

THEY GOT A TRAIN.

Kelly's Command Seizes a Union Pacific Train

At Evanston, Wyoming, and is Now Speeding Eastward.

WAS MEANT FOR THEM.

The Train Provided by the Union Pacific.

With Intention That the Industrialists Should Have It.

OMAHA, April 12.—A special to the Bee from Evanston, Wyo., says: At midnight last night, General Kelly's army of the commonwealth which had encamped on the plains of Utah eight miles out of Ogden quickly broke camp and captured a Union Pacific freight train made up of box cars en route to the mines.

General Kelly at once assumed command of the train full of footsore and weary crusaders. The engineer and fireman obeyed orders as issued by the commandant as they had instructions to do from Superintendent Bancroft of the Mountain division. Should one of the trains on his division be captured by the industrial legion, the capture was totally unexpected, although Superintendent Bancroft had predicted that such a movement would very likely take place on the part of General Kelly and his henchmen.

The march from Ogden was full of incident and excitement to the hundreds of men who composed the army. There were plenty of stragglers, men weak from the want of food, men with rheumatism, pneumonia and the countless ills that follow in the wake of starvation and privation.

In Hold Bandit Style.

When Uintah was reached the army decided to go into camp for the night but pickets were put out and when a freight train came along it was held up in regular "bold bandit" style, the trainmen showing little disposition to question the right of the men to take charge of the train. The engine was at once broken and the men climbed on board the cars and several of the most trusted of Kelly's lieutenants took places in the cab of the engine, fearful of treachery on the part of the engineer and fireman.

The army remained at the depot here about twenty minutes while the engines were being changed and then proceeded eastward. They stopped a few miles east of town and prepared breakfast. The citizens of this place had baked extra quantities of bread intending to feed them here; but as they had one or two carloads of provisions with them, they would not wait to partake of the city's hospitality.

They Are Intelligent Men.

There are very many good looking, intelligent men among them, and they are all well behaved. They appear to be under excellent discipline. The American eagle floats from the open doors of many cars, and one of the banners bears the picture of a Chinaman with a pole and baskets slung on his shoulder and the words "Melican man must go."

As the train pulled out one lone musician among them played on the bugle, "Marching through Georgia." There has been no violence of any kind, and all is as orderly as a Sunday school picnic.

The army ought to reach Cheyenne tomorrow night, barring mishaps and the side-tracking of the train, which will undoubtedly be attempted on the part of the railroad company.

All to Be Vaccinated.

OMAHA, April 12.—The Omaha board of health today made arrangements to quarantine General Kelly's army outside the city and vaccinate every man. Several cases of smallpox have been brought to Omaha by tramps in the last few days.

May Go Through Topeka.

CHEYENNE, Wyo., April 12.—Gov. Osborne says no effort will be made by the state authorities of Wyoming to interfere with the industrial army while it does not violate any law. The train bearing the army will not stop within the limits of any town and provisions contributed will be sent to sidings between stations. It is undecided whether to send the army when leaving here east through Nebraska, or south through Colorado.

Gen. Storey a Cheyenne saloon keeper issued a general order today assuming command of the Wyoming division of the industrial army and calls for recruits.

FEARFUL WEATHER AT SEA.

The Storm Has Gone Exactly in the Direction of Steamship Routes.

NEW YORK, April 12.—The heavy northeast gale which has prevailed all along the coast for the past thirty six hours moderated somewhat this morning, although a fresh northeast breeze is still blowing and a heavy sea running outside.

Incoming steamers report terrible weather out side. The White Star liner Majestic and the Croft from Dundee report a fearful sea on. They were obliged to lay to outside the light ship all night, not daring to run up to the bar owing to the heavy sea and thick weather.

"The storm," said Weather Forecaster Dunn today has gone out to sea and is traveling directly west in the line of the ocean steamship routes.

One and two one tenths inches in the total fall of rain, sleet and snow here during the storm.

The Imperial Club Case.

The case of the city against Ferdinand Durien and Joseph Schutter, proprietors of the Imperial club, at 708 Kansas avenue, who were arrested on the 6th inst., was disposed of last evening. Schutter was discharged and Durien was given a fine of \$100 which he paid.

DON'T OBEY THE LAW.

State Mine Inspector Gallagher After the Coal Mining Companies.

State Mine Inspector Gallagher visited the office of the attorney-general today and held a consultation with reference to the Weekly Payment law enacted by the last legislature.

There is dissatisfaction among the weekly miners in the southeastern part of the state. This time the trouble is about payment of wages. The companies have paid their men monthly and the men are anxious to know whether the law of 1893 can be made effective.

The state mine inspector says that a demand would have been made before this, had not the men been afraid that they would lose their places if the enforcement of the law was demanded.

The men are under contract with the companies but the attorney-general says that such contracts cannot affect the weekly payment law as a section provides that all contracts conflicting with the law are void.

The law is very strict, but no criminal action can be taken. It provides for a penalty of 5 per cent per month on all wages unpaid after the Friday following the week upon which they are due. It also provides that the corporations must pay the cost of prosecuting the case.

The attorney-general has not given an opinion in the case but he will undoubtedly uphold the law. Mr. Gallagher left today to visit western mines.

LATE STATE HOUSE NEWS.

Doings at the State House This Afternoon, Told in Brief.

Hon. George M. Clark, of the attorney general's office, has gone to Wichita to attend the Masonic school of instruction. Mr. Clark is the Grand Master for them, and will attend the school today and tomorrow.

Noah Allen is a visitor at the board of railroad commissioners. He says the Gulf & Interstate railway now has three miles of road built, and forty men are at work constructing about a mile and a half a day.

The board of railroad commissioners did not go to Anthony to hear the application of citizens for the restoration of train service on the Missouri Pacific. The railroad, through its attorney, made an agreement in the afternoon to restore the passenger train before the 28th inst.

JOHN J. INGALLS SUED.

A Long Line of Sensational Litigation is Promised.

ATCHISON, Kans., April 12.—Suit was filed in the district court today against R. M. Manley, David Auld, John J. Ingalls and E. G. Armsby for the recovery of \$5,200, which invites a long line of sensational litigation.

The suit comes out of the failure of the Kansas Trust and Banking company a year ago, in which the grossest fraud has lately been discovered. Other suits of a similar nature will be filed at once. The allegations of the petitioners are highly sensational.

MINISTERS QUARREL.

The Oklahoma Presbytery Has a Big Row Headed by a Missionary.

GUTHRIE, Ok., April 12.—The session of the Oklahoma presbytery was disgraced today by the high handed action of a clique of new comers to the territory. At least that is what the old ministers and their followers say about it.

The "clique" is described as late seminarians and it is claimed that, headed by a syndical missionary, who was selected by fraud, they voted old ministers out of their pulpits and recommended personal friends and proteges not yet graduated from the seminaries in their places.

The church members are highly indignant and a split in the churches in the territory will doubtless take place.

BRECKINRIDGE WILL RUN.

Doesn't Seem to Think His Character Too Bad For a Congressman.

FRANKFORT, Ky., April 12.—A letter to a personal friend in this city was received from Col. Breckinridge yesterday. The colonel states positively that he will make the race for congress at all hazards.

The following extract from the letter will show the tenor of the epistle: "I see from statements going around the rural papers that in the event of adverse verdict I would withdraw from the race for congress. I am in this congressional race to the bitter end. I am not going to be on the defensive but am going to make an aggressive fight."

WOMEN TALK IT OVER.

The Pollard-Breckinridge Case Discussed by Pollard's Women's Club.

At the meeting of the Woman's Progressive club at 339 yesterday afternoon the Pollard-Breckinridge affair was discussed at some length. It was the general sentiment of most of those present that this was another proof that Equal Suffrage is the most important issue now before the women of this country.

They thought that if woman had the same opportunities as man to earn an honest living she would not be compelled to sacrifice herself as in the Pollard-Breckinridge affair.

STEPHENSON PARDONED.

He Became Insane in Prison and Will Be Released.

The governor today pardoned L. T. Stephenson of Independence.

Stephenson is one of the Kansas pioneers, and has been a prominent citizen of Montgomery county, having held various county offices.

He was convicted two years ago of stealing cattle and sentenced to two years and a half in the penitentiary, where he has been confined until a short time ago, when he became insane and was removed to the asylum in this city.

Robert Lincoln at Portland.

PORTLAND, Ore., April 12.—Gen. John M. Schofield, U. S. A., Robert Lincoln, Geo. M. Pullman and party, arrived here from San Francisco. The party drove about the city and left for Puget Sound. They will return here tonight and go east over the Union Pacific.

Mayor Harrison went to Kansas City last night on legal business.

WEARY WALKERS.

Coxey's Army in the Midst of Mountains Today.

They Passed a Hard Night Amid the Snow.

IT IS A LITTLE BAND

Numbering Now Scarcely More Than 225.

Thousands to Join It When It Nears Washington.

CHALK HILL, Pa., April 12.—The army of the commonwealth had not regained its accustomed sprightliness when the bugle was sounded in the old colonial stage house that brought the men slowly from their beds.

Although 9 o'clock was the hour set for the march to be resumed the men were slow to move, not being sufficiently in harmony with the movement to consider with cheerfulness the leaving of such warm and comfortable quarters for a plodding through the snow of a dozen miles.

The noon stop was at Somerfield and the camp tonight will be at Petersburg, probably in a commodious barn. If the men have to spend the night in the tent, there will be a revolt. Friday the army will cross the line into Maryland.

The marching army numbers about 225 men. With those who were mounted or riding in the wagons, this would bring the total strength of the command up to about two hundred and sixty. It is quite safe to say that Coxey does not want any larger force than this behind him in crossing the mountains. His scheme is to get over the range and somewhere in the vicinity of the capital, and then recruit a large force. He hopes to draw to his remarkable banners thousands of idle men from New York, Philadelphia, Baltimore and other large cities.

The Philadelphia Army.

CHRISTOPHER COLUMBUS JONES WAS TO HAVE

Had 1,500 Men to Lead Him.

PHILADELPHIA, April 12.—Promptly at the appointed time today Christopher Columbus Jones, division marshal of Coxey's commonwealth army, and three recruits, started on their march to join the main body of the commonwealth at Rockville, Md., a small town about fifteen miles from Washington. Marshal Jones came forth from his headquarters in 1312 Filbert street followed by about a dozen persons.

He paused on the pavement a few moments and then shouted: "March." The first person to make a move was a six footer, bearing a badly faded United States flag, and a man in a top hat. The cold drizzling rain had a dampening effect on their ardor and all but two decided to desert the army. These desertions had no apparent effect on Christopher Columbus Jones.

With a small tent wrapped in a shawl strip in one hand, Jones stepped on a point to be traversed in the other the marshal and his faithful secretary C. T. McKee, Wm. Phillips and the big dog bearer, followed by three or four hooting men and boys turned into Market street and were soon fairly on their dreary march.

The army will travel but five miles today. Their first stop will be Darby, a small town on the outskirts of this city. Marshal Jones has made great preparations for his army in Darby.

A large hall, the worshiping place of the "Heavenly recruits," had been engaged for Jones' prospective 1,500 followers, but the following indictment was sent to the hall: "The hall is not fit for the army. Captain Clarke who was posed as a dime museum freak, and a well known character about town deserted last night and aid de camp George Marshall did not start with the army, but Marshal Jones says he will join the ranks later in the day."

WILL GO THROUGH KANSAS

Galveston & Great Northern Has the Money for First Hundred Miles.

DENISON, Tex., April 12.—For the last few days Capt. Ward Roemer, president and chief engineer of the Galveston & Great Northern railway has been in the city conferring with the leading business men relative to locating the line of the proposed road through Denison and making this their headquarters.

A proposition was made this morning which he accepted. Captain Roemer was seen today by the Associated Press representative. He said: "The new road will run from Niobrara, Neb., south through the grain fields of Nebraska and Kansas, through Oklahoma and the coal fields of the Indian Territory to Denison; thence south to Galveston. Associated with me are P. J. Dougherty, New York; D. F. O'Rourke, Altoona, Pa., and Judge Clark of Sterling, Kan."

"The capital stock is \$18,000,000, and we have the money to build the first hundred miles of the road. We have obtained charters in Nebraska, Kansas and Oklahoma territory, and the road is surveyed to the Canadian river."

AFFECTS U. S. OFFICERS.

United States Marshals to Be Paid \$4,000 Salary Instead of \$2,000.

WASHINGTON, April 12.—Representative McRae of Arkansas, has introduced a bill in the house to regulate the compensation of marshals, attorneys and commissioners of the United States. It fixes the compensation of such officers at \$4,000 per annum, while the clerks of court are to be paid by fees as now.

United States marshals are to receive in addition the fees in civil cases brought before them. A great saving, it is said, will be accomplished by the bill.

The STATE JOURNAL'S Want and Miscellaneous columns reach each working day in the week more than twice as many Topeka people as can be reached through any other paper. This is a fact.

TO FINE THEM \$10.

Remarkable Attempt of the Democrats to Force Republicans to Participate.

WASHINGTON, April 12.—The Democratic managers in the house today decided to take heroic measures to force the Republicans to participate in the proceedings. The committee on rules consisting of Speaker Crisp, Messrs. Guthwaite and Catchings (Democrats) and Messrs. Reed and Burrows (Republicans) held a meeting just before the house convened and formulated a rule to crush filibustering making the penalty of failure to vote punishable by a fine of \$10.

The Republicans have cognizance of the rule by which their hands were to be tied before the meeting of the house. Messrs. Reed and Burrows determined to contest every such of the ground, and a fierce parliamentary fight was immediately precipitated.

Speaker Crisp, however, was in no humor for trifling, and with a strong hand he swept aside all preliminaries and forced the fight on the main issue.

As soon as the journal had been read he recognized Mr. Catchings, from the committee on rules, to present the report. Mr. Reed vainly attempted to interrupt the reading for appeals for recognition on a point of order, but the speaker with averted head refused to listen to him and Mr. Reed sat down.

The committee's report was then presented.

Reed on His Feet.

Mr. Reed was again on his feet when the reading was completed, but the speaker recognized Mr. Catchings to demand the previous question.

Then he turned to Mr. Reed, who said he desired to raise a point of order.

"Does the chair recognize me?" asked Mr. Reed.

"The chair will hear the gentleman," replied the speaker.

"I am to understand then, that the chair recognizes me to make a point of order?"

"The chair has recognized the gentleman from Mississippi to demand the previous question and pending that he will hear the gentleman," retorted the speaker.

This did not suit Mr. Reed's purpose, however. He wanted a definite assertion from the speaker that he was recognized in his own right.

While indulging in this delicate fencing with the speaker on this point, the speaker seemingly lost patience, and with a bang of the gavel stated the question to be on the demand for the previous question.

Mr. Reed was left standing in the aisle while the speaker took the rising vote.

Republicans Won't Vote.

The Republicans declined to vote and when the speaker announced the result—99-9, Mr. Burrows made the point of no quorum.

The yeas and nays were demanded. The Republicans were determined to force the Democrats to produce a quorum at every stage of the parliamentary looking to the adoption of the rule and when the roll was called declined to vote. Eleven of the Democrats refused to give the proposed rule their approval and voted against the demand for the previous question. These eleven were as follows: Causey, Delaware; Coombs, Connecticut; New York; Geary, California; Geisenhainer, New Jersey; Kilgore, Texas; Maguire, California; McAleer, Pennsylvania; Payne, Kentucky; Ryan, New York; Warner, New York.

The Populists voted with the Democrats in looking to the demand for the rule and the announcement of the vote 141-11 showed that the Democrats were 37 short of a quorum.

On motion of Mr. Catchings a call of the house was ordered.

INDICTMENTS MADE

By the Federal Grand Jury This Afternoon.

The federal grand jury this afternoon made its first return to the court, submitting the following indictments:

Michael Sullivan, larceny on Ft. Leavenworth military reservation; Theodore Cohen, same; Michael Cohen, same; Harry Harkins, assault at the Soldiers' home; Thomas Bogeman, same; Thomas Wood, counterfeiting; Grant Shurtliff, same; George M. Haines, forging money order; L. D. Bennett, using the mails to defraud.

Bennett and Sullivan went before Judge Riner and offered a plea of guilty, but have not been sentenced yet.

MUST COME TO IT.

Banker Lidderdale of England Consents to Attend a Silver Conference.

LONDON, April 12.—Mr. Balfour, Mr. Lidderdale, formerly governor of the Bank of England, Sir David Miller Barbour and a number of others of equal prominence have promised to attend an international bi-metallic conference that is to be held on May 2nd at the Mansion house, the official residence of the lord mayor of London.

FRANK DANIELS DEFEATED

Breckinridgery Doesn't Prevent a Man From Getting His Salary.

DENVER, April 12.—Frank Daniels of Little Puck fame has been defeated in a suit brought for damages by Comedian Harry Corson. Clarke and \$100 was awarded plaintiff.

While the troupe was in Colorado, Daniels found it impossible to sleep on the cars and while walking about claims to have discovered Clarke in a berth belonging to one of the female members of the troupe and immediately discharged both Clarke and the woman. Clarke sued to recover two weeks' salary.

THE DEATH RECORD.

Mrs. M. V. Hayward, aged 52 years, died of consumption at the home of her son-in-law, Mr. F. C. Wilkins, 513 East Second street, last evening. The funeral will occur tomorrow afternoon at 2 o'clock from the late residence.

A. J. Martin, aged 63, died of pneumonia last evening at 1335 North Harrison street. He is an old resident of Silver Lake. His wife died of pneumonia on April 4, and it is supposed that the shock hastened his death. The funeral will occur tomorrow morning from the Prairie Home church, the interment being in the cemetery at that place.

A LIVELY STORY

To the Effect That Judge Johnson

Of the Circuit Court Is to Resign at Once.

JUDGE W. P. DOUTHITT

In That Event Agreed On as Successor.

But Judge Johnson Says He is Not to Resign.

Captain J. B. Johnson, judge of the Shawnee county circuit court and auditor for the receivers of the Santa Fe, is soon to resign his position as judge, according to a story made public today.

Not only, as the story goes, is Judge Johnson to retire from the bench of the circuit court, but it is understood that Governor Lewelling has agreed to appoint Judge W. P. Douthitt to fill the vacancy.

When this court was created Judge Johnson was appointed its presiding officer by Governor Humphrey, and two years ago he was re-elected to that position by a handsome majority.

When Judge Johnson was appointed to his present position as master in chancery in connection with the Santa Fe receivership by Judge Henry Caldwell, of the United States court, there was a rumor in circulation that it would be necessary for him to retire from the bench of the circuit court, but he has thus far been able to attend to duties of both positions as the two positions do not conflict in any way.

It is understood that Judge Johnson's business connection with the Santa Fe receivership is growing to such proportions however that he is beginning to feel hampered and rather than be overburdened with responsibility may retire from the bench of the circuit court.

Judge W. P. Douthitt, who is spoken of as Judge Johnson's successor, is a well known member of the Topeka bar and one of the large property owners of Shawnee county. Two years ago he was nominated for the office of judge of this court on the Populist ticket and although he was not elected, he ran ahead of the ticket upon which his name appeared before the people.

It is understood that Governor Lewelling, who has been advised about this matter has agreed to appoint Judge Douthitt in event of Judge Johnson's resignation.

When seen by a STATE JOURNAL reporter today Judge Johnson denied that he is to resign, but admitted that he had at one time considered retiring from the bench but that the protest of the members of the bar had been such that he did not feel at liberty to resign.

WON'T MARRY GOULD.

The Engagement Between Him and Odette Tyler Broken Off.

NEW YORK, April 12.—The engagement between Miss Odette Tyler, the actress, and Howard Gould, the son of the famous financier, is reported to be broken off. It is said that she will leave this country for Europe next Wednesday on the steamer New York.

Her friends say that the probable occasion for Miss Tyler breaking the engagement was that some person in Savannah had been recently inquiring into the history of Miss Tyler's antecedents.

Howard Gould was seen at the Waldorf hotel and first refused to speak on the subject, until assured that it was common property.

"Then," he said, "I might as well own up. It is true that the engagement between myself and Miss Tyler has been broken."

"For what reason?"

"Is Miss Tyler in town?"

"I think not. She has been suffering from nervousness recently, and I believe that she is in New Jersey with friends."

By a peculiar provision in Jay Gould's will all of the children are prohibited from marrying without the consent of the family under pain of losing their legacies. Howard Gould received \$10,000,000 from his father.

OPPOSED ANY CHANGE.

They Want it to Remain in Topeka.

Just before the adjournment of the Topeka Presbytery a matter of lively interest came up late yesterday afternoon in connection with the discovery that certain parties were making an effort to abolish the Topeka headquarters of the Presbyterian Board of Publications, and remove the agency to St. Louis. A strong resolution was passed showing that the Presbytery was satisfied with the headquarters here and strenuously objected to any change.

TRY TO SAVE MCKANE.

His Counsel Think They Find Another Legal Loophole.

NEW YORK, April 12.—For the second time within a few weeks Judge Lacombe in the United States circuit court denied a motion for a writ of habeas corpus in behalf of John Y. McKane.

McKane's counsel held it unlawful for any state to detain in prison a person convicted of a felony short of a capital offense, whose case has been appealed to a higher court. The case will be taken to the United States supreme court.

Postmaster at Kansas City.

WASHINGTON, April 12.—Among the nominations sent to the senate today by the president, is Homer Reed postmaster at Kansas City, Mo.

Bonacum Trial Collapses.

OMAHA, April 12.—The Bonacum trial collapsed by refusal of the archbishop to hear evidence. An appeal was taken to St. Louis.

C. H. Osburn was appointed postmaster at Ft. Scott today.

LOTS OF TOPEKA SPORTS

Come Before Judge Hazen Who Acts as a Sort of Referee.

Judge Hazen and the district jury are today acting as the final referees in a cock fight, which occurred at Henry Lodge's livery barn in North Topeka on the night before last Thanksgiving.

Lawyers S. B. Isenhardt and J. G. Waters represent the two sides of the case before the court, and are the legal backers of William Karr, who claims Vincent Kaczynski as stake holder should have turned the money on the principal fight of the evening over to him instead of to Ed Hossfeld.

Karr had bet Hossfeld \$25 and the money was placed in the hands of Vincent Kaczynski.

When on the witness stand Karr said: "We put up our money and I expected to win the fight and told all the fellows that they couldn't do me any worse than divide the money. The referee decided the fight against me, and according to the rules and the law, I should have won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money over to me, saying that it was his decision was unsatisfactory to the crowd and most everybody who had been betting on that fight declared their bets off. I said I had won the fight, but they said they would stand by the decision of the referee. Kaczynski refused to turn the money