Shoes at one-half the regular price.
Men's All Wool Suits, worth $10 to $12, our price $4.50 to $6.00
Men's 4-ply Anchor Collars, apiece 5c
Men's Fancy Ties, worth 35c, apiece 10c
Men's Puff Ties, worth 50c, for 15c
Men's Balbriggan Underwear, worth 75c, a garment 19c
Men's $1.50 Laundered Shirts, apiece 50c
Men's $1.00 Shirts, apiece 32c
Men's Topsy Hosiery, worth three times the money, at, a pair, 8c, 10c and 14c
Men's Suspenders, regular 50c value, for, a pair 20c
Arm Bands, first-class goods, at, a pair 3c
Men's $1.00 Unlaundered Shirts at, apiece 39c
Men's, Women's, Misses' and Children's Rubber Shoes at half price.

LOOK FOR THE BIG RED SIGNS ON THE

Northwest Cor. Seventh and Main Sts.

ELKS' MEMORIAL.

Impressive Services Will Be Held in the Lodge Rooms Next Sunday Afternoon.

The first Sunday in December of each year is a day set apart by the Elks as Memorial day. On that day the members of the order who have departed this life are remembered in eulogy and song. The services are not on the order of a funeral as the Elks hold the funeral service was performed when the body of the deceased member was laid to rest, but the object of the service is to recall the virtues that marked his path in life. The foundation of the service is contained in the following quotation taken from the ritual of the order: "Write his faults upon the sand and his virtues on the tablets of love and memory."

The services this year of Kansas City lodge will be held next Sunday afternoon at 2:30 in the spacious lodgeroom in the Elks' building at Seventh and Grand avenue, and will be in charge of John Donnelly, J. W. Murphy, S. A. Legg, J. H. Clotfelter and Frank J. Horn, the memorial committee. The choir will consist of Signora Bianca Barducci, soprano; Miss C. A. Boyd, contralto; Will Ormsby, tenor; J. L. Pease, basso, and S. A. Legg, organist. The programme follows:

Organ.
Quartette—"Father, Whate'er of Earthly Bliss" (Jensen-Schneckers).
Prayer—Rev. Mr. M. S. Hughes.
Quartette—"Out of the Deep" (Lansing).
Opening ode—"Auld Lang Syne."
Eulogy—F. F. Rozzelle.
Bass solo—"Recessional" (Kipling—DeKoven).
Eulogy—P. H. Slattery.
Tenor solo—"Charity" (Faure).
Eulogy—E. L. Bierschmith.
Soprano solo—"Pieta Signore" (Stradella).
Eulogy—James A. Reed.
Quartette—"Abide With Me" (Chadwick).
Doxology (audience joining).
Benediction—Rev. Mr. M. S. Hughes.
Organ.

BLOWING UP OF THE MAINE.

Letter From Havana Purports to Tell How the Deed Was Accomplished.

NEW YORK, Nov. 25.—The World tomorrow will publish a letter from Havana stating that United States officials, after months of secret investigation, have discovered that the battleship Maine was blown up by guncotton torpedoes planted in the bay for the purpose. The guncotton, 700 pounds of which was used, was sent from Barcelona to Admiral Manterola, commanding the port of Havana, and was either stolen from the magazine where the stuff was stored or taken away with the knowledge o fthe officials in charge.

Admiral Manterola's records will undoubtedly show the names of his subordinates who had direct control of the explosives, and in that way the identity of the authors and the executioners of the plot to destroy the Maine may be discovered. Two or three men were engaged in the destruction of the Maine. A steam launch of Spanish make and now used by the United States government in Havana harbor conveyed the two torpedoes, according to the new evidence, to a point within a few feet of the berth of the Maine and anchored them. The torpedoes were kept in position by means of buoys floated seven feet under water, ten feet above the anchors used to prevent them from being swept away. The torpedoes were exploded by contact with the keel of the Maine as she swung at anchor.

A K. K. MEETING.

Will Be Held Next Tuesday Afternoon—Suggestions for Next Year's Festivities.

A meeting of the directory of the Karnival Krewe will be held at the headquarters of the Krewe in the Keith & Perry building Tuesday afternoon at 4 o'clock. This is the first regular meeting of the new directors and the principle object is the election of officers for the coming year. Each of the directors will also appear at the meeting loaded with suggestions as to the nature of the Karnival festivities next year. There is a strong probability that John F. Eaton, who was president last year, will again be a candidate. One member of the directory said yesterday:

"Mr. Eaton did very well under the circumstances with the street fair this year. There were several things that have been justly criticised, but I don't think they were altogether Mr. Eaton's fault. At any rate there is no more available man that Mr. Eaton and I think he will be reelected. There is not enough salary in the position to make it an office to be sought after by the business men of the city and I think the only reason that prompts Mr. Eaton to take it is because he is public spirited and willing to make a personal sacrifice for the good of the city."

Serious Ohio Wreck.

COSHOCTON, O., Nov. 25.—A work train was returning from the Morgan run and Wade coal mines on the Wheeling & Lake Erie railroad this evening when it collided with a freight train, killing three people, Asbury Luman, Spulice West and Moses Caton, and injuring twenty-five others. The dead and injured nearly all live in this city.

AN EXHAUSTIVE BRIEF

DEPARTMENT STORE LAW ANALYZED AT LENGTH.

Unconstitutional Because It Is Class Legislation—Evident Purpose Was to Destroy the System—Rise of the Big Store.

The brief compiled by John L. Peak and submitted to the supreme court of Missouri in the famous department store case against William B. Thayer, of the Emery, Bird, Thayer Dry Goods Company, of Kansas City, presents the department store side of the controversy in an exhaustive manner. It contains forty pages of printed pamphlet. It will be remembered that at the last session of the Missouri legislature a law was passed making a special tax on department stores in cities of over 50,000 people. Under the provisions of the law Finis C. Farr, license commissioner for Kansas City, caused Mr. Thayer to be prosecuted for refusal to pay the tax. He was fined $100 and appealed to the supreme court, where it was argued before that tribunal last Monday and Tuesday. Decision in the case is pending and may be expected in several weeks. Mr. Peak was assisted in the preparation by counsel composed of Karnes, New & Krauthoff, for Bernheimer Bros.; Meservey, Pierce & German, for the Jones Dry Goods Company, and Grant I. Rosenzweig, for the Doggett Dry Goods Company.

In part, the brief follows:

In times like the present, when there is manifest everywhere such widespread unrest, social and political, in the minds of the people; when opinions are so hastily formed and so lip digested, and so loudly and vociferously proclaimed; when so many wild, impracticable and fanatic theories of government are so earnestly advocated, and when these many wild, impracticable and dangerous theories and opinions, from the very urgency and persistency with which they are pressed, are liable to find expression in legislative enactment, it is wise and fitting and proper that this court should lay down again, in plain and unmistakable terms, those broad and immutable principles upon which our system of government is based, and to declare again those inalienable principles which the constitution prescribes as a limitation and restriction upon legislative power.

Preliminary to the discussion of this question, let us consider for a moment the nature and origin of department stores.

The merchant began a few years ago with a small stock of goods. He gave strictest attention to his business and practiced the wisest economy. He studied the market and consulted the wishes and tastes of his customers and endeavored to supply their wants. He saved his earnings and reinvested them in his business, adding to his stock from year to year, as his judgment and business sagacity prompted. He soon discovered that the same customers who bought dry goods, also bought ready made gowns, hats, bonnets, parasols, gloves, shoes, jewelry, tableware, furniture, groceries, drugs, etc., and so from year to year he used his earnings in adding line after line to his stock until his business had grown and developed into a department store. Ninety per cent of those who started in business with him twenty-five or thirty years ago have, in the vicissitudes of fortune, failed and been compelled to retire from the contest. The department store is an exemplification of the law of the survival of the fittest, and they have demonstrated their right to survive by the integrity, capacity and ability which have achieved their success.

The housewife of to-day is as busy as her husband, and every moment of the day has its allotted employment. She is no longer confined to the spinning wheel or the loom, to making and mending clothes, to the drudgery of the kitchen; she has become an important factor in modern civilization; she thinks and labors for the advancement of her sex, for the amelioration of the suffering, for the uplifting wheel or the loom, to making and mending ures in the homes of the poor, for the providing of sports, amusements and entertainments for those who cannot purchase them. She has become a student and a laborer and is always busy. No time can be spared in searching through numerous stores for the needs of the household.

They seek their supplies where they can find them at the least expenditure of time and money. This demand has created the department stores, and has nourished and sustained them. They are not only an outgrowth and product of modern civilization, but they are indispensable adjuncts to its enjoyment and comfort. They are as requisite to the enjoyment, the pleasure and comfort of modern life as the telephone, the telegraph and the cable car. It is their business and their function to supply all the wants of modern life. Food and clothing for the body, literature for the mind, furniture, paintings and ornaments for decorating and beautifying the home. Neither do they constitute a monopoly. Anybody and everybody can enter the business who desires. None is barred. It is merely a concentration of capital, business energy and enterprise in the interest of the promoters and for the benefit, advantage and convenience of the general public. All welcome them as a boon and a blessing save their competitors in business. They do not endanger the peace or good order of society; they do not engender disease or spread contagion; they do not corrupt the morals of the community or encourage dissipation or vice.

But let us look further: The bill provides that the proprietors of the department stores shall pay a license fee of not less than $250 and not more than $500 for each class or group of goods sold in their establishment, and the license commissioner is authorized in his discretion to fix the fee at either one or the other of these sums, or at any intermediate sum. What is the meaning of this and why this provision?

Manifestly, not for the purpose of collecting revenue, but for the purpose of suppressing and destroying this great industry. If a tax of $250 is not sufficient to effect the purpose, then the commission may increase it to $400, and if this should prove insufficient, then, as a last resort, he may raise the amount to $500, which would certainly destroy every department store within the boundary of this state. This would seem clearly to be the purpose of the law.

Here Mr. Peak has inserted an extract from the recommendation of Governor Stephens which accompanied the bill to the legislature calling the attention of that body to what he understands is a crying need for reform in the interests of smaller storekeepers and country merchants.

These extracts printed herein only serve as a searchlight to reveal in more distinct and hideous form that which already sufficiently appeared upon the face of the law, to-wit: That the purpose of this law was to tax one class of individuals for benefit of another class; to oppress one industry in order that another might prosper. This law, therefore, robs the defendant of one of his dearest privileges and most sacred immunities as a citizen of the United States, the right to seek and pursue his own happiness in his own way, the right to select the vocation most suited to his taste; in which to build up his fortune and to develop his faculties and resources; it curtails his liberty of choice and his freedom of action; it confiscates his property for a private use without due process of law; it assumes to select and direct the channel in which the private industry of the citizen shall be expended; it strikes a deadly blow at energy and enterprise and offers a premium to sloth and indolence. Such a system of legislation is not only violative of every principle of constitutional government, but if carried to its fullest extent would be destructive of all individual and national prosperity and would block the wheels of all progress and civilization.

The Best Stove Made

Handsome... ...Durable. Little Fuel... ...Most Heat.

These Stoves are thoroughly fitted, easily controlled and guaranteed good fire keepers. The fuel opening is wide, taking larger lumps of coal than others of this style. Will burn slack and not smoke in any fair chimney. We have one of the largest stocks of Heaters and Cook Stoves in the city, including the popular Riverside Steel Range.

THE ISLAND CITY HOT BLAST.

REDHEFFER CO.
544 MAIN ST.

We are the only manufacturers in the city of

Elastic Stockings and Abdominal Supporters.

Trusses of every description. (Lady attendant for ladies.)

Call or write for prices—fit guaranteed.

HETTINGER BROS. MFG. CO.,
918 Walnut St., Kansas City, Mo.

DON'T FAIL TO ATTEND THE

Removal Sale

Of Furniture, Stoves, Carpets, Etc., of L. J. Buchanan, from McGee to 12th and Grand.

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LIVED HERE 49 YEARS.

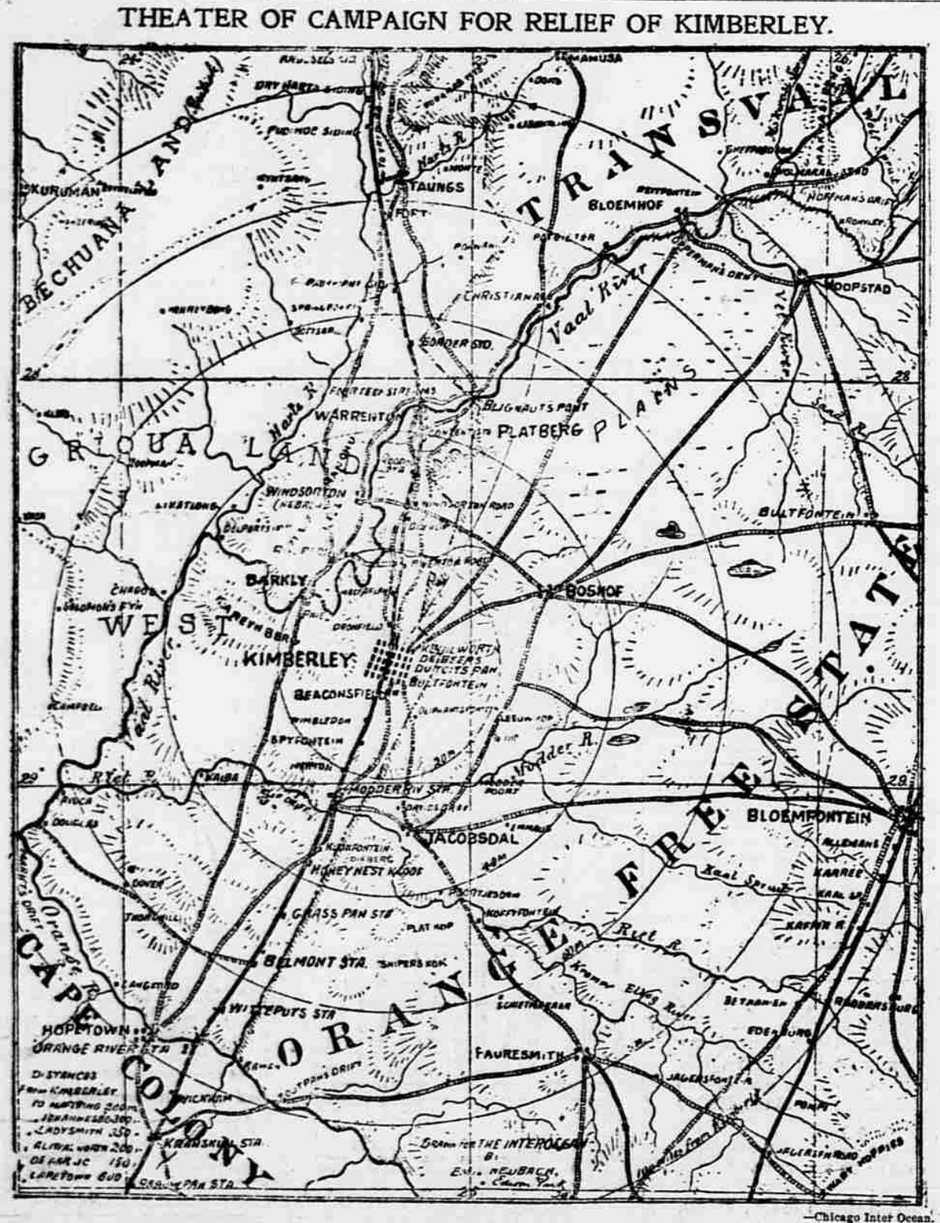
Mrs. Ellen Burke Passes Away at the Old Age of 74 Years—An Interesting Career.

Mrs. Ellen Burke, aged 74 years, died yesterday evening at her home, 1604 Cherry street, of old age. Mrs. Burke was born in County Clare, Ireland, in 1825, and went from there to Washington, D. C., at the age of 19. While there she met Mr. Michael Burke, whom she married. Mr. Burke was at that time working on the construction of the capitol building. Mrs. Burke came to Kansas City when it was Westport Landing, forty-nine year ago, and on the day of her arrival here she cried at the sight of the hills, hollows and the look of loniliness.

She was a member of St. Patrick's parish since its organization, and before then she was a member of Father Donnelly's parish, which held meetings in a log cabin that stood at Eleventh and Penn streets. She leaves five grown children. Her husband died four years ago at the age of 71.

The funeral notice will be later.

THEATER OF CAMPAIGN FOR RELIEF OF KIMBERLEY.



Lord Methuen attacked the Boers at Belmont, fifty-six miles south of Kimberley, on the railroad, defeating them and inflicting severe losses. The circles on the map indicate distances of twenty miles.

—Chicago Inter Ocean.