words were: "You'd better be with your folks, something may happen."

Adria then went to the residence of his father-in-law, and was next visible after the reports of the tragedy had reached the flats. Blixt, the engineer, is said to have been implicated in the burning of buildings, in the insurance of which the Haywards were interested. It has developed that Blixt left the flats on Monday night and returned at 9:10. Blixt had formerly been a driver of a street car, and had a car driver's overcoat. This coat he sold to Erickson, he claims, on Saturday. Erickson was in the city hospital at the time, and agreed to pay $5 for it. The money, however, has not yet been paid. After getting possession of the coat Erickson left for Iowa Falls, and while there had the coat washed. He returned to Minneapolis yesterday morning. It develops, however, that the sale was not made on Saturday. Erickson left the city on Tuesday. Prior to leaving he visited a shop on Washington avenue, south, where he inclosed two pairs of pants, a shirt and other wearing apparel in a paper bag, which he took with him, and left for Iowa that night. He left Iowa Falls on Wednesday night and returned to Minneapolis, as stated, on Thursday morning. When he returned he saw Harry and Blixt talking together in the engine room, and heard Harry give orders not to allow anyone to enter the place. He then went to a pawn shop on Washington avenue and sold the coat for $2. Harry Hayward's apartments, a suite of rooms on the ground floor of the Ozark, facing on Hennepin avenue, were searched early this morning by Sheriff Ege, Chief of Police Smith and Detectives Hoy and Howard. Several spots of blood were discovered on the floor of a closet adjoining the room in which Harry slept. Sheriff Ege, after scraping one of the spots with a knife, turned to Detective Howard and said: "The bundle of bloody clothes was probably thrown on the closet floor and left there for the time being, until taken away by Erickson the following morning."

Detective John Hoy, who arrested Erickson, stated that he had positive proof that Erickson left Minneapolis the morning after the murder with a neatly wrapped bundle containing the bloody clothes. He stated that he took a train for a point in Iowa, where the clothes were washed. Whether the police have the clothes in their possession could not be learned last night, but it is rumored that they have. The motive in having the clothes washed and brought back to the city, it is claimed, was to evade suspicion, the owner wishing to continue to wear them. Officials who visited the flats were armed with a search warrant, and they first proceeded to search the old gentleman's apartments on the top floor of the building. Harry and Adria slept on the ground floor, Harry in the front bedroom and his brother in a room in the rear facing on Thirteenth street. Detective Howard found two revolvers belonging to Harry. One was a double-barreled of the derringer pattern, which was found in a table drawer, and the other a 38-calibre Colt's. The latter was found in his trunk. Several boxes of cartridges were also confiscated. Harry's clothes were carefully examined, but nothing startling was discovered. Several notes from lady friends inviting him to meet them at certain places for "a social time" were found tied neatly together in the bottom of the trunk. The officers confiscated a satchel containing a lot of clothes belonging to the engineer, and it is thought that the clothes worn by the murderer of Catherine Ging were among the contents of the satchel.

HOW ADRIA'S NERVE WAS BROKEN.

Adria Hayward was taken today to St. Paul for safe keeping. He is expected to make a written confession of the whole plot there. His attorneys are very indignant at the action of the authorities in preventing them from seeing their client. The manner in which his nerve was finally broken and he was induced to confess is sensational.

When Adria was first taken under detention and the sweating process applied he was totally invincible. His course in all of the terrors which were applied to him to induce a confession and other appeals made, together with confronting him with pretended proofs, which levers were applied by Assistant County Attorney Hall with all the skill he was able to bring to bear, was greatly admired. He stood like a mountain in a storm, absolutely unflinching. This was in the county attorney's office. The scene was most dramatic. Mr. Hall had to guide him, first of all, the intuitive knowledge obtained from a study of the crime.

"I know nothing whatever," Adria reiterated constantly. Finally he exclaimed "If all you say is true and I know aught which would tend to convict Harry, still would I keep my mouth shut; I would not have the blood of my brother on my hands."

Thus matters stood until toward midnight last night, after it was certain that Blixt and Erickson were safely under cover. Blixt and his wife were then under examination in a room in the West hotel. Levi M. Stewart's office is in the Kasota building one block away, and here Adria was brought in a carriage, Stewart having been requested to be at his office. It was the same room in which Adria had made his statement three days prior to the murder that Harry was putting up the job to murder the girl. Hall alone took Adria to Mr. Stewart's office. The moment he was in Stewart's presence he showed the first signs of weakening, but made a great effort to maintain his nerve. As before, denials were upon his lips, but when Stewart said there was no use quibbling, that he knew of his brother's whole plot, Adria broke down utterly. He turned to the county attorney and said: "I am done. I will tell the whole story."

TOLD THE WHOLE STORY.

He did so, and it covered his own knowledge of the plot from near the time it was conceived. The plot was for Blixt and Erickson to do the actual murder. As Adria understood it, Miss Ging was to be decoyed into being delivered over to Blixt's hands and Blixt was to kill her and Erickson assist in hiding the clothes, or whatever else was necessary.

No one is permitted to see the Hayward boys except their attorneys and relatives.

W. E. Hale was an early caller at the county jail this morning and remained in their cell for a long time. Sheriff Ege and his men were at work all last night and were still on the trail of more evidence this morning. "My theory from the start has been that Blixt was the man that did the shooting," he said. "Blixt is a tough case."

"Was Blixt the man who went riding with Miss Ging?"

The sheriff looked steadily at his questioner for a moment and then replied: "Blixt is the one who did the shooting."

The sheriff, in ransacking the Ozark, found many things that will be of value in bringing the murderer and his accomplice to their deserts. One of these was a white handkerchief, with several imprints of bloody fingers, as if it had been used in wiping up small flecks of blood. The handkerchief was rather small, of quite fine texture, and probably belonged to Miss Ging.

Harry Hayward was greatly affected by the news broken to him at the jail that his brother had confessed, but he stoutly maintained his innocence. Blix's clumsy attempt to arrange an alibi after the murder had been thoroughly looked up and the alibi exploded. It is alleged that the authorities believe that Miss Ging was lured to her death by a confidence game, allied in nature to the gold brick swindle. She was robbed of her money, besides being killed for her life insurance. This story explains the three rides and the mystery with which she surrounded the driver.

AUBURN, N. Y., Dec. 8.—The funeral of Catherine Ging, who was murdered in Minneapolis took place here today.

Close of the Fellows Case.

NEW YORK, Dec. 8.—In the Fellows case Judge Martine and Recorder Smythe gave testimony in favor of the defense and after some other testimony in favor of the defense both sides closed. Counsel on either side will prepare findings and submit them to Commissioner Lincoln at Kingston not later than December 15.

For Fraudulent Use of the Mails.

NEW YORK, Dec. 8.—Daniel F. Beatty, three times mayor of Washington, N. J., and whose career as a millionaire organ speculator dazzled the country from 1873 to 1893, has been convicted of using the United States mails for fraudulent purposes by a jury at Montpelier, Vt. He will probably be sentenced next week.

George W. Cable's Daughter Married.

NORTHAMPTON, Mass., Dec. 8.—"Tarry-a-While," the residence of George W. Cable, was the scene last evening of the marriage of the author's eldest daughter, Miss Louise Bartlett Cable, and James Alfred Chard of New York.

BURNS' GLIMPSE OF OMAHA

Passed Through the City Yesterday on His Way to the Denver Meeting.

BRIEF TALK ON LABOR QUESTIONS

Employers Not so Conciliatory in America as in England—Would Take the Negro Into Unions—Municipal Contract System—Coming to Stay Longer.

John Burns, member of Parliament, municipal reformer, and the head and soul of the labor movement in England, passed through Omaha yesterday afternoon on his way to Denver as a delegate from the convention of organized labor in Norwich, England, to the convention of the American Federation of Labor, which meets at Denver, December 10. Inasmuch as Mr. Burns is the recognized head of the organized labor of Great Britain, his presence at the Denver convention is regarded as of more than ordinary importance, and since his trip to this country also contemplates a considerable period spent in studying the condition of the masses of the New World, his views on matters connected with the labor problem will be of exceptional interest.

A Bee reporter had the good fortune to travel some distance with the famous labor agitator, and to hear him discuss at length some of the problems to whose solution he has devoted his life. As the train pulled into the union depot, Mr. Burns alighted and rested himself by walking up and down the platform until the conductor's warning gave notice that the journey was to be resumed.

At first glance Mr. Burns would be taken for any other than the man who harangued the mobs in Trafalgar square during the riots of 1887, and afterward served time in an English prison for his devotion to labor's cause. He bears a striking resemblance to George E. Barker of this city, and would easily be mistaken for that gentleman. He is of medium height, but built on an athletic plan. His eyes are clear and steady, and indicate a resolute disposition that would never admit defeat. He wears a full, iron-grey beard, which is cropped close, and a close observation of his features gives the impression that he is a man of more than common strength of character.

HIS REMARKABLE CAREER.

Out of all the leaders who have risen from the ranks to a prominent place in the international councils of labor none have had a more striking career than this man who quietly passed through Omaha yesterday. Ten years ago he was considered an anarchist of the most virulent type, and a menace to the order and prosperity of the empire. He was a leader of the Trafalgar square riots, and for this offense he was sentenced to a three months' term in prison. Emerging from his cell he rose until he became one of the most famous men in England, the idol of the masses, and the respected equal of the most notable and influential men of his time.

He was born in London, in the same suburb of Battersea which he today represents in the London common council. He worked as an engineer in the factories and spent his nights reading works on social problems and laying the foundation for the extensive knowledge of labor problems which is the basis of his success. Then he began to address the crowds in the streets, and after an unsuccessful attempt to enter parliament he participated in the famous West End riots. He was arrested, but escaped and continued his course until he was convicted for a part in the Trafalgar demonstrations. His first political success was when he was elected a member of the common council from Battersea. There he soon impressed the people with his ability and prodigious capacity for work. Through his efforts his district became a model for all London. In his election address he said: "I will stand as the enemy of the jobber, the sinecurist, the sweater and the jerry builder, and as the advocate of healthy homes, shorter hours and living rates of wages." For three years he labored to redeem the pledge. During the first year he attended 690 meetings of the common council and succeeded in materially reducing the hours of labor in the public departments and also in securing the enactment of a fair wages clause. He procured the use of union labor in all branches of public work. Subcontracting was abolished, a thorough civil service reform was inaugurated and a department of works was instituted, which had the direct control of all branches of public work, thus doing away with the evils of the contract and contract labor system.

SERVICES IN PARLIAMENT.

He was still working as an engineer when he was elected to parliament, but found that he could not perform his public duties and continue his daily occupation. From this time he was supported by a small fund contributed by the laboring classes and has given his whole time to the cause of labor. What he has accomplished would require a book to recount, but it is best indicated by the remarkable prominence which he has gained.

As the train pulled out of Omaha yesterday Mr. Burns remarked to the reporter that he should carry away one impression of Omaha and that was that it had the cleanest streets of any American city that he had visited. "And now what can I tell you that will interest your people?" asked the distinguished visitor with a good nature that had not been ruffled by the tedious journey from New York. When the question of changing the constitutions of the labor organizations of America so far as to include the negro in the fraternity was mentioned, he said: "Of course I am not well acquainted as yet with the situation as it exists in this country, but as a general principle I believe that if the colored man is good enough to wait on me during the journey across the continent he is good enough to work beside me in the shop. And if he is good enough to work beside me he should share the benefits of organization. I believe in all pulling together instead of antagonizing any branch of labor."

Regarding his visit to America, Mr. Burns stated that while he was sent as a delegate to the convention at Denver, he expected to spend at least two months in working for the benefit of labor in this country. He would visit and speak in ten American cities, according to his present program, and these would be New York, Denver, Chicago, Washington, Baltimore, Omaha, St. Louis, Cincinnati, Cleveland, Pittsburg and Providence. The enthusiastic receptions which had greeted him since he landed had convinced him that the American people believed that he might be of service to them, and he regretted that he could not spend twelve months among them instead of two.

HARDER TASKMASTERS HERE.

"I have a distinct impression," he continued, "that the masters in this country are more intolerant and suspicious of the labor leaders than they are in England. This should not be, for the trade union is practically a connective bargaining between the employer and the employed. A thousand workmen cannot deal with twenty masters, and therefore masters should not refuse to deal with labor's accredited representatives. I should imagine that the life of your American cities is not what it should be. You seem to go to extremes in everything you do, and this is the case with your scandals in connection with the contract system. I believe that all this will in time lead you to the abolition of the present disconnected civil service in municipal affairs and to the establishment of a civil service on the plan that is being followed in Glasgow, Bradford, Manchester and other English cities."

Speaking of the general labor interests of this country, Mr. Burns suggested that there was not as perfect an organization as in England. This might be accounted for by the fact that labor was a cosmopolitan institution on this side of the ocean, and that it might be expected that as the masses become more Americanized they would work together with increased harmony and success. "You should not be too proud to copy after us in some respects," concluded the reformer. "You are still young in this country, and we have worked out many of the municipal problems which are still troubling you. You must do away with contract labor on your public works and place them under the supervision of an independent municipal body. Then establish a strict civil service regulation and you will find that much of the corruption that now characterizes your city governments will disappear, while the people will reap the benefits that now go into the pockets of contractors and corrupt public officials."

It is expected that Mr. Burns will stop in Omaha on his return from Denver, probably between December 18 and 20, and make an address. A committee of Omaha Central Labor union is at work arranging for the meeting.

WILL HAVE A CHINESE BOOKMAKER.

Little Pete Intends Opening in the Ring at Bay District Track.

SAN FRANCISCO, Dec. 8.—San Francisco will soon enjoy the unique distinction of possessing a Chinese bookmaker. Little Pete, the Chinaman who achieved notoriety as the alleged agent of Chris Buckley in jury bribing in Chinese cases, will on Monday open a book at the Bay District track. Little Pete is the leading Chinese gambler of San Francisco and is noted as never being beaten at any kind of a game. He has made some big winnings at the races this season, and all Chinatown is anxious to plunge. Little Pete will accommodate them when his book opens, and he will soon have enough money from Chinatown. He speaks English fluently and will take the bets of white as well as Chinese gamblers.

Starter Ferguson knows what it is to be unpopular. He gave Tartarian four lengths the best of it in starting the last race and the other horses were unable to make up the ground. Angry crowds gathered at the judges' stand and hissed and hooted Ferguson when he came in. Jim Flood was the only favorite to win today. Vassal made his first start here, but no one expected him to win, and no one was disappointed. Lizzak tried to carry 125 pounds through the mud in the Palo Alto stakes for 2-year-olds. He finished a popular second to Gallant. The stake was worth $1,500. Sligo was a strong favorite in the last race, but never showed. Summary:

First race, about six furlongs, selling: Jim Flood, 105, R. Isom (3 to 1), won; Hueneme, 103, Chevalier (5 to 1), second; Victory, 96, Cochran (20 to 1), third. Time: 1:21¼. Niagara, Chiquito, Suwanee, Silver and Miss Ruth also ran.

Second race, mile and a quarter, handicap: Thornhill, 111, Sullivan (8 to 5), won; Sir Reel, 110, Carr (3 to 1), second; Duke Stevens, 115, Clancy (15 to 1), third. Time: 1:23¼. Vassal and Alexis also ran.

Third race, Palo Alto stakes, 2-year-olds, about six furlongs: Gallant, 111, Carr (4 to 1), won; Lizzak, 125, R. Isom (4 to 5), second; Miss Clay, filly, 112, Hinrichs (6 to 1), third. Time: 1:19¼. Foremost, Major McLaughlin and Mainstay also ran.

Fourth race, mile and a half, steeplechase: Ingot, 135, McInerney (4 to 7), won; Argenta, 145, Casey (even), second; Dick O'Malley, 129, Stanford (10 to 1), third. Time: 3:38½. Albatross, Longwell and Noyo also ran.

Fifth race, about six furlongs, selling: Tartarian, 114, Clancy (3 to 1), won; Cortes, 104, Carr (3 to 1), second; Monroe, 104, Hinrichs (3½ to 1), third. Time: 1:19½. Jim Norval, Sligo and Gussie also ran.

New Orleans Successful Opening.

NEW ORLEANS, Dec. 8.—The winter meeting opened under brilliant auspices this afternoon. The attendance was at least 4,000 and the sport of a fine character. Montre was the only winning favorite, and the ring was in fine feather. In the dead heat the purse was divided. Summaries:

First race, three-quarters of a mile: Metropole (5 to 2) won, Amelia May (7 to 10) second, Bessie Nichols (4 to 1) third. Time: 1:14¾.

Second race, seven furlongs: Miss Clark (10 to 1) won, Miss Galop (8 to 1) second, Alethia Alten (8 to 1) third. Time: 1:29¼.

Third race, five furlongs: Montre (9 to 20) won, Prince (15 to 1) second, Luprewitt (100 to 1) third. Time: 1:02¼.

Fourth race, one mile: Melody (15 to 1) won, Clementine (7 to 2) second, Wahatchie (8 to 1) third. Time: 1:41¾.

Fifth race, mile and a sixteenth: Pearline (109 to 1) and Contest (6 to 1) ran a dead heat, Hotspur (4 to 1) third. Time: 1:49¼.

Sixth race, three-quarters of a mile: Darwin Wedgewood (5 to 1) won, Moloch (6 to 1) second, Luke Parks (20 to 1) third. Time: 1:15½.

Ives Wins the Last Game.

CHICAGO, Dec. 8.—Ives won the final game in the tournament tonight, defeating Schaeffer by a score of 600 to 456. The totals for the six nights are: Ives, 3,600; Schaeffer, 2,831. The game tonight was devoid of special features, both men playing well, but doing nothing brilliant. The largest runs made by Ives were 165, 140 and 90; the largest by Schaeffer, 125, 73 and 65. After the billiard match was over tonight Manager Parker gave Ives a handsome buffalo horn cue on behalf of Tom Foley of Omaha, who left interests to it, the cue was alleged to have been made from the horns of buffalo slain by Bill Cody. The score:

Ives—12, 0, 25, 0, 2, 15, 90, 165, 30, 8, 10, 12, 140, 74, 17—600. Average, 40. Grand total, 3,600.

Schaeffer—72, 1, 1, 0, 125, 25, 21, 73, 14, 0, 4, 5, 15, 50—455. Average, 32 4-7. Grand total, 2,831.

Hot Game at Ashland.

ASHLAND, Neb., Dec. 8.—(Special Telegram.)—At 2:30 this afternoon 500 people witnessed, between two picked elevens, one of the hardest fought games of foot ball ever played in Ashland. The teams were evenly matched, and by systematic team work each eleven succeeded in scoring two touchdowns in the first half. The last half was somewhat disastrous, as Robbins, left half, received a broken nose, Enlow, right half, was knocked insensible for a few seconds by a fierce tackle of Youngs, right end, who got three teeth knocked out. Trim Young, sr., umpire, Yale; David Dean, Harvard, referee; Dr. A. S. Von Mansfelde, linesman.

Nice Little Go in New Hampshire.

NEWMARKET JUNCTION, N. H., Dec. 8.—The finish fight between the lightweights, Bellireay and Tom Carrol, which was stopped by the police at Portsmouth Thursday night, was pulled off this morning. The lads fought for the 125-pound championship of Worcester, Mass., and a stake of $500. The contest was fierce and bloody to the last minute of the tenth round, when Bellireay knocked Carrol out with a terrific punch in the stomach. Carrol did not recover consciousness for fully ten minutes.

Wayne Wins from West Point.

WAYNE, Neb., Dec. 8.—(Special Telegram.)—The elevens of the Wayne and West Point High schools played a hotly contested game of foot ball at the fair grounds here today. A large crowd witnessed the game. The Wayne team showed its superiority over the visiting team by a score of 14 to 4.

Ashee Will Go to New Orleans.

BOSTON, Dec. 8.—Jim Ashee, the colored 150-pound champion of New England, today agreed to go to New Orleans to fight Jimmy Barry of Chicago, on December 14. Connors, who was to have fought Barry, fluked for some unaccountable reason.

Its Work Ended.

CHICAGO, Dec. 8.—The board of appeals of the American Trotting association concluded its work this afternoon and adjourned until next May.

Ex-United States Minister Clarke E. Carr.

Hon. Clarke E. Carr of Galesburg, Ill., late minister of the United States to Denmark, was among the callers at The Bee building yesterday. Mr. Carr is a prominent republican of Illinois and brother of General Carr, well known in the transmissouri country. Mr. Carr's visit to Omaha was for the purpose of looking after his landed property interests in this vicinity.

He is very much chagrined over the recent exclusion of American meat products from Denmark, as he had been personally instrumental in securing the introduction of American packing house products in Denmark, and had on several occasions averted the attempted boycotting of American meats by the butchers of Copenhagen and other Denmark cities. Ex-Minister Carr ascribes the recent exclusion order to the butchers' combine and also to the apparent indifference of the departments at Washington charged with promoting our cattle raising and meat export industry.

Jacksonian Officers and Banquet.

Notwithstanding the "flood" of November 6, when the democratic party was almost wiped from the face of the earth, about 150 who had taken refuge in the ark responded to the call of the Jacksonian club last night and elected the following officers for the ensuing year: T. J. Mahoney, president; R. V. Montague, John Dwyer of Beatrice and C. J. Carlyle of Banner county, vice presidents; Henry Blum, recording secretary; Dr. A. Hugh Hipple, corresponding secretary; Charles Connoyer, treasurer; Lee Herdman, financial secretary; Lawrence Fay, sergeant-at-arms.

A vote of thanks was extended to the retiring officers.

W. F. Wappich, chairman of the committee on banquet, reported that arrangements had been made with the Mercer hotel for the fourth annual banquet, to be held January 8, 1895, and efforts will be made to have this the crowning success. Hon. W. J. Bryan, Hon. Horace A. Boies of Iowa and Governor Stone of Missouri will be the speakers.

Military Academy Appropriation.

WASHINGTON, Dec. 8.—The military academy appropriation bill, reported by Mr. Outhwaite today, carries $457,678—$121,372 less than the estimates, and $51,153 more than the appropriation for the current fiscal year.

NEBRASKA'S INSURANCE LAW

Interest of Property Owners in Its Provisions and Administration.

VALUED POLICY FEATURE DEFENDED

Strictures of the State Auditor Answered Along the Lines of Supreme Court Decisions—Lloyds and Mutuals as Factors of Competition.

OMAHA, Dec. 6.—To the Editor of The Bee: Without questioning the motives of Hon. Eugene Moore, in whose probity and capacity I have the utmost confidence, I must take exception to his logic as exemplified by his conclusions on fire insurance, given in his annual report to the governor. Mr. Moore's attitude is so strangely at variance with the experience of insurers in Nebraska and so consonant with the claims of the insurance companies that it would almost warrant the conclusion that he was actuated by some ulterior motive in making his recommendations. His strictures on the insurance laws are in part justified, but to a disinterested observer it appears that he has gone a little too far when he writes: "In view of the alarming increase of the loss rate, as compared with the premiums received since the enactment of sections 43 to 45, both inclusive, of chapter 43 of the Annotated Statutes of 1893, I am forced to the conclusion that equity and fair dealing as between the two parties to an insurance contract make it almost imperative that the sections referred to be repealed, and, if deemed necessary, substituted by a more rational and less partial act. I can't resist the conclusion that the effect of this act is to create an incentive for incendiarism, and thereby greatly increase the moral hazard of the risk written as well as to jeopardize the property of the neighbor, which necessarily must result in advanced insurance rates for the honest insurer to pay or a withdrawal of the companies from the field. Were all men above the suspicion of availing themselves of the advantages they might gain financially by the valued policy law its effects would be beneficient and there would be no reason to suppose that this or any other law would place a premium on arson."

"Moral hazard" is one of the fetiches of "old line" fire insurance worship. It would hardly be a cause for wonder if the agent of a company sustaining a loss should insinuate that the origin of the fire might be explained by the insured; but what is to be thought of the state official who incorporates in his annual report an imputation of dishonesty, which being general, reflects upon every one whose property burned was insured? It is only an act of business prudence to place insurance against fire on property, and it does not follow if the property is destroyed in such way as to earn the money guaranteed by the policy that the insurer was dishonest. Why, following out Mr. Moore's peculiar line of reasoning, should it decrease the "moral hazard" for an intending incendiary to be limited to 80 per cent, or any other percentage of the face value of the policy? To an ordinary mortal, not gifted with the prescience of an actuary, it seems absurd that the matter of insuring to its full value—the virtue claimed chiefly for the 80 per cent clause, as I understand it—would deter a dishonest man from conniving at the destruction of his own property. "Moral hazard" is merely dust kicked up by the insurance companies who desire to avail themselves of premiums on $100 while only assuming a risk of $80.

SUPPORTED BY THE SUPREME COURT.

One point on which the supreme court of Nebraska has pronounced plainly and consistently is that when the loss by fire is total the face of the policy must be paid. Stipulations contrary to this are invalid, and stipulations for arbitration before bringing suit have been held of no effect because of their operation to oust courts of their rightful jurisdiction. It would appear that the natural function of a law should be to protect the people and not the insurance companies.

Under the Nebraska law and the Nebraska decisions an insurance company is held responsible for the risks it assumes. If it accepts premiums on a certain sum it must pay that sum in case of loss. Why a company should ask to be permitted to receive pay for doing a certain thing and then have a law to permit it to avoid doing just what it has been paid for passes understanding. "Co-insurance" the companies call the operation of their pet 80 per cent clauses. Extortion is the plain, everyday name for it. Its operation is to limit the amount of the company's liability to a sum below that named in the policy. If, for instance, a piece of property valued at $1,000, of which 80 per cent is $800, be insured for $500, the company's liability for loss less than total destruction is only in the ratio of 5 to 8; i. e., if the loss is equal to $500 and less than total the company pays but five-eighths of the face of the policy. Although it has accepted premium on $500 it has stood to lose but $312.50, having in reality collected premium on $187.50 of risk that never existed. In case the loss is less than the sum named on the face of the policy the company is held only in the ratio 80 per cent of the loss bears to the sum named. If you make this illustration thousands, instead of dollars, you may see why the insurance companies prefer the 80 per cent clause and object to the valued policy law. In its operation the latter prevents unscrupulous agents from writing risks at fancy figures, collecting large premiums thereon, and then, when fire comes, "compromising" for a nominal sum. It insures the property owner against a "moral hazard" as concerns the company.

IN DEFENSE OF LLOYDS.

Auditor Moore says concerning "Lloyds" and similar organizations: "I have made strenuous efforts to prevent the Lloyds and other unauthorized alleged insurance associations, companies or corporations from soliciting or procuring business in our state, and have directed the attention of all concerned to the unreliability of that class of presumed insurance and the hazard they assume in dealing with any of these wildcat schemes that refuse to comply with our laws, and have also done all I could to apprehend some of these unlawful underwriters and bring them to justice." In view of the fact that insurance companies, as generally understood, are merely an evolution of Lloyds, adopted to secure to the few stockholders the increment once shared by all the insured, the characterization of Lloyds as "alleged" insurance companies is good. In a Lloyds or mutual insurance company business men or property owners assume among themselves risks on each others' property, varying in proportion to the aggregate insurance guaranteed each individual. As the members of the organization are responsible to each other only, and each is equally interested with all, the natural inference would be that the Lloyds would come as near obliterating the "moral hazard" feature of fire insurance as any plan ever devised. It is the most reasonable conclusion that honest men would satisfy themselves of the honesty of their associates before placing their property interests at jeopardy. As mutual arrangements of this kind affect in their operations only the persons directly interested, it is equally plain that the cry against them is not for the protection of the public, but to assist "old line" companies in driving out dangerous competition. The arguments are identical with those used in life insurance circles against the fraternal mutual societies. If any legislation is to be had on this topic I suggest that it be in the direction of giving Lloyds a standing alongside the old line companies. Business men should be permitted to assume all the risk if they desire; it is the desire of insurance companies that they be compelled to "coinsure" for 20 per cent of the face of the policy; why not for all, if it be satisfactory to the owners of the property protected by Lloyds?

Insurance companies are good things in their places. But they are not eleemosynary institutions, and deserve only such treatment as is accorded ordinary business ventures. Give them their due, but no more.

PROPERTY OWNER.

Sheep Thief McClain is in Missouri.

NEOSHO, Mo., Dec. 8.—J. M. McClain, who stole 2,821 sheep on G. W. Edwards' ranch, twenty miles from Powder Springs, Wyo., and sold them in Kansas City, receiving in payment two cashier's checks on the International bank, has turned up at Indian Springs, Mo., where he traded the checks to D. J. Parish for real estate in Christian county. Parish presented the checks to the Neosha Savings bank, where he got cash on one, and deposited the other for collection.

TEXT OF THE TREATY

(Continued from First Page.)

cast on shore in the territorial waters of his majesty, the emperor of Japan, shall take place in accordance with the laws, ordinances and regulations of Japan. Such stranded or wrecked ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If such owners or agents are not on the spot the same shall be delivered to the respective consuls general, consuls, vice consuls, or consular agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country and such consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel. The goods and merchandise saved from the wreck shall be exempt from all the duties of customs unless cleared for consumption, in which case they shall pay the ordinary duties. When a vessel belonging to the citizens or subjects of one of the high contracting parties is stranded or wrecked in the territories of the other, the respective consuls general, consuls, vice consuls and consular agents shall be authorized in case the owner or master or other agent of the owner is not present, to lend their official assistance in order to afford the necessary assistance to the citizens or subjects of the respective states. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given.

"Article 12—All vessels which, according to United States law, are to be deemed vessels of the United States, and all vessels which, according to Japanese law, are to be deemed Japanese vessels, shall, for the purpose of this treaty, be deemed vessels of the United States and Japanese vessels, respectively.

RECOVERY OF DESERTERS.

"Article 13—The consuls general, consuls, vice counsuls and consular agents of each of the high contracting parties residing in the territories of the other shall secure from local authorities such assistance as can by law be given them for the recovery of deserters from vessels from their respective countries. It is understood this stipulation shall not apply to the citizens or subjects of the country where the desertions take place.

"Article 14—The high contracting parties agree that in all that concerns commerce and navigation any privilege, favor or immunity which either high contracting party has actually granted or may hereafter grant to the government, ships, citizens or subjects of any other state, or shall be extended to the government, ships, citizens or subjects of the other high contracting party gratuitously, if the concession in favor of that other state shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional, it being their intention that the trade and navigation of each country shall be placed in all respects by the other on the footing of the most favored nation.

"Article XV—Each of the high contracting parties may appoint consuls general, proconsuls and consular agents in all the ports, cities and places of the other, except in those where it may not be convenient to recognize such officers. These exceptions, however, shall not be made in regard to one of the high contracting parties without being likewise in regard to every high power. The consuls general, consuls, vice consuls, proconsuls and consular agents may exercise all functions and shall enjoy all privileges, exemptions and immunities which are or may hereafter be granted to the consular officers of the most favored nation.

"Article 16.—The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trade marks and designs upon fulfillment of the formalities prescribed by the law.

INCORPORATION OF FOREIGN SETTLEMENTS.

"Article 17.—The high contracting parties agree to the following arrangement:

"The several foreign settlements in Japan shall, from the date this treaty comes into force, be incorporated with the respective Japanese communes and shall henceforth form part of the general municipal system of Japan. The most competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof and the common funds and property, if any, belonging to such settlements, shall at the time be transferred to the said Japanese authorities. When such incorporation takes place, existing lessees in perpetuity upon which property is now held in the said settlement shall be confirmed, and no conditions whatsoever than those contained in such existing leases, shall be imposed in respect of such property. It is, however, understood that the consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities. All lands which may previously have granted by the Japanese government free of rent for the public purpose of the said settlement shall be subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

"Article XVIII—This treaty shall, from the date it comes into force, be substituted in place of the treaty of peace and amity concluded on the third day of the third month of the seventh year of Kayee, corresponding to the 31st day of March, 1854, the treaty of amity and commerce concluded on the 19th day of the sixth month of the year Ansei, corresponding to the 29th day of July, 1858; the tariff conventions concluded on the 13th day of the fifth month of the second year of Keyo, corresponding to the 25th day of June, 1866; the convention concluded on the 25th day of the seventh month of the eleventh year of Meiji, corresponding to the 25th day of July, 1878, and all arrangements and agreements subsidary thereto concluded or existing between the high contracting parties; and from the same date such treaties, conventions, arrangements and agreements shall cease to be binding, and, in consequence, the jurisdiction exercised by the courts of the United States in Japan, and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a port of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese courts.

"Article XIX—This treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date, and either contracting party shall have the right at any time after eleven years have elapsed from the date it goes into operation to give notice to the other of its intention to terminate the same and at the expiration of twelve months after such notice is given this treaty shall wholly cease and terminate.

"Article XX—The treaty shall be ratified and the ratification thereof shall be exchanged, either at Washington or Tokio, as soon as possible, and not later than six months after signature.

"In witness whereof, the representative plenipotentiaries have signed the present treaty in duplicate and have thereunto affixed their seals.

"Done at the city of Washington, the 22d day of November, in the year eighteen hundred and ninety-four, of the Christian era, corresponding to the twenty-second day of the eleventh month of the twenty-seventh year of Meiji.

(Seal) WALTER Q. GRESHAM.
(Seal) SHINOCHURA KURINO.

Weavers and Carders Strike.

SOUTH BEND, Dec. 8.—A portion of the weavers and carders in the South Bend woolen mills went out on a strike. The strike is for the restoration of a 12½ per cent cut in wages made some months ago.

State Warrants Good for Taxes.

MONTGOMERY, Ala., Dec. 8.—A bill has been passed making state warrants receivable for taxes. The purpose of the bill is to make state warrants a circulating medium.

UNDER THE TROPICAL SUN

Along the Route from the City of Mexico to the Isthmus.

LAND THAT FLOWS WITH MILK AND HONEY

Interesting Details of a Journey Through a Country Which Teems with Possibilities, Bright Plumaged Birds and All Kinds of Game.

CITY OF MEXICO, DEC. 2.—(Special Correspondence of The Bee.)—The writer, with Mr. Theodore Olsen of Omaha, left the City of Mexico for a trip to the Isthmus of Tehuantepec recently, and I believe a brief story of what we saw will interest some of Mr. Olsen's friends, at least it will strengthen some of the stories he will tell when he returns to Omaha.

Leaving Mexico in the morning, the route is gradually up the mountains which surround the valley. It passes around Lake Texcoco and through the thousands of acres of maguey plants which furnish the juice to make pulque, which is the drink of the rich and the poor alike in Mexico. Trains are run into the city every morning loaded with pulque for the day's consumption, and I should be afraid to say how many gallons, barrels and car loads are consumed daily.

There is nothing especially interesting on the trip until Esperanza, the dinner station on the Mexican railroad, is passed. Leaving Esperanza, we commence a sharp descent to the tropics, with the extinct volcano of Arizala in full view to the north of the track. The latest surveys made this the highest mountain in North America, and the top is covered with snow the year around. I have seen all the famous peaks in North America, and consider Arizala the grandest of them all.

Winding down the side of the mountain and through a succession of tunnels and over grades and around curves that promise to send the train and passengers down some of the many frightful precipices over which the road passes, we note the sudden change from the hill growth of pines and scrub brush to the luxurious vegetation of the tropics. Before arriving at Arizala the trees are beginning to be covered with beautiful orchids of various forms and colors. Many of them I have seen in botanical gardens and hot houses, and others have never been transplanted from the tropics. We arrived at Arizala soon after noon, with a buzzing in our ears from the sharp descent, and spent the afternoon looking at banana farms, sugar cane fields, and coffee plantations, all of which are of peculiar interest to one who has never been in the tropics before.

THIS WAS AN EARTHQUAKE.

We found good accommodations at the Hotel la Borda, and were sitting around the table at supper discussing the political situation when we felt a severe shock. Doors commenced to open and shut, pictures swung out from the wall, and finally the walls themselves began to bow to each other. Olsen jumped up to ask what was the matter. Some one informed him that it was an earthquake, and he seemed perceptibly disturbed. Several of the guests started down stairs to get out of the building. Olsen stood it for a few seconds and then started for the street, saying that he didn't see that he could do any good by staying there, and that he had urgent business outside. The shock lasted forty-two seconds and was very severe. Olsen wanted to know if it was provided for his benefit, and said that if it was they might omit it from any future entertainments.

At Vera Cruz we were detained for some hours while waiting for a steamer to take us to the isthmus, and Olsen figured on the chances of his dying with yellow fever. After a rough sea trip in a miserable tub of a steamer we landed at Coatzacoalcos and took the train across the isthmus for Santa Lucrecia, where we were to take canoes and come back down the river to Coatzacoalcos. This railroad belongs to the Mexican government, and if properly managed will hurt the Panama route and our own transcontinental railroads. It is about 900 miles shorter from San Francisco to all Atlantic ports than the Panama route, and with deep water at Coatzacoalcos, which is very easy with the jetty system, the isthmus will very soon attract a great deal of attention from business men and investors. The lands are wonderfully fertile, and the crops grow almost without cultivation. These comprise coffee, rubber, vanilla, cane, tropical fruits of all kinds, beans and very fine tobacco. The peninsula of Yucatan is the best corn market of Mexico, and is right at the door of the isthmus country, with cheap water transportation every week.