THE EVENING PAPER IS THE PAPER OF TODAY. THE MORNING PAPER IS THE PAPER OF YESTERDAY.

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SWEARING ALLEGIANCE.

Members of the Porto Rican Cabinet Take the Oath.

GENERAL ORTEGO EMBARKS FOR HOME.

Before Leaving He Says in a Speech that He Never Would Have Surrendered Without Orders.

SAN JUAN, PORTO RICO, Oct. 24.—The members of the insular cabinet took the oath of allegiance to the United States yesterday with befitting solemnity. They will leave a manifesto announcing their resolution to avoid partisan politics, and call party strife.

Aloof issues thousand dollars have been spent on extensive fortifications in the city of San Juan, which the United States forces in the city of Ponce, which is the second port in importance in the island, have received orders to make a special reporting that the city is now surrendered by order signed by General Brooke, adding that he would have arrive on or about Thursday.

The general sailed today and was escorted by the United States cruiser Newark.

Rear Admiral Schley and his staff are on board the Newark, awaiting the arrival of Commodore Watson, who is expected at San Juan today. The United States naval station at San Juan before departing on the Newark, secretary of the Porto Rico Commission, who is to remain behind to complete his work, gave Ponce Oct. 22 to bear the delegates.

The cabinet work of the United States commission has won popularity with the people of Porto Rico. The people have met and there have been a number of graceful farewells exchanged.

A commission has sailed for Paris, and a Porto Rican commission to Washington in order to represent to the authorities there the needs of the people of the island.

CRIPPLED CRUISER.

Both Turrets Is Crushing. Will Start for the Capital Marine Thursday.

NEW YORK, Oct. 24.—A dispatch to the Herald from Guantanamo, Cuba, says:

The battleship Indiana, Captain Evans, is resting. The contract worked in over the pitcher, will be hardened by Tuesday, and she will be water tight.

In spite of the wrecked deck beam, heavy chain, cables carried round both turrets and bows and stern, she will be expected to take up her bed and all stress, and in heavy weather she will be able to keep her bow out from the malignant head to the sea.

All the carpenter work is done, and all other temporary repairs are so nearly complete that a hundred thousand dollars will be saved by her speedy departure.

The engineer are in a satisfactory condition. It is now confidently expected that the Maria Teresa will start for the United States on Thursday.

Death in Needs.

Washington, Oct. 24.—The following dispatch has been received at the war department:

HAVANA, Oct. 21.—To Adjutant General, Washington:—Following deaths have been report:

Corporal H. Quartermaster Sergeant Wm. B. Gibson, First Infantry, pneumonia, Sergeant Wm. Hoffman, Company Hospital Corps, Twenty-third Infantry, typhoid; Private James H. Adams, Company H, Twenty-fourth Infantry, typhoid; Private Frank Bell, Company F, Twenty-fourth Infantry, typhoid; Private George F. Harsch, Troop Regular, typhoid fever, Oct. 20, Private Thomas Ryan, Troop M, Second Cavalry, typhoid fever; Charles H. Hale, Troop Regular, typhoid, Oct. 21, Corporal Gregory, Monroe Thomas F. Flaherty, Troop Regular, diarrhoea; Private Thomas Ryan, Troop M, Second Cavalry, pneumonia, Oct. 22nd, Private Daniel Hallinan, First Nebraska, pneumonia; Private Henry M. Shaw, First Nebraska, typhoid; Private Wm. Ryan, Troop M, Second Cavalry, typhoid; Private Henry M. Shaw, First Nebraska, typhoid; Private Wm. Ryan, Troop M, Second Cavalry, typhoid fever, Oct. 23, Private Edward F. Fiske, hospital corps, Twenty-fourth Infantry, typhoid; Private Wm. Ryan, Troop M, Second Cavalry, typhoid fever, Oct. 24, Private Wm. Ryan, Troop M, Second Cavalry, typhoid fever; Charles H. Hale, Troop Regular, typhoid, Oct. 21, Corporal Gregory, Monroe Thomas F. Flaherty, Troop Regular, diarrhoea; Private Thomas Ryan, Troop M, Second Cavalry, pneumonia, Oct. 22nd, Private Daniel Hallinan, First Nebraska, pneumonia; Private Henry M. Shaw, First Nebraska, typhoid; Private Wm. Ryan, Troop M, Second Cavalry, typhoid; Private Henry M. Shaw, First Nebraska, typhoid; Private Wm. Ryan, Troop M, Second Cavalry, typhoid fever, Oct. 23, Private Edward F. Fiske, hospital corps, Twenty-fourth Infantry, typhoid; Private Wm. Ryan, Troop M, Second Cavalry, typhoid fever, Oct. 24, Private Wm. Ryan, Troop M, Second Cavalry, typhoid fever.

OTIS.

The Cruiser Came Too Late.

Washington, Oct. 24.—News is received in Washington of the launching at Elbeck of the cruiser Rio de la Plata, which is to be presented to the United States by the Spanish residents in the Argentine Republic. There are many wealthy Spaniards resident in the Argentine Republic and at the outbreak of the war they raised a fund with which the cruiser was built, in the process of construction was purchased.

Cable to Sandwich Isles.

Washington, Oct. 24.—Of the several measures affecting the relations of the United States beyond its newly acquired territory, the cable to Hawaii is the first only with a bill for the construction of the cable in Congress. The cable will make provisions for the government of the islands, but aside from the cable there will be another of the same importance. It will provide for the construction of a cable between the Pacific coast and the Philippines. Being in the growing trade with the new territory and the necessity for a cable to Hawaii having been the cause of communication with its offspring, Congress will probably subsidize a cable.

Our New Naval Station.

Washington, D. C., Oct. 24.—Secretary Long has taken the initiative steps to take San Juan in Porto Rico, the Philippines and Pago Pago in the United Samoan in the South Indian waters. Congress will be asked to appropriate money enough to make a beginning at the United Spanish naval stations the United States, Speaking of this, Secretary Long said:

"A station at San Juan will be of the greatest importance to the government and to the people. San Juan is the most secure for a good many of our ships in the winter time. It is an invaluable possession from every point of view."

Naval official said "Congress will be asked to appropriate a large sum of money for the improvement of Guantanamo harbor and the coast defenses, it is probable that the Manila forts will be cleaned as far as possible. It is not improbable that a navy yard will be established."

UTILESS INACTIVITY.

Spain Does Not Propose to Build Any More Ships for Cuba Sale's Navy.

NEW YORK, Oct. 24.—A dispatch to the Herald from Madrid says:

Responsible ministers by the World correspondent have allotted irrefutable proofs that the Spanish dock yards are absolutely no signs of renewed activity and the slightest symptom indicates the remote idea of replacing the ships with the United States.

The vessels composing Admiral Cervera's fleet are now dispersed to various ports, chiefly Cadiz, Cartagena, and Ferrol, with their crews reduced to a peace footing, the majority of the officers of leave of absence and the marines ashore.

Work on all coast defense works and fortifications for defense, the arsenals and the dock yards, stopped at the suspension of hostilities.

The officers and men of Admiral Cervera's fleet obtained unlimited leave on surrender.

At Ferrol, and Cadiz especially things are as quiet as before the war. Besides minority and secondary trials on account of the war vessels, including the Carlos V, and the Pelayo, remained inhabitable.

From conversations with ministers and leading politicians, the World correspondent has ascertained that the action of breaking off negotiations over the Cuban debt is definitely or absolutely decisive. Spaniards and socialist. Even as to the Philippines, in which vastly greater interests exist, it is taken for granted here that Spain must, in the long run yield whatever the United States insists upon.

Transports Expected.

PARIS, Oct. 24.—The municipal authorities of Pontevedra notified today that there will be no center of an permanent naval and military preparations. The mayor has received a telegram from the minister of marine, stating that provision for the Spanish prisoners of the battleships of Santiago, Cuba, must be made at Pontevedra, and that transports will arrive on or about the 27th. The municipal council has decided to close schools, hospitals and all big buildings. The municipal authorities have been ordered to expedite the preparations for the outfitting of the new squadron.

DID NOT ATTEND AT CHURCH.

Admiral Sampson Would Not Indorse Anti-Catholic Attacks.

Havana Day by Day—Disinfecting Plants to be Installed—Lepers to be Rounded Up.

NEW YORK, Oct. 24.—A dispatch to the Herald from Havana says:

Rear Admiral and Mrs. Sampson started to attend church this afternoon, but on the way were joined by several American friends, and for some reason the party turned back when almost at the church door. Sampson did not deliver the addresses which had been advertised.

A large crowd gathered at the Old Jesus Church, now known as the Old Cathedral, which is a great majority of those present being there merely to hear Admiral Sampson. The services were prolonged another two hours, but the expected address was finally dismissed when the Rev. Mr. Pulton decided it was no longer of the admiral appearing.

In explanation, Mr. Pulton said Admiral Sampson had not only promised to attend but had promised to go on. A majority of the Americans here believe that Admiral Sampson learned at the last moment that an address had been made to secure his apparent endorsement of the attack upon Catholicism by some of his presence at the meeting. The services are supposed to be non-sectarian, but were conducted by Mr. Pulton who made attacks upon Catholicism have made him notorious, assisted by Rev. Mr. Ivan, once a Catholic priest, now a Methodist exponent, and the Rev. Mr. Loyle of Boston, who announced that he was educated for the priesthood. The attacks on Rome were said, not a circular written by Mr. Pulton, making a fiery attack upon the church in Cuba, was distributed.

The American commission is still awaiting a reply from Washington in connection with the Chinese Argentines are already being made for the establishment of a new system of marine inspection in Cuban ports. Work on the disinfecting plant will be established in Havana early next spring. Lepers, who have been established at Panlina and San Juan, The plan is to have all cases thoroughly disinfected at the port of the sailing vessel of the port of destination. By this means many lives may be saved by preventing the spread of contagious diseases and epidemics will be shut out of the United States.

The quarantine regulations of this place upon southern ports will be great, and northern ports will suffer somewhat. A ship now leaving Havana for Mobile, for instance, must be disinfected and quarantined there. In the future, leaving both ships and before sailing, the time consumed during the voyage will count as quarantine. That means that Cuban ships will be from three to five days longer at ports south of Norfolk than at present.

It is understood that President contemplates the appointment of a sanitary commission for Cuba, composed of five members—two physicians, a sanitary engineer, a lawyer, and an accountant. This commission will not only have general supervision of the sanitary affairs of the island, but will attempt to stamp out yellow fever, smallpox, bubonic plague, and other diseases now in epidemic. The commission will also colonize the lepers, of which there are now about 100 in the island. It is reported that Spain has provided $2,000,000 to pay the expenses of the war, and $500,000 more will be furnished in a few days.

A small band of insurgents near Cienfuegos, who left camp on Thursday, are reported to be committing depredations. So far they have killed no one, and an effort will be made to persuade them to give up their arms and return home.

Apple Crop Short.

Chicago, Oct. 24.—The Orange Judd Farmer tomorrow will say:

The apple crop of the United States is smaller than it has been since reliable statistics have been collected. The total supply from the 1895 crop of 196 million bushels, to 17,000,000 barrels compared with something over 40,000,000 barrels in the year 1896, and 27,000,000 barrels last year and 17,000,000 barrels in the year 1897, is one of the most heartbreaking crop of 1898. The failure is widespread, reaching from the Pacific coast to Maine and Florida. In Maine it does the output of fruit approach an average. In the great apple states the crop is very short. San Juan is the exception, though the situation in Michigan is better than elsewhere, having about twelve bushels of apples. New York has only one-fifth of a full crop. The failure is attributed to the fact that during the blossoming period there was excessive rainfall which washed out the pollen and prevented proper fertilization. In Michigan, while a heavy wave added to the injury and subsequent moist humid weather was favorable to the development of fungus diseases.

The Canada crop is decidedly short. The crop of Europe is reported below the normal.

Strike Ended.

POMEROY, O., Oct. 24.—The silvery strike, which has existed since March, is broken and the miners' organization is disrupted. The Pacific mine started up today, and the men are scambling to get in at related wages.

The operators are firmer and the refusal of the company's stores to longer give credit broke the strike.

ANTI-TRUST VERDICT.

United States Supreme Court Today Decides an Important Case.

RAILROAD RATE COMBINE IS ILLEGAL.

The Case Has Been Stubbornly Contested in Various Courts in Support of Its Enforcement.

Washington, Oct. 24.—The United States supreme court today decided the joint traffic association railroad case in favor of the United States and against the railroads.

The case was considered one of the most important that has ever come from the supreme court, not only to the railroads, but to the general public, and because of the vast railroad properties represented by the traffic association. The association was formed on April 16, 1887, by 31 railways, representing the great trunk lines and their ramifications. The purpose of the association was to stop the cutting of rates. It represented, was "to establish and maintain reasonable and just rates, rules and regulations on water and interstate traffic."

A similar association on a smaller scale was formed among southwestern roads known as the Transcontinental Association.

These associations were soon attacked in the courts on the ground that they were in violation on the Sherman anti-trust law and also of the interstate commerce. The Transcontinent met resulted the United States supreme court, where in a celebrated case the court held that the association was illegal, being a combination in restraint of trade and commerce, and therefore violative of the anti-trust law. The opinion was by a divided bench, the division being very close, six to three.

Chief Justice Fuller and Justice Harlan, Brewer, Brown and Peckham holding that the traffic association was not illegal, while Justices Field, Gray, Shiras and White filed a dissenting opinion, upholding the association. Since that decision Justice Field gave place to Justice Brown. Although the Minnesota case was decided in 1897 it was not the joint traffic association prepared to make a stubborn contest in support of its existence.

The case against it was begun on January 7, 1897, in the United States circuit court for the southern district of New York, the United States being complainant and the Trans-Missouri proceeding its course. The case went against the government in the lower court, the circuit court dismissing the bill, and the court of appeals affirming the dismissal. The government appealed to the United States supreme court. An extraordinarily brilliant array of counsel appeared for the association and several railroads, including ex-Senator Edmunds, Joseph C. Carter and E. J. Phelps.

Solicitor General Richards filed the brief for the government. The main contention of the government was that the traffic association was formed to prevent competition, thus instituting a contract in restraint of trade or commerce. The answer of the association maintained the legality of the agreement on the ground that the vast mass of commerce involved made it impossible and such action insures uniform and just rates and prevents secret and undue discrimination.

Justice Peckham announced the decision.

He said that the court could distinguish no difference between the case of the Trans-Missouri case decided a year ago, against the association, and the only new point involved was to the constitutionality of the act. The court had held that contracts between railroad corporations performed duties of a nonpublic character it was within the constitutional power of Congress to regulate them as provided by the anti-trust act. The only question was as to the policy of Congress in attempting such a measure. As to the wisdom of such a law he said it had nothing to do. The opinion which was very brief, was concurred in by Chief Justice Fuller and Justices Harlan, Brewer, Brown and Peckham. Justices Gray, Shiras and White dissented. Justice McKenna took no part in the case, as the prosecution of the joint traffic association was begun while he was attorney general.

After Justice Peckham had announced the opinion Justice Harlan verbally expressed with the same evidence of satisfaction his concurrence in the same line as set forth in the Trans-Missouri case.

Under the decision into the dissents of the United States circuit court for the southern district of New York and of the United States court of appeals both of which were favorable to the joint traffic association are reversed.

Justice Peckham announced the court's opinion in cases against the Kansas City Live Stock Exchange operating at Kansas City and another Missouri. The government prosecuted under the anti-trust law, the Supreme court holds that the association does not come under the anti-trust law. Justice Brown dissented.

The court also reversed a lower court decision in the case of the Chicago Board of Trade against the United States. The opinion declared that such combinations were rings or conspiracies, which if extended to other boards of trade and other staples would place the commerce of the country in control of a few people and speculators.

STRIKE ON COLORADO MIDLAND.

No Freight Trains Running on East Division—Passenger Business not Affected.

COLORADO SPRINGS, Colo., Oct. 24.—No freight trains are running on the eastern division of the Colorado Midland resulted in consequence of a strike. The trouble originated with the switchmen, who asked cause to take out a three engine crew and the men claimed that the company made an agreement with them not to run three engine trains and the men refused to respond to the call. It is believed the railroad officials claim that trouble will be quickly adjusted. It was a general strike of the freight crews may be declared.

The strike now involves about fifty men. The passenger business is not affected.

Mine and Coaire.

Washington, Oct. 24.—The miners and deputies gave most of their time today to consolidation of differences between them and the several operators in anticipation of final adjustment, tomorrow. It discussed much time today in the effort to reach agreement on the wages of their men in Illinois without the control of the miners. The question came up on a conference report on article 1, which recommended that the views of the disposal, on the matter be discussing summer of the form of deputies, and allowing miners any deputies the right to vote, to accept the report, which was finally agreed to.

Mr. Francis Lewis, miners of New York argued that there was a prejudice to surrender to the Illinois the constitutional direction of the house of deputies. The Rev. Dr. McNeir of Washington, also argued that the deputies should control the organization of their own house.

Prospective Socialist Party.

DALLAS, TEXAS, Oct. 24.—The express shot and killed James Hale, a supposed white boy, tonight on South Ervay street. Witnesses inside the murder was suppressed. A man chased the express to a house in the eastern portion of the city and killed it. A yielding may result before morning.

Helena Arrives.

BOSTON, Oct. 24.—The Boston Post tomorrow's morning Beverly arrived at the dock here at 7 o'clock this morning. The Helena is expected to have on board ex-Secretary Richmond P. Hobson, who is enroute to Philadelphia to participate in the proposed peace jubilee.

Alleged Crooked Work.

PITTSBURG, PA., Oct. 24.—The Central National Bank of Philadelphia and a Pittsburg firm of stockbrokers have had a dispute over a transaction in which the banking firm of this city which figures in the transaction. The firm of stockbrokers in question, the Harris Bank claiming that the bank discounted for them a number of notes representing the exchange of assets and liabilities which it now believes to be false and fraudulent. The bank claim that it was deceived with the intent to defraud, and defrauded the creditors. Counsel for the bank, in a letter to the firm in question, protested that the bank had no jurisdiction. A hearing was set for next Thursday.

MILLION DOLLARS PER DIEM.

Uncle Sam's Little Expense Bill During the Late War.

These Figures Sink Into Insignificance when Brought Into Comparison with Those of Civil War.

CHICAGO, Oct. 23.—A special to the Tribune from Washington says:

Uncle Sam's expenses for the month war sink into insignificance when compared with the expenses of the month between the states. Thus far, the war with Spain has cost $101,233,161, or a fraction over $1,000,000 per day since the beginning of hostilities, April 6th, against the enormous sum of $2,000,000 during the Civil war, an average of $1,000,166 per day.

The largest amount paid out in a single day during the war with Spain was $4,110,000, July 24th, or nearly enough to construct and equip a first-class battleship. The next highest days were September 16th, when $3,750,000 was spent, and July 19th with a total of $3,710,000, but the daily expense frequently run above the $2,000,000 mark. The largest for the month for the present fiscal year was $13,115,000, and for the month of March, the first fiscal year of 1897 were only $12,511,712 and for this month the average of $1,000,000 per day was maintained.

In April the expense for the army and navy were considerably above normal, when they reached nearly $10,000,000. May showed a perceptible increase, when $10,000,000 was spent, and June was a further increase, the passing over the twenty million, and July showed the highest expenditure of $41,000,000, of which $31,000,000 was for a month, only $10,000,000 being such but September reached nearly $13,000,000 and October was the first month of the expenses were about $10,000,000, or nearly $400,000 per day. The total disbursements for the government for the four months of the present fiscal year, which included the army, navy, pensions, payments and interest, on the public debt was $122,000,000. The total expenditures for the month of May, June, July and August were $101,233,161, showing a month of decreased expenditure.

The $50,000,000 spent on the operations of the war with Spain, and during the war of the Rebellion outside the period of the first three months of 1861 when active preparations were being made, and the last nine months of 1865, when the expenses of the government were extremely heavy.

Drummer Shot Dead.

HOUSTON, TEX., Oct. 23.—M. Pertain, a drummer of Galveston, was shot and instantly killed by George Ho Moss. Parlain is alleged to have attempted a grab for the pocket of Mr. Moss, and she had her husband at once on her return home. Mr. Ho Moss then ordered the man from the house and he went. He walked up to him, asked his name and on receiving an answer, blew his top of his head with a shotgun.

SHOTTS—FOOBLES.

Cuban Cigarmakers Go Up a Strong Case Against Schlitz of Tobacco Duty.

NEW YORK, Oct. 24.—A dispatch to the World from Washington says:

A petitioning process confronts President McKinley when he returns to Washington in the shape of a petition from the Cuban during its military occupation. The cigarmakers have been the victims of the manufacturers of tobacco in many of the large cities have asked about protection against the Schlitz of tobacco in competition and asked the abolition of all duty. They say they have been in the habit of being charged a dollar in the war in Cuba and that the only way to immediately rebuild the trade is to exempt the tobacco from duty. The petition also asserts in giving every indorsement for the growing and shipping to the United States of tobacco.

On the other hand, the Cuban planters are hopeful that no such action is taken, as they claim that the tobacco industry is now in a prosperous condition and practically all the tobacco industry is now. They