JOINS ISSUES WITH STATE

Home for the Friendless Cases Before the Supreme Court.

SOCIETY PRESENTS ITS ARGUMENTS

Briefs Covering the Points Raised Filed—Program for Swine and Stock Breeders' Meeting—Lincoln Notes.

LINCOLN, Jan. 14.—(Special.)—Briefs have been filed by the Society of the Home for the Friendless in both the cases which are now before the supreme court, and which grew out of the passage of the act by the last legislature taking the home out of the control of the society.

In the mandamus case brought in the district court by Attorney General Smyth for Mrs. C. S. Jones, the newly appointed superintendent, to gain possession of the home, the society was successful, the court holding that the act was unconstitutional, and that the state was bound by an implied contract to allow the society to remain in control of the institution. The brief filed today takes up the grounds advanced in the decision of the lower court, holding that a mandamus could not lie in the case. It states as a settled principle of law that "mandamus will not lie to test the title to an office or the right to property, franchises, privileges, immunities or any other vested rights," and therefore the attorney general has tried the wrong remedy. Much of the brief is devoted to the argument and citations on this point. The attorney for the society also holds that the statute of 1897 is unconstitutional and void, because of irregularities in its title, and "because it violates the constitutional inhibition against the impairing obligations of contracts and against the violation of vested rights and divesting them without due process of law."

CONTROL OF THE HOME.

The other brief filed is in the case wherein the society brings mandamus proceedings to compel the state auditor to pay over the money appropriated by the legislature for the support of the home. The statement in the brief shows that the society duly presented to the board the estimates for supplies, according to custom, and that upon the refusal of the state board to act the society went on with its own funds and furnished the supplies. The brief says that the amounts were just and correct, and that the state by its refusal to purchase the supplies made it necessary for the society to so act "or suffer the institution and its inmates to perish," and "that at this time it would seem to be a vain thing for the board to go through the formula of advertising and purchasing and allowing bills therefor when the supplies have already been purchased and consumed by the inmates."

The brief further says: "If the act of 1897, taking away from relator the institution and all privileges and appurtenances, and practically abolishing the relator (the society) be held unconstitutional, we take it for granted that our friends, the enemy, will unconditionally surrender in both cases."

The position of the board is stated by this brief to be "that the Home for the Friendless is a state institution, supplied by the state, and that when they brought an action to oust the originators and operators, and the court beat them, the state balked and has sulked ever since." The question is asked: "Do they propose to make the appropriation statute sulk, too, until the means of the relator are exhausted and the institution is starved into relinquishment of rights in good faith claimed, and into abject subjection after the manner of Spain's policy with the Cubans?"

The argument closes with this statement: "There is no state sovereignty involved in washing, feeding, warming and bedding the babies, little children and old women at the Home for the Friendless."

SWINE AND STOCK BREEDERS.

Stockmen from all over the state are expected in Lincoln next Tuesday, Wednesday and Thursday. The Swine Breeders' association and Improved Stock Breeders association will meet in joint session at the State university. The Nebraska Veterinary Medical association will meet in connection with the other associations and its sessions will be held at the Capital hotel. The following programs have been arranged:

Tuesday, January 18, 7:30 p. m.—Music, address of welcome, Hon. J. V. Wolfe, Lincoln; responses and annual addresses, Presidents G. W. Whitmore, Valley; Z. S. Branson, Waverly.

Wednesday, January 19, afternoon—1:30, paper, "The Poland China, Westward He Came, Everywhere He Goes," S. McKelvie, Fairfield; discussion, L. W. Leonard, Pawnee City; J. F. Bishop, Lincoln; 2:15, address, "Poultry in General," Rev. L. P. Ludden, Lincoln; 3, paper, "Relation of the Breeder to the Pork Producer and How to Maintain It," John O'Connell, Malcom; discussion, R. Hogue, Crete; W. C. Davison, Wilber; 3:45, paper, "The Alfalfa Hog," L. W. Hamilton, Kearney; discussion, G. H. Gould, Republican City; H. S. Williamson, Beaver City; 5, adjournment for supper. Evening—Music; 7, address, "Some Disappointments in Breeding and How to Avoid Them," C. H. Elmendorf, Turlington; general discussion; 7:45, "The Head End of the Herd and How to Produce Him," E. H. Andrews, Kearney; discussion, E. Ross Hitchcock, Sterling; E. B. Day, North Bend; 8:30, paper, "The Dairy Cow," Hon. W. A. Poynter, Albion; discussion, H. C. Young, Lincoln; I. W. Chappell, Normal; 9:15, paper, "The Red Hog Up to Date," W. H. Taylor, Lincoln; discussion, W. F. Stuff, Lawrence; E. P. Black, Raymond; 10, paper, "The Present Situation in Beef Cattle," R. M. Allen, Ames; 10:45, paper, "Plain Old English," T. J. Congdon, Pawnee City; discussion, J. W. Townley, Octavia; W. B. Reynolds, Arcadia.

Thursday, January 20, morning—9, paper, "Some Show Ring Observations," H. C. Dawson, Endicott; general fusillade; 9:45, paper; 10:30, "The Public Sale System, Advisability of a Cash Basis," Hon. S. R. Foss, Crete; discussion, led by Albert Johnson, Douglas; 11, paper, "Our Type," C. H. Searle, Edgar; discussion, H. B. Louden, Clay Center; William Stolp, Burchard; 11:30, paper, "Any Old Color, So It Is White," Frank A. Grover, Bennett; discussion, L. F. Grimes, Sterling; 12, feeding time. Afternoon—1:30, paper, "The Real Value of the Pedigree and Its Misuse," E. E. Day, Weeping Water; general discussion; 2:15, paper, "The Sheep Industry in Nebraska," C. H. Ballanger, Lexington; 2:30, paper, "The Brood Sow: Her Care and Mating," J. L. Barton, Greenwood.

The program for the veterinarians follows:

Tuesday, January 18, 1:30 p. m.—Roll call, 2:30 p. m.—Paper, "The Relation of the Veterinarian to Agriculture," Prof. T. L. Lyon.

Paper, "The Value of the Thermo-Cautery," Dr. G. P. Tucker. Paper, "Dairy Sanitation from a Veterinarian Standpoint," Dr. C. M. Day. Paper, "Dairy Sanitation from a Dairyman's Standpoint," A. L. Haecker. Report of cases, Dr. Drasky. Report of cases, Dr. Hammond. 7:30 p. m.—Paper, "The Proper Method to Prepare Pathological Specimens for Shipment," Dr. H. B. Ward. Paper, "Should State Institutions Furnish Vaccine Free?" Dr. John S. Anderson. Paper, "Immunity," Dr. A. T. Peters. This paper will be illustrated by stereopticon views.

GOSSIP FROM THE STATE HOUSE.

The combine of the county treasurers in opposition to the opinion published by the attorney general some time ago relating to the fees of the treasurers is beginning to make its influence felt. The treasurers are slower than usual in coming in to settle with the state, and all but four of the seventeen that have been in to make settlement have left the matter of state fees open for adjudication. They hold that the decision of the attorney general, which cuts down the amount of fees they have heretofore received for the collection of state money, ought not to be allowed to stand, and it is understood that the treasurer from Phelps county will come in next week and make a test case. Practically all of the county treasurers are in the combine to protest against the reduction.

Five inmates of the Hospital for the Insane at this place have this week been transferred to the Asylum for Incurables at Hastings. These transfers are made from the Lincoln and Norfolk institutions whenever there is room in the Hastings asylum to accommodate patients, permission being first secured from the state board. Those transferred this week are Kate E. Payton, Fillmore county; Mary Pellcan, Saline; Eva Bishop, Douglas; Joseph Raymond, Douglas; J. H. Widman, Merrick.

The governor has appointed the following delegates to the Nicaragua canal convention which meets at Kansas City January 17: Dr. E. G. Watson, Friend; W. H. Kellgar, Auburn; James E. Boyd, Omaha; M. A. Hartigan, Hastings; Harry Miller, Omaha; Charles W. Pool, Tecumseh; O. E. Goodell, Lincoln; Frank Young, Broken Bow.

There were 110 cases filed in the supreme court in December, being almost double the number filed in December, 1896.

LINCOLN LOCAL NOTES.

Lancaster county commissioners, after spending several days on the selection of county physician, have finally agreed upon Dr. Graham. Each commissioner favored a different candidate and it was at last necessary to give the plum to a "dark horse."

The case of Thomas P. Kennard against the State of Nebraska is up before Judge Holmes in district court. Kennard sues the state for $14,000 on a contract to recover moneys due from the United Stats. The claim was up before the legislature last winter and by a resolution was referred to the district court for settlement. The chief question seems to be that of jurisdiction. The evidence will be taken during vacation by agreement of all parties and judgment given at the next term of court.

Omaha people at the hotels: At the Lindell—G. P. Dietz, J. B. Bush, P. W. Birkhauser, L. Levy. At the Lincoln—G. W. Horn, jr., George E. Kay, W. C. Barnes, V. G. Lantry, H. E. Maxwell, F. W. Bodle.

CLOSE OF FARMERS' INSTITUTE.

Meeting Full of Interest to Nemaha County Agriculturists.

AUBURN, Neb., Jan. 14.—(Special.)—The Farmers' Institute of Nemaha county closed a three days' session here yesterday. The meeting was full of interest and the attendance good. On Tuesday evening, Prof. J. A. Beattie of the Peru Normal school gave a very interesting address on "The Need of Education." On Wednesday morning G. N. Titus read a valuable paper on "Of What Should a Fruit Garden Consist?" The paper by J. M. Root, "Can Potatoes Be Raised with Profit in Nemaha County?" brought out a pretty general discussion. "Need We Fear a Fuel Famine in Southeast Nebraska?" was the subject of a paper by N. P. Meader, and he seemed to think that people had nothing to fear from that source, but from the direction of the general discussion which followed, it was plain to be seen that the majority were not with him. Probably the paper of the greatest interest, from a practical point of view, was the one presented by G. S. Christy on "Is the Hog Malady of Nebraska Contagious, Infectious or Hereditary?" In the discussion which followed, J. H. Dundas, editor of the Granger, advanced the idea that in most cases the trouble would be found to be worms; that he had examined quite a number of hogs and that worms were found in the intestines, lungs, liver and kidneys and urged upon farmers the importance of making post mortem examinations and offered the columns of the Granger for the results of such examinations. The officers elected for the ensuing year are: Shell Cochran, president; A. C. Leeper, vice president; A. W. Sulzbaugh, secretary; W. A. Coddington, treasurer.

APPEAL FOR STARVING CUBANS.

Nebraska Relief Commission Issues a Call for Aid.

LINCOLN, Jan. 14.—(Special Telegram.)—The Cuban Relief commission recently appointed by the governor has issued an address to the people of the state, in which there is a reminder that when the people of the state were suffering from drouth other states and countries came to their aid and now that the people of Cuba are famine-stricken, Nebraskans are called upon to make liberal contributions. The address is signed by H. O. Rowland, president; P. H. Bary, secretary; W. N. Nason, treasurer; J. E. Utt and M. D. Welch. The concluding paragraph is as follows:

"All citizens desirous of aiding this enterprise of pity and charity may forward their donations to the secretary, or any other member of the commission most convenient. Contributions of money, shelled corn, wheat, canned goods, light clothing for both sexes and all other necessities of life will be accepted and forwarded free of charge to the sufferers. We urge that the response to this appeal be generous, universal and immediate. Hundreds are daily perishing from starvation and thousands are facing like fate as these words are being read by the firesides of peace and plenty."

Kenesaw News Items.

KENESAW, Neb., Jan. 14.—(Special.)—Mr. Andrews, pastor of the Methodist Episcopal church of this place, whose mind has been gradually growing weak for some time past, became suddenly violent yesterday. He was taken to the insane asylum at Lincoln.

The test of the Kenesaw creamery was not successful on account of some defect in the machinery. The manager says this will be remedied and that the creamery will be in operation in another week.

Business is very brisk in comparison with what it was at this time last year. The elevators are loading from fifteen to twenty-five cars of grain a week, mostly for the Kansas City market.

The large implement house of William Schultz is nearly completed. This is quite an improvement for Kenesaw, as the size of the building will allow the storage for a large stock of farm implements of all kinds.

The weather for the last week has been unusually fair and the majority of farmers have taken advantage of it and finished their fall work.

Young Napoleon of Finance.

CENTRAL CITY, Neb., Jan. 14.—(Special.)—Steve Arrants, formerly of Loup, but now temporarily residing in the county jail, is a young Napoleon of finance. He found, as he thought, a good way of borrowing money and worked the scheme for all it was worth. He would give his note and secure it on cattle that he didn't own. In this way the collateral never run out. That was the first part of his scheme. The second was to pay his notes promptly when they came due and thus establish a credit for promptness. This he did and his credit become so good that careful bankers bought up his floating paper and considered it as good as gold. Finally he got in debt to the Platte Valley bank for about $450 and secured it on his imaginary herd of cattle. Cashier Letcher went out to see those cattle and as his imagination was not as well cultivated as that of Mr. Arrants he couldn't see a single cow or steer. The young Napoleon was arrested for obtaining money under false pretenses and is now in the county jail.

Pythians Are Surprised.

WAUSA, Neb., Jan. 14.—(Special.)—At the close of installation of officers of the Knights of Pythias lodge at this place last night, a surprise was given by the wives of the members. An elegant luncheon was served. Amusements of varied nature were indulged in to a late hour.

Fears were at one time entertained of an ice famine in our city the coming summer. But ice of sufficient thickness and quality is now being harvested to dispel such fears.

The dreaded hog cholera has made its appearance among a number of herds in this vicinity. Heavy losses by the owners are reported.

Fairbury Woman's Club.

FAIRBURY, Neb., Jan. 14.—(Special.)—The Fairbury Woman's club met Tuesday, January 11, in regular session. After roll call responded to by quotations from J. R. Lowell a program of unusual interest was furnished by the current literature department, Mrs. W. L. Stephens, leader of the department, presiding. The opening music, "Ventre-a-Terre," a piano solo, was beautifully executed by Miss Daisy Tolleth. The well selected recitation by Mrs. McCoy was ably rendered and elicited much applause. A change from the usual program was made by introducing a debate upon the question: "Are Women Good Financiers?" Mrs. McDowell and Mrs. Showalter spoke for the affirmative, while the president of the club, Mrs. C. B. Letton, and Mrs. Ed Hansen took the negative. After a spirited discussion it was decided by an almost unanimous vote of the club that "women are good financiers." The program for the afternoon was furnished by a beautiful vocal solo, "Down the Shadowed Lane," by Miss Maude Tolleth.

Brutal Boys Arrested.

BELLEVUE, Neb., Jan. 14.—(Special.)—As Henry Lutjemeyer, a boy about 18 years of age, was returning to his home, one-half mile from town, he was set upon by a crowd of village boys and severely beaten. The Lutjemeyer family has suffered similar abuses for several years while attending the village school and it was decided best to put a check to it; accordingly A. A. Barden, one of the leading merchants of this city, signed a complaint before Justice C. G. Littlefield and warrants were issued for the arrest of the two leaders, Fred Hughes and Roy Taney, and Constable B. S. Littlefield took them at once into custody. The trial is set for Saturday. It is thought other arrests will follow.

Thieves forced an entrance into the residence of Irving Poop while he was temporarily absent and stole a new $22 breech-loading shotgun. No clew.

Well Known at Fremont.

FREMONT, Neb., Jan. 14.—(Special.)—Charles Wallstrom, who was reported in The Bee as being arrested at Sioux City, charged with passing forged checks, is well known here. He is a tailor by trade and worked for Eddy Brothers. He was recently discharged by them for dishonesty. He owed considerable when he left and squared up a couple of bills, one at Ashley Park's confectionery store and the other at the Merchants' hotel, with checks which turned out to be worthless. A woman by the name of Winter, but whose first name could not be ascertained, left here with him and is presumably the "Jones" woman who was with him when he was arrested. If the Iowa authorities should let him loose he will be brought back to Fremont for trial.

Burglars at St. James.

HARTINGTON, Neb. Jan. 14.—(Special Telegram.)—Burglars made a great haul on Clem Ziegler's store at St. James, a small town about fifteen miles northeast of this city, last night. They took the entire line of men's and women's fine clothes, every bolt of fine dress goods and completely gutted two large showcases which were filled with notions, trinkets and jewelry. Three suspicious characters had been loafing around the town for several days and their immediate departure this morning causes the authorities to believe that they had a finger in the pie. The loss amounts to several hundred dollars.

Irrigation Company Elects Officers.

NORTH PLATTE, Neb., Jan. 14.—(Special.)—The South Side Irrigation company at its annual meeting elected John Keith president, Claus Mylander vice president, G. F. Meyer secretary and treasurer, George H. Lawrence engineer and P. Mylander and Max Beer members of the board of directors. A resolution was passed instructing the directors to have the ditch fully completed by the first day of May. The headgate of the ditch is practically completed and the remaining excavation can be finished in a week or ten days if those who have contracts will push the work with any degree of rapidity.

Burned to Death.

MORSE BLUFF, Neb., Jan. 14.—(Special Telegram.)—Anna Vrana, a 4-year-old daughter of John Vrana, was burned to death at her home, six miles south of here, yesterday afternoon. The little girl was left alone in the house while her father went out to do some chores. He was only away from the house about five minutes. When he returned he found the room full of smoke and the little girl burned so badly that she never spoke. It is supposed she was trying to start a fire in the stove for her father.

Alliance Notes.

ALLIANCE, Neb., Jan. 14.—(Special.)—There will be considerable building and other improvements made in the city the coming season.

Nearly 2,000,000 feet of lumber was sold at the local yards during the last year and nearly 10,000 tons of coal sold at the coal yards.

The population of Alliance is said to be nearly, or quite, 3,000.

The Catholics have in rehearsal the home talent for a grand minstrel performance to come off in the near future.

Creamery at Fort Calhoun.

FORT CALHOUN, Neb., Jan. 14.—(Special.)—This little town is showing more prosperity these days than it has for a number of years past. Along with other buildings a creamery is to be built. The plant will cost $2,500. It will be a great benefit to the farmers. It will take 300 head of milch cows to run it. Charles Schwager, the proprietor, has been connected for two or three years past with one of the largest creameries in the state and is now branching out in business for himself. Work on the building will commence immediately.

Woodmen Installation.

HUMBOLDT, Neb., Jan. 14.—(Special.)—The Woodmen installation and supper at the opera house Thursday evening was one of the most pleasing social events of the season. A literary and musical program was rendered, supplemented by a short address from Hon. C. A. Atkinson of Lincoln, who also conducted the installation ceremonies. The opera house was very richly decorated and about 200 guests partook of the good things provided for the occasion by Humboldt camp, No. 933, Modern Woodmen of America.

Bank Officers Chosen.

ALBION, Neb., Jan. 14.—(Special.)—The annual election of the banks of this city resulted as follows: First National—C. E. West, president; John Peters, vice president; F. S. Thompson, cashier; directors, C. E. West, John Peters, F. S. Thompson, D. A. Lewis, O. M. Needham, Adolph Hahn. Albion National—M. B. Thompson, president; A. W. Ladd, vice president; D. V. Blatter, cashier; directors, M. B. Thompson, A. W. Ladd, D. V. Blatter, James McKie, William Weitzel.

Emerson Items.

EMERSON, Neb., Jan. 14.—(Special.)—S. O. Cord was granted a divorce from her husband, O. E. Cord, by Judge Evans at Ponca. She was granted $16 a month alimony and the custody of their daughter.

Rev. Condiut of Beatrice, assisted by Rev. Ray of Hartington, will hold a Sunday school institute at this place Saturday and Sunday, January 22 and 23.

Arm Badly Mutilated.

LEIGH, Neb., Jan. 14.—(Special.)—Fred Rasmussen, a young man living in this village, was caught in a corn sheller yesterday, mutilating his right arm between the wrist and elbow. The arteries were severed, tendons torn from the muscles and the wrist bone ground in two. The physicians who dressed the wound deemed amputation unnecessary.

Poultry Show Closes.

SYRACUSE, Neb., Jan. 14.—(Special Telegram.)—Today closed the first meeting of the Otoe County Poultry association. It was very successful in every particular. There were several hundred birds exhibited. L. P. Harris of Palmyra, expert judge, scored the fowls, some going above the 90 mark.

Held to District Court.

BURWELL, Neb., Jan. 14.—(Special.)—The preliminary trial of Anthony B. Starke was held before County Judge Jones yesterday. After a motion to quash the complaint had been overruled and one witness was partly examined the defendant waived further examination and was held to the district court in the sum of $600, which he furnished.

Bank Management Changes.

ALLIANCE, Neb., Jan. 14.—(Special.)—The First National bank is now under the control and management of W. A. Hampton, its former president. Under the new management R. M. Hampton, its former cashier, leaves the bank and Martin Brennan becomes its cashier, W. A. Hampton having purchased 35-50 of the bank stock took full control of its management. This bank is among the strongest institutions in the western part of the state.

THIS LOOKS LIKE PROSPERITY.

Comparative Figures at North Bend for 1896 and 1897.

NORTH BEND, Neb., Jan. 14.—(Special.)—Populists and free silver republicans hereabout have been indulging in a great deal of talk about the present wave of prosperity being a bogus one. As a refutation of their arguments the following exhibit of business done at this point for the years 1896 and 1897 speaks for itself:

Value of freight forwarded, 1897, $33,164.54; same for 1896, $26,508.57; increase, $6,655.97. Freight received, 1897, $36,499.46; same for 1896, $26,856.12; increase, $9,643.34. Value of local tickets sold, 1897, $4,524.64; same for 1896, $4,674.04; decrease, $150.40. Coupon tickets sold, 1897, $2,757.81; same for 1896, $2,488.26; increase, $269.55. Cash remitted, 1897, $48,979.75; same for 1896, $38,668.87; increase, $10,310.88. Total transactions for the year 1897, $125,926.00; same for 1896, $99,195.86; total increase for 1897, $26,730.14; total decrease for 1897, $150.40; net increase for 1897, $26,589.94. Carloads received during 1897, 828; during 1896, 532; increase for 1897, 296. Carloads forwarded during 1897, 637; during 1896, 421; increase for 1897, 216.

Death in the Corn Fields.

FRANKLIN, Neb., Jan. 14.—(Special Telegram.)—For some reason the cornstalks this year are much more poisonous to the cattle than ever before, hardly a farmer that has turned his cattle in stalk field has not lost a number of head. C. M. Caster has lost more heavily than any reported, having lost fifty head. Eighteen head died today in seven hours.

Ravages of Hog Cholera.

WINSIDE, Neb., Jan. 14.—(Special.)—Hog cholera is destroying large numbers of hogs in this vicinity. Many farmers have lost all the hogs they had, one man as many as 150. The disease seems to be unusually fatal.

Roads are improving here now and drying rapidly. In some of the sloughs the frost is almost all out of the ground.

Take Horses to France.

AUBURN, Neb., Jan. 14.—(Special.)—J. W. Lash and J. H. Cook of this city, who took a consignment of Nebraska horses to France, write that they arrived at their destination without mishap to themselves or the horses. At the time of writing they had just reached their destination and had made no effort to dispose of their horses.

Nebraska News Notes.

New steel cages are being placed in the Scotts Bluff county jail at Gering.

The Union Pacific has completed filling its large ice house at North Platte.

Dr. Jack of Brownville holds the offices of coroner, county physician, pension examiner and mayor of Brownville.

An agent of the general land office is investigating complaints that stockmen in the vicinity of Lodge Pole have fenced in government land.

Simeon Beardsley has bought the Clarks Leader of Mr. Hutt and will continue the paper under the same name and with unchanged politics.

Horse buyers in Seward county are paying very much better prices for horses now than they have at any time for several years and they are taking lots of good horses out of the country.

Starns McIninch of Brownville who started for the Klondike last summer has returned. He went as far as Seattle and after carefully weighing all that he could see and hear about the Klondike country he decided to return.

Prosperity comes quickest to the man whose liver is in good condition. DeWitt's Little Early Risers are famous little pills for constipation, biliousness, indigestion and all stomach and liver troubles.

WORKMEN MAKE COMPROMISE

(Continued from First Page.)

made an important communication with reference to the candidature of Prince George of Greece for the governorship of Crete. M. Zinovieff declared that unless the sultan withdrew his objections to Prince George Russia would propose the annexation of Crete to Greece.

SUGGESTS AN ITALIAN REPUBLIC.

Publication Said to Be Inspired by the Pope.

LONDON, Jan. 14.—The Rome correspondent of the Daily Chronicle, in a startling statement this morning, quotes largely from an article in "Civilta Catelica," which he declares is directly inspired by the Vatican and the pope, advocating, as to the solution of the external question between the Vatican and the Quirinal, the establishment of an Italian republic. The article, which is based on the pope's Christmas allocution, declares that the thing which stands opposed to papal independence is not Italian unity, but "the special and concrete form wherein that unity is at present maintained, with results much more disastrous to the state than to the holy see."

It proceeds to assert that the co-existence of the Vatican and the Italian monarchy is impossible, and that one or the other must go. It then suggests the constitutions of Switzerland and America as examples of "Admirable and glorious constitutions, true union of nation and state, though differing from that of Italy, which has produced nothing but weakness, misery and starvation."

The article concludes: "Without the aid of foreign bayonets the true Italy will find for itself its own way and will rise again, let us hope, from the ignominy in which it now lies prostrate to greatness."

The Daily Cronicle's correspondent asserts that this "is an intentional revelation to the outer world of the policy actuating not only the mind of Cardinal Rampolla, papal secretary of state, but that of the Vatican." He adds: "Probably there would be no truth in the supposition that either Cardinal Rampolla or the pope has any idea of even a temporary alliance with the republican party; but yet they believe that while peace with the king is impossible, it might be possible with a republic. The reason for the appearance of this astounding pronouncement at the present moment is the belief that not only the ministry but the dynasty itself is menaced more seriously than usual."

INFATUATED WITH A CHORUS GIRL.

English Nobleman Commits Suicide Because She Spurns Him.

LONDON, Jan. 14.—It has been an open secret in theatrical circles that Sir Charles Arthur Fairlie Cunningham, who, as announced by the Daily Mail today, committed suicide at the Hotel Victoria, this city, during the night of December 26, had long been infatuated with Marjorie Pryor, a chorus girl of the In Town company.

During the company's long engagement Sir Charles occupied a front seat nightly, watching the girl, and after the performance he drove away with her. In December it was reported that he was considerably downcast because Miss Pryor had refused to have anything more to do with him.

The coroner gave out a report of the case today, showing that Sir Charles shot himself in the head. It was understood that Sir Charles left a letter directing that his clothing and effects be given to Miss Pryor.

France and Germany Are Cordial.

PARIS, Jan. 14.—It is an indication of friendliness between France and Germany that the grand cross of the Legion of Honor has just been conferred upon Count von Munster, the German ambassador at Paris, on the occasion of the ratification of the Franco-German Niger convention.

Tod Sloane Starts Home.

LONDON, Jan. 14.—The Campania, which sails for New York from Liverpool tomorrow, will take among its passengers Tod Sloane, the jockey. He says he is going to Cincinnati to ask Mr. Fleischmann to release him so as to be able to ride in England.

New Commander for the Army.

PARIS, Jan. 15.—The cabinet council today will nominate General Jamont to succeed General Saucier as commander-in-chief of the French army.

YALE'S REPLY DISPLEASING

Causes Indignation Among Friends of Cornell.

REJECTS TERMS WHICH IT HAD DEMANDED

Reasons Other Than Objections to Fairness of the Proposal Are Charged Against the New Haven Crew.

ITHACA, N. Y., Jan. 14.—The refusal of Yale to grant Cornell's request, contained in the latter's acceptance of Yale's challenge, has been the chief topic of conversation at Ithaca today. The students in general are indifferent, but some of them, while saying little, have given signs of indignation, which practically represents the feeling at Cornell on the boat racing question, as far as a meeting with Yale is concerned.

In an interview tonight Prof. E. W. Huffcutt, president of the athletic council, gave the following statement:

"Cornell regrets that Yale finds it impossible to assent to terms which appear to us to be in every respect fair and sportsmanlike. The terms proposed are an exact equivalent of the terms of the challenge. Moreover, they are precisely the terms which Yale proposed to Harvard last year and to which Harvard assented. It seems, therefore, that Yale's disinclination to accept them must be due to reasons quite distinct from any objections to their fairness and having to do with its general intercollegiate policy. If this is so the case resolves itself into a difference between Cornell and Yale and the intercollegiate regulations in general.

"Upon such a question men may disagree without engendering any unfriendly feeling. In this spirit Cornell accepts the decision of Yale and trusts that the good understanding that began last year may continue, even though different policies at the two universities render future intercollegiate contests between the two impossible."

Captain Frederick Colson of the 'Varsity crew, made the following statement:

"Cornell considers that its answer to Yale's proposition for a boat race was perfectly fair from every point of view. I can only express my surprise at the refusal of Yale to accord to Cornell next year what it claimed of Cornell this year. Cornell oarsmen regret that Yale has made it impossible for another test to be made between the two different styles of rowing inseparably connected with the names of Courtney and Cook. As Cornell has accepted Harvard's challenge for a boat race at such time and place as may be agreeable to the two crews, it only remains to decide upon such time and place. All through the negotiations with Harvard and Yale it has been taken for granted that Cornell would row Pennsylvania and Columbia this year. Only matters of detail have to be determined upon. Personally, I would like to see a quadrangular race arranged for Columbia, Harvard, Pennsylvania and Cornell."

Prof. Huffcutt denied the report that a challenge had been received from Wisconsin by Cornell.

EVENTS ON THE RUNNING TRACKS.

Books Have Another Successful Day at New Orleans.

NEW ORLEANS, Jan. 14.—Cloudy weather and a heavy track were the racing conditions today. David and Sea Robber were the only successful favorites and the books had the best of it, the long shots being but little fancied. Results:

First race, selling, fifteen-sixteenths of a mile: David won, Van Brunt second, Domingo third. Time: 1:42¼.

Second race, selling, thirteen-sixteenths of a mile: Teeta May won, Little Music second, Sauterne third. Time: 1:27½.

Third race, selling, one mile and twenty yards: Sea Robber won, A B C second, Bridgeton third. Time: 1:51½.

Fourth race, handicap, six furlongs: Tabouret won, George B. Cox second, Pete Archer third. Time: 1:19.

Fifth race, six furlongs: Milt Boykin won, Gypceiver second, Belle of Fordham third. Time: 1:19½.

Sixth race, selling, fifteen-sixteenths of a mile: Lexington Pirate won, Carlotta C second, Full Hand third. Time: 1:42½.

SAN FRANCISCO, Jan. 14.—Weather clear; track fast at Oakland today. Results:

First race, selling, six furlongs: Brambella won, The Dipper second, Roulette Wheel third. Time: 1:17½.

Second race, selling, seven furlongs: Offeeta won, Jack Martin second, Walter J third. Time: 1:31½.

Third race, purse, 2-year-olds, three furlongs: Buena Ventura won, Clarendo second, Anchored third. Time: 0:37¾.

Fourth race, selling, one mile: Hazard won, Nonchalance second, Heritage third. Time: 1:45½.

Fifth race, selling, seven furlongs: Torsion won, Sly second, Major Cook third. Time: 1:30½.

Sixth race, selling, fifteen-sixteenths of a mile: Imperious won, Fred Gardner second, Morinel third. Time: 1:37.

Basket Ball at Lincoln.

The basket ball game between the team of the Young Men's Christian association of this city and the University of Nebraska will take place at Lincoln this evening, and the indications point toward an exciting game. The local team, accompanied by Physical Director Fred B. Barnes and about a score of Omaha boys to cheer the local team on to victory, will leave for Lincoln this afternoon at 1:55 o'clock, a special car being attached to the Rock Island's express for the party.

Captain Redfield of the Omaha team and his players are all in good trim for the game, and if they do not win the student players at Lincoln must needs put up a very stiff game of basket ball. The team will return to Omaha on Sunday morning. The return game will be played between the same teams in this city on Saturday evening, January 29.

Bicycles at a Fox Chase.

FARGO, N. D., Jan. 14.—There has been a novel coursing meet near Fargo. The dog fanciers who have greyhounds on exhibition at the kennel show took their dogs out five miles south of the city for a jack rabbit chase. No jack rabbits could be found, but the crowd was lucky enough to strike a fox and enjoyed a splendid chase. About 500 people had gone out from Fargo to see the sport. A number were on bicycles, enjoying the chase to the limit. It is probably the first fox hunting party that ever went to the chase on bicycles, and the matter is all the more notworthy when it is considered that it was in what is termed the Arctic North Dakota, but in the middle of January and without a particle of snow on the ground, bicycling being as good as in Florida.

Four Men Shoot Today.

There will be a lively four-handed live bird race at the Council Bluffs grounds this afternoon between Omaha and Council Bluffs teams. W. D. Hardin and A. Biersheim will represent the Iowa side and J. C. Smead and Samaha will defend the local claim to superiority. The race will be fifty birds per man for the price of the birds and a small stake.

There is a probability that the four-man match that is scheduled for Saturday will be postponed on account of the illness of one of the Crabill boys.

Omaha Men Win the Shoot.

The live bird match between J. C. Smead and Samaha of this city and J. A. Hardin and A. Biersheim of Council Bluffs yesterday afternoon proved to be one of the closest and most interesting contests of the season. The match was fifty birds per man, and it was anybody's game until the last string was shot out. The Omaha men succeeded in winning, but Smead Samaha killing forty-five and fortythree birds respectively, while the Iowa marksmen had to be content with fortyone apiece.

Purse for Kid McCoy.

BALTIMORE, Jan. 14.—Manager Hereford of the Eureka Athletic club has hung up a purse of $1,000 for a go between Kid McCoy and Charlie Goff, the middle-weight, the winner to take 60 per cent of the receipts. "Billy" Madden, Goff's manager, has accepted for Goff, and there is little doubt of McCoy's acceptance.

Start in on Third Match.

ADELAIDE, South Australia, Jan. 14.—The third test cricket match between the Australians and the visiting Englishmen began today. At the close of play the Australians had scored ten runs for two wickets.

Princeton-Pennsylvania Base Ball.

PHILADELPHIA, Jan. 14.—Overtures have been made by Princeton to the University of Pennsylvania to arrange a series of base ball games to be played in the spring, and the athletic association of the latter is considering the proposition. It is said that the arrangement will not be consummated unless Princeton makes a five-year agreement to meet Pennsylvania in all other branches of sport, including foot ball.

Pugs Fight to a Draw.

CINCINNATI, O., Jan. 14.—A special to the Commercial Tribune from Parkersburg, W. Va., says: At the Auditorium tonight there was a twenty-round battle between Jimmy Conley of Buffalo, N. Y., and Jack Bingham of Huntington for $250 a side and a percentage of the gate money. It was fast and furious. Referee Pat Gavin of Wheeling declared it a draw. James O'Leary of Cincinnati challenged the winner.

Gong Saves Fogarty.

CINCINNATI, O., Jan. 14.—A special to the Commercial Tribune from Chillicothe, O., says: A twenty-round contest took place here tonight between James Fogarty and George Haynes. Both were in good shape and honors were even until the seventh round, when Haynes had Fogarty almost out. The gong saved Fogarty again in the eighth, but he rallied afterwards and held out, making the fight a draw.

Donoghue Wins Skating Race.

PHILADELPHIA, Jan. 14.—The first of a series of three races at the West Park skating palace between two of the fastest skaters in the country, Joseph F. Donoghue of Newburg, N. Y., and William Letts of Newark, N. J., resulted tonight in Donoghue's favor. The distance was one mile and Donoghue covered it in 3 minutes 45 seconds.

MAKE A RAID ON BUCKET SHOPS.

Police Arrest Seventeen Operators for Violating the Law.

NEW YORK, Jan. 14.—Captain McCloskey and a squad of detectives today raided four alleged bucket shops in the Wall street section, and arrested seventeen prisoners. The raids were made on warrants issued by Magistrate Flammer. The firms raided were Ridley, Peiser & Co., 42 and 44 Broadway, where five prisoners were arrested; the Standard Stock company at 53 New street, where five persons were arrested; the Public Stock and Grain company at 51 New street, where four persons were arrested; and Hamilton & Co. at 53 New street, where three persons were arrested.

Great excitement prevailed in all the places when the detectives entered. The places had been watched for several weeks and the warrants had been procured when the police thought they had all the evidence necessary. The detectives marched their prisoners into the street, and a crowd followed them to the Center Street court, where the men were arraigned. They were charged with violating the law that prohibits the recording of bets and wagers. Charles Hoffman, Angel Emanuel and Paul and George Clayton, who were employed as blackboard clerks, were discharged. All the other prisoners were held in $1,000 bail each for examination on Friday next.

CHEER THE DECISION TO STRIKE.

Weavers Will Not Go to Work Until Alleged Wrongs Are Righted.

NEW BEDFORD, Mass., Jan. 14.—Adelphi rink was crowded tonight to the utmost capacity, fully 2,000 men and women attending the mass meeting of the union and non-union weavers of the city. The action of the union in voting to strike was indorsed by a hearty aye, and it was voted to stay out until the abuses claimed by the weavers are corrected.

The weavers demand first a restoration of wages; second, the abolition of the fining system; third, the adoption of a uniform price list in all of the mills of the city. It was the sentiment of all that the weavers would not go to work Monday even if the notices were taken down tomorrow.

The union and nonunion card and picker room operatives had a mass meeting tonight. The vote to resist the cut down was unanimous.

FRENCH CAUSE JAPAN ANXIETY.

Mikado Will Send a Fleet to Hai Nan Island.

LONDON, Jan. 14.—A special dispatch from Shanghai says it is reported there that the French demands as to Hai Nan have created uneasiness in Japan. Admiral Yang Yu has been ordered to assume personal command of the Wo-Sung forts. Yu-Kun Nish is establishing conscription in certain districts of Yangste Wu Hu and Tao Tai and has proclaimed all able-bodied men liable to service.

Lu Yang is reported to be raising a large force in Kwang Tung, while he is also entrusted with the command of the southern squadron. It is rumored that Japan will send a squadron south owing to the French threatening Hai Nan.

FORECAST FOR TODAY'S WEATHER.

Snow in Eastern Portion, with Northerly Winds.

WASHINGTON, Jan. 14.—Forecast for Saturday:

For Nebraska—Threatening weather, preceded by snow in eastern portions; northerly winds.

For Iowa—Snow or rain; east to northeast winds.

For South Dakota—Threatening weather; variable winds.

For Missouri—Rain or snow; probably clearing Saturday afternoon; northerly winds.