AGAINST THE INCOME TAX

Coming Decision of the Supreme Court Will Upset the Law Completely.

MAJORITY FINALLY AGREES ON ALL POINTS

Changing of Opinions and Shifting of Positions Surround the Outcome with Uncertainty for a Time, but It's All Over Now.

Washington special to the Chicago Tribune: Chief Justice Fuller has completed writing a decision which upsets the income tax law entirely and wipes it off the statute books. The decision has been put in type, returned from the printer, and is now being considered by the majority justices solely on the grounds of its general expressions. The law itself is a thing of the past.

This result has been reached only after a series of remarkable changes in the court, the entire history of which is not likely to be given to the public. Justice Jackson, on whom the burden of the case seemed to rest, took sides in favor of the constitutionality of the law as a whole, but united with other justices in exempting rents and state bonds from the operation of the law. His decision apparently settled the matter and the friends of the law were more or less triumphant.

Unfortunately, just at this time, which was shortly after noon last Saturday, it became evident that one of the justices in favor of the law, but against the rents, saw fit to change his opinion. In the original hearing of the case he voted that taxation of rents was not constitutional, but that the law, as a whole, was good law. Saturday he withdrew from his original position and voted that a tax on rents was not a direct tax, and hence did not assail the broad principles laid down in the constitution.

If it should happen that Justice Brown writes and delivers next Monday a dissenting opinion, it is probable he is the one who changed back from his previous advanced opinion which was well established. The conference of Saturday developed the fact that Chief Justice Fuller, Justices Field, Gray and Brewer were still opposed to the law as a whole. Practically, the whole court was willing to exempt state and municipal bonds. A majority of the court, including Justice Jackson, was opposed to the tax on rentals. An apparent majority was in favor of upholding the law as a whole, but just at this juncture Justice Shiras, who had wavered during the first hearing, began to show evidences of changing front.

Thus it will be seen that Justice Brown changed front on the rental question and Shiras changed back on the law itself. He was still undecided when Chief Justice Fuller started to write an opinion, and for a while the Chicago member of the court did not know whether he was writing the decision of the court or a dissenting opinion.

Finally Mr. Justice Shiras took his stand with the opponents of the law, and then the chief justice went to work on his opinion, knowing it would go down into history as the decision of the court. It will almost certainly be handed down Monday, and the chances are there will be several individual opinions delivered at the same time.

Next Monday is an anniversary for Justice Field, for on that day he completes thirty-two years of service on the bench. He is expected to celebrate the event by an opinion expressing his personal view of the law, which in the main coincides with that of the court, although going further. Justice White is expected to present a strong dissenting opinion, still further upholding the doctrine of stare decisis. Justice Brown, if it be true, as alleged, that he has changed front on the question of rent, will be likely to explain his position. Justice Harlan delivered a short dissenting opinion before. He is expected to go more into detail next Monday.

All of that day, and possibly part of Tuesday, may be taken up in reading the different opinions, and when they are all in but one great fact will appear to the common people, which will be that the populist income tax has been wiped off the statute books, and in such a way, too, that it can never be reenacted and enforced until a new supreme court is present to let down the constitutional bars.

The people who are liable to be placed in a hole are those who have already paid their taxes. The opinion prevails at the Treasury department that the money cannot be paid back except by special act of congress. According to the opinion of some of the law officers of the government, the secretary of the treasury cannot pay out one silver dollar to anybody except when duly authorized by law. If this be true those people who were prompt in paying their income taxes will have to whistle for their money until some time next winter, and even then will be dependent on the whimsicalities of legislation in the senate, which will be torn up and practically will have no leader to force through necessary legislation.

The repayment of the income taxes will be undoubtedly one of the items in the urgency deficiency bill, always presented early in the session, but the item may not get through congress for a year.

OIL HAS ADVANCED IN RUSSIA

Producers in that Country Have Been Worsing for Small Profits.

WASHINGTON, May 18.—Consul General Korel at St. Petersburg, under date of April 30, has made a report to the State department upon the kerosene industry of Russia. He says the great opponent of the American kerosene industry in the foreign market is the Russian product and in order to meet competition the Russians try to reduce expenses everywhere. Owing to the increase in prices in the London market, oil in Russia has also advanced. For the two previous years the profits have not been large, but so far in the year 1895 there is a large trade at good prices. Mr. Korel says, however, that the prices in Russia do not correspond to the increased prices in international markets.

According to the report of the minister of finance, the Russian oil industry comforts itself with the hope that in the near future the American kerosene wells will weaken in the delivery of the usual supply and that Russia will then control the European oil business. The same paper says: "During the first months of 1895 the United States had to suspend the export of kerosene to the Asiatic markets, and according to the most trustworthy calculations, the American wells will not be able in the present state of productiveness to answer all the demands of the European markets, which they have heretofore been supplying, and which will then be supplied with Russian kerosene."

Attempts have been made to agree upon a division of the international markets and during the last few days such an agreement has been affected and presented to the minister of finance for confirmation. A note by the State department states here that the announcement will be made by cable that the Russian minister of finance has refused his assent.

WANT TO ANNOUNCE IT FIRST

Supreme Court Judges Not Willing to Be Forestalled in Their Decision.

WASHINGTON, May 18.—It was generally expected that the justices of the supreme court today would hold another conference on the income tax question for the purpose of reaching a final conclusion and of passing upon the opinion of the court and the dissenting opinion of the justices who might find themselves in the minority, but the consultation did not take place and will not until Monday morning, immediately preceding the reconvening of the court. It is customary with the court to hold its consultations on Saturday and there are three theories advanced for today's departure from the usual practice.

1. That the justices engaged in the work of writing the opinions may not have concluded their labors.

2. That some one or more of the justices may desire further time for consideration of the questions involved in the income tax cases.

3. That the premature announcement of the court's first decision on the case has resulted in a determination not to confer until the last moment and thus prevent any news transpiring until public announcement of the conclusion of the court from the bench.

Extraordinary precautions have been taken to keep secret the views of the court and until the rumors now afloat are confirmed, it is impossible to get definite information. To-day several of the justices took advantage of the fact that no consultation was held to go down the river on an excursion given by the local bar association.

DETERMINED TO FREEZE WALLER OUT

Nephew of the Imprisoned Consul Deported from Madagascar.

WASHINGTON, May 18.—It is probable now that in addition to the case of ex-Consul Waller, Mr. Eustis, our minister to France, will be called upon to press on the attention of the French government the claims of Paul Bray, a nephew of Mr. Waller, who was forcibly deported from Madagascar. Mr. Bray has written from Paris to Mr. Langston, his attorney in Washington, a statement of his case, which has been laid by the latter before the State department. Bray was interested with Waller in the valuable concession of lands obtained from the Hova government. This concession was formally recorded in the Hova government office and a copy was registered at the American consulate at Tamatave. Mr. Wetter, the present American consul there, has already furnished the State department the official records in the case. The French resident in Madagascar insisted that Mr. Waller should submit his concession to him for approval and registry. Mr. Waller refused to do this, apprehending that the French officials would promptly reject his concession and deny him justice. He claimed that the French protectorate, being confined by treaty to jurisdiction over foreign relations only could not be held to give the French officials the right to pass upon the validity of his concessions. According to Mr. Bray's statement matters were in this condition when he and Waller projected a trip from Tamatave to the concession, where the French were making depredations upon their valuable rubber trees. As soon as the French became aware of this movement, they promptly arrested both men and tried them by court martial on charges of aiding the Hovas, and writing seditious letters to them.

REFUSED THE BURLINGTON'S REQUEST

Important Ruling of Secretary Smith on a Land Grant Controversy.

WASHINGTON, May 18.—An important decision has been rendered by Secretary Hoke Smith in regard to the land grant to the Burlington & Missouri River Railroad company, now the Chicago, Burlington & Quincy Railroad company. In a decision by the supreme court of the United States it was held that the grant to this company was divisible, that is, that a certain amount of land was granted on each side of the road and that it was not authorized to increase the quantity on one side to make up a deficiency on the other. An adjustment of the company's grant in 1888 showed that it has received 201,101 acres to the north of its line in excess of the amount granted and a demand was made for the reconveyance of this land. The company refused to comply and a suit is now pending to compel it to do so.

The amount of land patented to the company south of the road is admitted to be less than it is entitled to and lands still exist south of the road that might be patented. Certain of these southern tracts, it is alleged, have already been sold by the company and it is desirous of securing the patents for them and offers to surrender an equal amount north of the road if these are patented to it. The law expressly forbids the patenting of lands to any company which has already more than it was granted and the secretary declines to patent any further lands to the company until the suit in the supreme court for the relinquishment of the excess to the north is decided. Innocent purchasers will be otherwise protected.

GIBBONS' VISIT HAS NO SIGNIFICANCE

Is Not Going to Rome on Any Particular Business.

WASHINGTON, May 18.—Bishop Montesdoca of Mexico, in the diocese of St. Luis de Potosi, who has been visiting Mgr. Satolli, has departed for Rome. It is stated that Cardinal Gibbons' visit to Rome will have no significance on any of the pending ecclesiastical questions, although it is expected that he will discuss with the pope the entire range of church affairs as developed since the cardinal's last visit ten years ago.

Mgr. Satolli will remain in Washington through the summer, though he has made several engagements to attend church celebrations. The speculation concerning Mgr. Satolli's elevation to the cardinalate has brought out the fact that it is an invariable rule of the vatican not to advance a delegate to a cardinalate. The latter office may be filled by a nuncio, and this fact has been the base of reports that Mgr. Satolli would be made nuncio at Lisbon. There has been no intimation direct or indirect that this would be done, and there is less reason for the move to Lisbon than other posts, as the present nuncio there has several years to serve and is himself likely to be advanced to a cardinalate.

OPENING THE KICKAPOO RESERVE

Next Thursday Fixed Upon by the President as the Day.

WASHINGTON, May 18.—It is said the date for opening the Kickapoo reservation in Oklahoma to settlement is fixed for next Thursday. Settlers will be required to pay $1.50 an acre, 50 cents of which doubtless will be required for deposit on original entry Copies of the proclamation have been prepared, and will be issued immediately on official notification of the president's approval. All necessary preparations have been made by the land office officials for carrying the provisions of the proclamation into effect. The reservation consists of 216,000 acres, but 131,000 of this land has been withheld for allotments of the Indians and for school indemnity purposes, leaving 85,000 acres to be taken up. The lands are subject to ordinary homestead entry at $1.50 an acre.

Paymaster Smith Sentenced to Dismissal.

WASHINGTON, May 18.—The findings in the court martial of Paymaster Henry R. Smith of the navy have been laid before the president by Secretary Herbert. The charge against Smith, who is paymaster on the Concord, now on the Asiatic station, was drunkenness, and was preferred by Commander Folger of the Concord. The fact that the case has been taken to the president means that the court recommended dismissal. Smith entered the navy in 1878. About nine years ago, while on board the Essex, he left the ship and disappeared in New York. He could not be found for many days, and when he turned up again, he said he had been drugged. About a year ago he was court martialed for drunkenness and sentenced to confinement in the ship for three months.

Kershner Verdict in Washington.

WASHINGTON, May 18.—The record of the naval court martial in the case of Medical Director Kershner, which was just wound up at New York, was brought to the Navy department by the judge advocate of the court, Lieutenant Lauchheimer. It has been placed in the hands of the judge advocate general of the navy, who is now carefully examining it with a view to ascertaining its regularity, and when this examination is completed it will be turned over to the secretary of the navy for his approval.

Admiral Almy Buried.

WASHINGTON, May 18.—Funeral services were held today over the remains of Rear Admiral Almy, who died Thursday. Rev. Dr. McKim conducted the ceremonies and the interment was in the congressional cemetery. The pall bearers were Admirals Hughes, Upshire, Jouett and Roe, Generals Vincent and Drum, Pay Director Caswell, Judge Hagner and Mr. Charles Abert. The body bearers were sailors and marines. The Loyal Legion and the Association of California attended the services in a body.

Coffee Crop is Short.

WASHINGTON, May 18.—The coffee crop of South and Central America this year will be about 10 per cent short of the crop of last year, according to statistics received here.

Opening of the Kickapoo Reservation.

WASHINGTON, May 18.—The proclamation for opening the Kickapoo Indian reservation in Oklahoma will probably be issued today.

DIAMONDS IN THE DAY TIME

English Ladies Falling Into a Custom Once Despised as American.

PRINCE OF WALES VISITS LADY WARWICK

Princess Left at Home with Her Daughters—Lady William Beresford Presented to the Queen—Half the Peerage at a Concert.

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LONDON, May 18.—The mercury, which had made the people happy at 79 degrees and thereabouts for weeks past, suddenly descended and within a few hours had reached 40 degrees, sending everybody hunting for cast-off winter garments. This sudden decrease in the temperature was followed by furious gales, which have been dragging along the coast, while hail and snow in many places have greatly damaged the fruit buds.

Great Britain, however, is not alone in this remarkably sudden change from balmy spring to shivering winter. Advices received from various parts of the continent of Europe show that a similar state of things prevails. In Switzerland, for instance, the Jura district is blocked with snow and on the mountain roads near Davos stage coaches were imbedded in the snow and the people who were traveling in these vehicles had to seek refuge in neighboring hospices. Along the south coast of France the gales have been specially severe and it is feared that there has been loss of life among small craft which may have been caught far from land and unprepared for the sudden change in the weather.

The prince of Wales is staying at Warwick castle, where the countess of Warwick and Brooke, more generally known as the famous beauty, Lady Brooke, who has long been greatly admired by the prince, has invited a distinguished party to meet, and where all sorts of festivities are in progress. The prince yesterday reviewed the Warwickshire yeomanry cavalry of which Lord Willoughby de Broke is colonel.

The princess of Wales and her daughters are at Sandringham, whither they went after the drawing room which the princess held on Wednesday last at Buckingham palace in behalf of the queen.

DRAWING ROOM A FAILURE.

The drawing room was not largely attended. But few people attracted more attention than the American duchess, the dowager duchess of Marlborough, who recently became Lady William Beresford and was presented on her marriage. She had never been presented as duchess of Marlborough. The beautiful American wore a gorgeous pearl-gray satin with a velvet train shot with the faintest tinge of pink and embroidered with silver and diamond lilies. The bodice was completely covered with lace and sparkled brightly with a profusion of diamonds. English women are showing an inclination to bedeck themselves with jewels in daytime, which they admit is bad taste, and with which little failing they have long accused Americans of giving way to.

At the invitation concert of the Strauss orchestra at the Imperial institute on Saturday society was out in great force, the names of those present including almost half the peerage. Diamonds in the ears of the ladies and around the neck and brooches were worn in numerous quantities. The prince and princess of Wales, the duke and duchess of Saxe-Coburg Gotha and the duke and duchess of Connaught were among those present.

Viscount Hinton, who for many years has been grinding an organ through the streets of London, is now acting as showman for a kinetoscope, near Leather Lane, Holborne. He says that the labor of grinding an organ has permanently crippled his right arm and that he greatly prefers his present occupation. Viscount Hinton is heir apparent to the earl of Poulett, his father, the sixth earl of that name. The family is over 350 years old, dating back to Sir John Poulett, knight, an earnest royalist, who was created Baron Poulett of Hinton, St. George, County of Somerset, peerage of England, in 1627. The earldom of Poulett was created in 1706.

Lady Sutton, the widow of Sir Richard Sutton, whose cutter Genesta, competed with the American sloop Puritan in 1884 for the America's cup and was beaten, will soon reenter the state of matrimony.

DWYER AND CROKER NOT POPULAR.

The events of the past week in sporting circles have not increased the popularity here of Mr. Michael F. Dwyer or Mr. Richard Croker. Even the colored jockey, Simms, has come in for a share of criticism. The Globe, commenting upon the riding of the American jockey, said yesterday: "His monkey antics are foreign to our insular prejudices. He kept easing his mount and then sending him along to the leaders over and over again on Thursday, but we must admit that when we had to sit down he showed us what he could do. In an exciting finish he has proven equal to the occasion."

The most serious accusation which the papers make is that these pretenses of being beaten were simply meant to influence betting during the race and that the Americans succeeded in getting a large amount in this way.

The United States war ships San Francisco and Marblehead, from the Mediterranean, and the New York and Columbia, from New York, will rendezvous at Southampton and will proceed together to Kiel, in order to take part in the elaborate fetes prepared there to celebrate the opening of the North sea and Baltic canal. It is estimated that the four United States ships will represent 21,747 tons, with seventy-five officers and 1,497 men. Great Britain will be represented by four first class twin-screw battle ships, the Royal Sovereign, Empress of India, Resolution and Repulse, the first class twin-screw cruisers Blenheim and Endymion, the third class cruiser Bellona, the first class gunboats Speedy and Halcyon and the Admiralty yacht Enchantress, under command of Vice Admiral Fitzroy. This fleet of ten war ships will carry 171 officers and 4,390 men, and have a total displacement of 78,660 tons. Austria will send four war ships, which will carry fifty-two officers and 1,421 men, and which will represent a displacement of 13,894 tons. The Austrian fleet will be commanded by Rear Admiral the Archduke Charles Stephen. Russia will send three ships under Rear Admiral Skirdloff, with seventy officers and 1,305 men, representing 20,972 tons. Italy will make a gallant showing with nine war vessels, carrying 180 officers and 3,310 men, and representing 13,800 tons. The Italian fleet will be commanded by the duke of Genoa. France will only send three ships, but they will represent 15,800 tons and will be manned by sixty officers and 1,360 men. Scandinavia will send five ships, representing 8,375 tons, with fifty-five officers and 675 men, under Rear Admiral Klinteberg. There will be three Spanish ships present, representing 17,866 tons, with fifty-six officers and 1,233 men. The Danish flag will be represented by six war ships, with thirty-two officers, 1,370 men and 2,960 tons. The Netherlands win send two war ships, representing 4,575 tons, with twenty-five officers an 413 men. There will be two Roumanian war ships present, representing 1,650 tons, with twenty-three officers and 400 men. Turkey will be represented by a cruiser of 1,926 tons, having on board fifteen officers and 300 men.

FROM KIEL TO NORTH CAPE.

The United States ambassador, Hon. Thomas F. Bayard, will attend the fetes at Kiel on board the Mirror, Sir John Pender's yacht. Lord Wolsley, Lord Roberts of Kandahar, and Sir Evelyn Wood will also be Sir John Pender's guests. The Mirror will leave Scotland for Kiel, and after the fetes at the latter place will proceed to the North cape. The party will be absent three weeks on the latter trip.

The opera season opened auspiciously, although there has been nothing noteworthy as yet. On Thursday Mary Engel, in "Philemon," was favorably received. The critics approve of her. The subscription is the largest known. The queen heads the list with the double box on the grand tier. Among the others to secure boxes are the duke of Fife, the duchess of Marlborough, Lord Dunraven, Lord Lonsdale, Lord Wolverton, William Waldorf Astor, Mr. Winans and Mesdames Mackey, Ronalds, Adair, Bradley-Martin and Ralph Vivian.

The theaters have been suffering from the hot weather which prevailed until the end of the week and there have been no novelties.

Beerbohm Tree has lost no time in fulfilling the promise made by him on the first night of his reappearance in London. "Fedora" has already been placed on rehearsal and will be presented next week. Mr. Tree has been fortunate enough to secure the services of Mrs. Bancroft in her original part, that of Countess Olga Zoukarff, and Mrs. Patrick Campbell will represent the heroine. The cast is a very strong one, which will insure a most interesting revival. To a reporter of the Associated press who called at the Haymarket theater during the rehearsal, Mr. Tree said: "The longer I am at home the more fully do I realize what a good time I had in the United States. I am already looking forward with eager anticipation to my visit there next year. Mrs. Tree and myself were there received with the most possible kindness and with only one exception the criticism of our work was invariably just and kind. It would be impossible to find any audiences more quick and responsive than those before which we had the pleasure of appearing. Another thing that greatly impressed me was the beauty and convenience of the theaters."

FEDORA AND TRILBY.

When asked about his future plans, Mr. Tree replied: "We shall, as you know, shortly produce a revival of 'Fedora' with Mrs. Patrick Campbell in the title role. This will, we hope, run through the season. In the early autumn we shall produce an American version of 'Trilby,' but as to who will take the part of Trilby has not yet been decided."

Miss Nethersole, who is filling Mrs. Patrick Campbell's place in the "Notorious Mrs. Ebsmith" at the Garrick, has arranged to go on a tour at the close of the Garrick season with John Hare in America.

London is to be more than ever favored with opportunities of seeing and comparing the best efforts of foreign drama. France, Italy, Germany and Spain will be represented here this season. In addition to the Spanish company of comedians already announced in these dispatches, Signora Eleanor Duse and Mme. Sarah Bernhardt will be here presently. The former will make her reappearance at Drury Lane theater on the evening of May 22 and will play four times a week, the remaining evenings being devoted to the continuation of the English opera season. Sir Augustus Harris will endeavor to induce Signora Duse to add to her London repertoire.

On Monday, May 27, Sarah Bernhardt will open her season at Daly's with "Desdemona," Sardou's latest play. She will bring her own company and scenery from the Renaissance theater in Paris.

The ducal court company of Saxe-Coburg Gotha will open a short season at Drury Lane theater on June 27, when the clever comic opera, "Der Vogel Handler," will be produced.

Sardou's unlucky play, "Dealla Harding," is already withdrawn from the Comedy theater. While the management is waiting for Pinero's comedy, Jerome K. Jerome's "Councillor's Wife" under the title of "Prudes Progress" will be given a trial.

LANGTRY IN A BATHING COSTUME.

Mrs. Langtry begins a short engagement at the Grand theater, Islington, June 3, when she will probably produce her new play, "Gossip," dealing with special manners and customs in the future. Rumors are that Mrs. Langtry will appear in a bathing costume of black satin with a very short skirt, a scarlet bow tying the bodice over a white muslin chemisette. Effie Shannon is the only member of her American company who will appear with her.

Mlle. Yvette Guilbert, who is appearing at the Empire with her usual success, has a new repertoire of songs. She is not very enthusiastic as to the success of her coming visit to the United States, having an idea that the Americans care only for singing in which the tom-tom and the banjo form the integral part of the entertainment.

Cissie Loftus will appear at the Palace theater on May 27. She has spent her short holiday since her return from America in visiting the theaters and studying new songs and imitations.

The queen will this year formally open a new parish church at Crathie. The new building is in striking contrast to the old one on the road from Ballater to Braemar, famous for the Puritan simplicity of its religious edifices. It will have stained glass windows, highly ornamented pulpit and other modern ideas likely to be resented by austere Scotchmen.

THE WOMAN'S BIBLE.

A Specimen of the Work Compiled Under the Direction of Mrs. Stanton.

Here is a specimen chapter supplied by the New York Sun from the Woman's Bible which is being compiled by a revising committee of leading women of most civilized nations. They propose to comment simply on all texts in the Old and New Testaments that refer to women. Mrs. Elizabeth Cady Stanton of 261 West Sixty-first street is chairman of the committee, and information concerning the work may be obtained from her. The specimen chapter is Numbers xxvii., 1-11, and, with Mrs. Stanton's comments, is as follows:

Then came the daughters of Zelophehad, the son of Hepher, the son of Gilead, the son of Machir, the son of Manasseh, of the families of Manasseh, the son of Joseph; and these are the names of his daughters: Mahlah, Noah, and Hoglah, and Milcah, and Tirzah.

2. And they stood before Moses, and before Eleazar the priest, and before the princes and all the congregation, by the door of the tabernacle of the congregation, saying,

3. Our father died in the wilderness, and he was not in the company of them that gathered themselves together against the Lord in the company of Korah.

4. Why should the name of our father be done away from among his family, because he hath no son? Give unto us therefore a possession among the brethren of our father.

5. And Moses brought their cause before the Lord.

6. And the Lord spake unto Moses, saying:

7. The daughters of Zelophehad speak right: Thou shalt surely give them a possession of an inheritance among their father's brethren; and thou shalt cause the inheritance of their father to pass unto them.

8. And thou shalt speak unto the children of Israel, saying, If a man die, and have no son, then ye shall cause his inheritance to pass unto his daughter.

9. And if he have no daughter, then ye shall give his inehritance unto his brethren.

10. And if he have no brethren, then ye shall give his inheritance unto his father's brethren.

11. And if his father have no brethren, then ye shall give his inheritance unto his kinsman that is next to him of his family, and he shall possess it; and it shall be unto the children of Israel a statute of judgment, as the Lord commanded Moses.

The respect paid to the daughters of Zelophehad at that early day is worthy the imitation of the rulers in our own times. These daughters were no doubt fine looking, well developed women, gifted with the power of eloquence, able to impress their their personality and arguments on that immense assemblage of the people. They were allowed to plead their own case in person before the lawgivers, the priests, and the princes, the rulers in state and church, and all the congregation, at the very door of the tabernacle. They presented their case with such force and clearness that all saw the justice of their claims. Moses was so deeply impressed that he at once retired to his closet to listen to the still small voice of conscience and commune with his Maker. In response the Lord said to him: "The daughters of Zelophehad speak right, if a man die and leave no son, then ye shall cause his inheritance to pass unto his daughters." It would have been commendable if the members of the late constitutional convention in New York had like Moses, asked the guidance of the Lord in deciding the rights of the daughters of the Van Rensselaers, the Stuyvesants, the Livingstons, and the Knickerbockers.

The final action revealed the painful fact that they never thought to take the case to the highest court in the moral universe. The daughters of Zelophehad were fortunate in being all of one mind, none there to plead the fatigue, the publicity, the responsibility of paying taxes and investing property, of keeping a bank account, and having some knowledge of mathematics. The daughters of Zelophehad were happy to accept all the necessary burdens, in spired by the laws of inheritance, while the daughters of the Knickerbockers trembled at the thought of assuming the duties involved in self-government.

As soon as Moses laid the case before the Lord, He not only allowed the justice of the claim, but gave "a statute of judgment," by which the Jewish magistrates should determine all such cases in the division of property in the land of Canaan in all after ages.

When the rights of property were secured to married women in the state of New York in 1848 a certain class was opposed to the measure, and would cross the street to avoid speaking to the sisters who had prayed and petitioned for its success. They did not object, however, in due time to use the property thus secured.

WOULD BLOW UP THE MINES

Iowa Strikers at Mystic Threaten Orr Bros. Property with Destruction.

SHERIFF NOTIFIED OF THE SITUATION

Two Hundred Men Attempt to Force the Scale Men to Quit Work—Rumors of Serious Trouble Being Imminent.

OTTUMWA, Ia., May 18.—(Special Telegram.)—There is trouble at Orr Bros.' mines at Orrville, two miles above Mystic, and Sheriff Bray has been summoned to the scene. Fully 200 miners congregated at Orrville, determined to get the miners who have been working here at the 70-cent rate to quit work. It is said they threatened to blow up the property, and this has been confirmed by Orr Bros., who this morning served notice on Sheriff Bray that they would hold the county responsible for any damage done their property. The sheriff repaired at once to the scene and has not yet returned. There are many wild rumors afloat, but a truce has been declared till Monday.

COAL OPERATORS CALL A SESSION

Will Meet at Des Moines Thursday to Select a Middleman.

DES MOINES, May 18.—(Special Telegram.)—A call has been issued for a general meeting of all the coal operators of the state, to be held in Des Mines next Thursday. The object is to perfect a state organization, and, if possible, to place the business on a better basis for all concerned. All operators, whether receiving special invitation or not, are invited to be present. The call is signed by W. H. Holcomb of the Star Coal company, John B. Gibson of the Gibson Coal company, Sears of the Carbondale Coal company, and Hamilton Browne of the Boone Valley Coal and Railway company. It is regarded as likely that the operators will organize on much the same basis as the operators of the Des Moines district have; that is form a central company, to which each operator will sell his product, the central company to act as middleman between the individual company and consumer. It is not known whether the Oskaloosa district will affiliate in the movement. All the other districts have signified their willingness.

Natural Gas in Iowa.

CEDAR RAPIDS, Ia., May 18.—(Special.)—The recent discovery of natural gas at Columbus Junction leads to the belief that it exists in considerable quantities in southeastern Iowa, and that the field is not a narrow one. Gas has been struck anumber of times by parties boring deep wells and at a depth of from 100 to 150 feet. Eastern experts, whose attention has been called to the Iowa indications, are disposed to dismiss them with little thought, because they say that flows so near the surface lack pressure and are generally valueless because limited in quantity. No tests, however, have been made, and it is believed that when made gas will be found in considerable quantities. A short distance from Columbus Junction there is a collection of several houses which have been heated with natural gas for several years, and both the supply and pressure seem to increase as time passes.

Five Burglars Sentenced.

DES MOINES, May 18.—(Special Telegram.)—Judge Spurrier, in the district court, today passed sentence on five men convicted of burglary. William Trow goes to the penitentiary for five years, Nels Hansen for six years, James Raymond for seven years, Arthur Barrett for eight years and Thomas Huff for nine years. The judge intimated that if that did not cure their failing for burglary, he might see them again. In passing sentence he said most of the criminals who come before him lay their downfall to whisky, and, addressing one of the prisoners, he said: "I suppose that you with others signed petitions to have the saloons legalized and sell that to which you now attribute your ruin."

Supreme Court Decisions.

DES MOINES, May 18.—(Special Telegram.)—Iowa supreme court decisions were filed as follows today: Wiese Lumber company against Libbie G. Hartwell et al, appellants, Pottawattamie district, reversed; the Peninsular Stove company against H. C. Roark and Mary J. Roark, appellants, Audubon district, affirmed; Jessier Birley against Shelby Birley, defendant, and William Birley, appellants, Fremont district, affirmed; George A. Pulley, administrator, appellant, against Chicago, Burlington & Quincy Railway company, Page district, affirmed; L. C. Reed, administrator of the estate of S. A. Reed, deceased, against C. J. Reed et al, appellants, Hardin district, affirmed.

Claims Aggregate a Million.

SIOUX CITY, May 18.—(Special Telegram.)—The report of the special commissioner on the Union Stock Yards company receivership case has been filed in the federal court here. The amount of claims shown against the company aggregate $1,151,762. This is in addition to the bonded indebtedness and to $1,000,000 of claims which have recently been withdrawn.

Conrad Kohl, who shot and killed William Dockery last Thursday at Lemars, has been bound over in $3,000 bonds. His case was at first supposed to be one of self-defense, but recent developments make it appear likely that he will have some difficulty in establishing such a plea.

Will Boom Shenandoah's College.

SHENANDOAH, Ia., May 18.—(Special.)—Since the Western Normal college at Lincoln is about to close its doors, the students there are preparing to enter the college here, and at a mass meeting last night the citizens added their cordial invitation to the students to come, and guaranteed to meet the expenses of bringing them here. Shenandoah is the original seat of the Western Normal college, and now with the coming of these students and with five members of the old faculty as instructors, the school will be practically reunited in its first location, but in a much finer and more completely equipped building than ever before.

MORTON WRITES A LETTER ON BEEF

Tells Packers if There is a Trust It Should Be Placed on the Free List.

NEW YORK, May 18.—The following letter on the beef question from Secretary of Agriculture Morton appears in the National Provisioner, the organ of the meat and provision industries:

Dear Sir: Referring to your letter inquiring whether I am in favor of placing beef on the free list and intend to make a favorable recommendation to the executive thereon, I will say that I have stated that in case of a combination or trust artificially advancing the price of any commodity I have believed that one of the best remedies was to place that commodity upon the free list, whether it was beef or any other article. I have not stated that there was a combination or trust which has advanced the price of beef, but have directed that an investigation be made to determine if possible whether the apparent excessive increase in the retail price of beef was due to the manipulation of such a combination of the large packing houses.

As that investigation is not yet completed, I am not prepared to say what recommendation I will make to the executive and it probably would not be proper for me to state so long in advance what the recommendations of my annual report will be.

If, as you state, a representative of yours has found that there is considerable depression in the business of the western packers, is it not remarkable that they should consider it advisable when business was in that condition to suddenly and arbitrarily advance the price of their product and thereby greatly lessen the consumption?

J. STERLING MORTON, Secretary.

TRAIN ROBBERS WERE SCARED AWAY

Omaha to Kansas City Passenger Train Saved by a Police Patrol.

ST. JOSEPH, May 18.—Four Pinkerton detectives from Chicago and six policemen of this city, all armed with Winchesters, patrolled the tracks of the Kansas City, St. Joseph & Council Bluffs road north of this city last night in anticipation of an attempted train robbery. A plot had been formed to hold up the southbound express at 3:30 this morning, and the railroad company, learning of it, had officers on hand to prevent it. The robbers in some way learned that their plans were known and the attempt was not made. The men who were to hold up the train are thought to belong to the gang which killed young Rau the week before last, one member of which was captured and another one killed.

Killed by Falling Slate.

WINFIELD, Wis., May 18.—Charles and Andrew Smith were killed and Robert Smith fatally injured by falling slate at the Portsmouth coal mines today.

FROM THE FIELD OF DISEASE

A WIDE RANGE OF SYMPTOMS IN FIVE IMPORTANT CASES

These Personal Reports From Patients, Exemplify the Daily Work Being Done for Chronic Sufferers by Drs. Copeland and Shepard.

Invalids receive steady treatment under Drs. Copeland and Shepard for the briefest period necessary to a lasting cure, without any tax or assessment beyond a little fee monthly, including all medicines, all incidentals and all etceteras, to OFFICE AND MAIL PATIENTS ALIKE. Trial treatment FREE to those applying in person.

ALL BEGAN WITH CATARRH.

Distressing Insomnia With Painful Stomach and Nervous Disease—Cured by the Mail Treatment.

Mr. G. H. Barthel, a well-to-do farmer and land owner of DeWitt, Neb., is known all over Saline county. After being treated through the mails by Dr. Shepard, he writes:

G. H. BARTHEL, DeWitt, Neb.

"I am 60 years old and for eight years have been suffering from catarrhal poisoning. For a long time the trouble bothered my head, with the usual symptoms of obstruction and headache. I found there was no such thing as comfort and cleanliness in the head while this nasty disease was present. Working down, the ailment affected my stomach and bowels. To eat like other folks was out of the question. I felt no hunger, and if I did eat the distress was terrible, for gas and sourness followed with severe pain and heart disturbance. After the disease got a good hold I became wakeful at night, with frightful dreams and nervous worry. It seemed as if my system was reeking with poison, for the heart, brain and stomach were all going wrong. Then when la grippe came on me all my symptoms became more violent. The exhaustion and suffering were so great that I knew I could not pull through without a supreme effort of medical skill in my behalf. The Copeland and Shepard treatment just fitted my case, for after a thorough diagnosis by a wonderfully arranged symptom blank I began the medicines, which did me more good than any I had used before, and I have taken many in my time. Dr. Shepard did pull me through and cured me by just that handling which my case needed, and I will do all in my power to give him credit for his splendid work."

BAD BRONCHITIS.

Radical and Lasting Cures by the Mail Treatment.

William Dale, cashier of the De Leon National bank of De Leon, Texas, wrote a year ago for a symptom blank, took treatment by mail for a severe type of bronchitis and was so much gratified with the results that he published a personal reference to his case. Writing again quite recently regarding his cure, Mr. Dale says:

"Nearly twelve months have now elapsed since my treatment through the mails, and the lasting character of the cure is shown by the fact that there has never been any return of the old bronchial trouble from that time to the present. I have the utmost confidence in your system of mail treatment."

DISTRESSING ASTHMA.

A Frequent Complication of Catarrh—Lasting Relief Under Correct Treatment.

Miss Celia Houck, 225 North 26th street, South Omaha, a well known resident, was afflicted with catarrhal disease of the bronchial tubes, inducing violent and chronic asthma. Mrs. Houck says:

"Regarding Dr. Shepard's effective treatment of desperate cases of asthma, I can say that I have tried it myself and that I have the same opinion of its efficiency that everybody seems to be expressing in regard to his handling of catarrh and lung trouble and other chronic ailments.

"For twenty years I had suffered with catarrh and asthma. My father and a brother died of the latter malady. Constant sore throat, severe headaches, loss of appetite—these were a part of my condition. Short breath, with suffocating spells of cough and wheezing were so frequent as to wear me out and almost take my life. My lungs became sore from the terrible strain and I had little comfort either night or day. As my malady went on I developed chills and night sweats, with great bodily prostration.

"Over a year ago I took a course of treatment with Dr. Shepard for my ailments, and the result has been entirely satisfactory. I find myself entirely free from the asthmatic seizures that for twenty years made me nearly an invalid. My strength and appetite have returned and I have been hearty and comfortable with no return of any of my old complaints. Nearly twelve months have elapsed since my treatment by Dr. Shepard, and the lasting character of my cure gives me the most confidence in his system for the relief and cure of asthma and bronchial troubles."

HER SISTER'S CASE.

Bringing Relief to a Patient Whose Suffering Reaches Back a Period of Thirty Years.

Mrs. Jennie Dennis, sister of Miss Houck, whose statement is given above, also lives at 225 North 26th street, South Omaha. She says:

"I took treatment from Dr. Shepard a year ago with my sister. My case was much like hers, and her statement in many ways describes my symptoms. My bronchial cough and asthma, however, had been distressing me fully thirty years and seemed to effect the whole lung substance. We regarded our trouble as an inherited one and did not expect to find any relief during our lives. A brief course of treatment with Dr. Shepard last spring brought me entire relief from my lung complaint of thirty years standing. I have had nearly a whole year to test the results of his treatment and have been in excellent health despite the prevailing epidemics of la grippe and catarrh attacks that were so common last winter. My own experience warrants me in earnestly commending Dr. Shepard for catarrh, bronchitis and asthma.

CATARRHAL DEAFNESS.

A Card From a Business Man Who Was Treated Two Years Ago.

Probably no man in Omaha is better known than Julius T. Festner, the job printer at 108 South 14th street. Mr. Festner says this:

JULIUS. T. FESTNER.

"Two years ago my catarrh became so serious as to make me entirely deaf in the right ear; with choking of the nose, throat and head. Month after month my disease gained on me, until to save my hearing I went to Dr. Shepard, who on one treatment gave me great relief, and very shortly rid me of my trouble and perfectly restored my hearing. The results were prompt and satisfactory and have proven permanent. I heartily commend the skill and