PENERAL MILES IS LENIENT.

Ke Gives the Hostiles Time to Regain Their Confidence.

THEY ARE AFRAID OF PUNISHMENT

A Plan to Enlist the Indians to Take the Place of Soldiers, Who Will Guarantee Protection to Those Now Out.

PINE RINGE, S. D. (via Rushville, Neb.) Jan. 13,- Special Telegram to THE BRE. 1-Contrary to expectations, there was no conference between the chiefs of the hostiles and General Miles. The latter states that the Indians are still timld and apprehensive of punishment and proposes to allow a couple of days to clapse before attempting to bring the negotiations to a close. Thus far the disposition he has shown to treat the Indians kindly, has made for him many warm friends among them. This fact, coupled with the pains which Captain Pierce, the new agent, is taking to show the Indians that every thing they are entitled to under the treaty will be issued to them, will undoubtealy have a beneficial effect. Yet, as already published in these dispatches, an act for which neither of these gentiemen may be responsible may undo all that has already been done to bring the war to a close.

A member of G troop, Second infantry who came in today with the detachment of the Seventeenth infantry under Major Egbert, reports that 600 Indians broke away last night from the hostile camp and had been followed by Colonel Sanford and Colonel Henry. At headquarters no report was received regarding the matter.

Colonel Corbin says the raport was occasloned by the fact that the command mentioned had left in the direction of Wounded Knee on a scout.

There is now under discussion the advisility of enlisting scouts for service in the servation. The agency is now guarded by a force of ninety-nine indian policemen, sixty of whom were enlisted for two mouths at the time trouble broke out. To the thirty-nine regular policemen an offer has been made, giving them the option of entering the scout-Ing service or remaining in the police force.
In the former their pay will be \$13 per month
with an allowance of 30 cents per day for
their horses. This amounts to about \$25 per
month. This party of scouts will be distinct from the scouts now under command of Lieutenant Taylor of the Ninth cavalry, and who have enlisted since the opening of this cam-

Mr. Taylor will endeavor to take his com-mand with him to Fort Robinson at the close of the difficulty and endeavor to render them a beau ideal troop of what has been termed Irregular cavalry.

I' was thought the Indian police would op-the plan of transfer to the scouting it occurs the term of enlistment in the fier service is only six months. They eared that at the end of the first enlistment they would be discharged from the service, Bud thus left without an occupation. Having been assured that they would be given per-manent employment, they bave, to a man, de-cided to become scouts.

Big Foot's wife, one of the women injured on Wounded Knee, died last night in the bestile camp.

hostile camp. CRed Eagle, the son of American Horse, vis-CRed Eagle, the son of American Horse, vis-ited the hostile camp this afternoon and on his return this evening said the Bruies wanted to stay at the agency and wanted to keep their guns. Red Eagle thinks it would be very unadvisable for General Miles to say anything at all about disarming

now. The old men are all right and want to avoid a fight, but the young ones have bad hearts and the fact that they are su by troops and cannon does not cut any figure with them.

THE INDIANS SURRENDER.

So General Miles Telegraphs to the Commander of the Militia. RUSHVILLE, Neb., Jan. 13. - Special Telegram to THE BEE. |-General Miles this ofternoon wired General Colby from the agency that the hostiles were all in and surrendered, and that it was now safe to re-Move the forces under the latter's command. A telegram to the same effect was also re-

ceived from Colonel Cody at the agency. To the former General Colby replied as follows: "Relying on information received from you that the hostile Indians have surrendered and that the lives and property of the citizens of Nebraska are perfectly secure and that there is no further danger from an outbreak, I have ordered the removal of the entire military force under my command, now stationed at various points adjacent to the Indian reservation. Four companies will be moved tonight and the remaining force by the regular trains tomorrow. Please advise me if anything occurs to make it desirable to delay the removal of the force under my

command, or any part thereof." Shortly after the above dispatch had left headquarters the general received a telegram from Vifquain to the effect that he should hold his command as now stationed until satisfled that the lives and property of the citizens are perfectly secure.

General Colby informs me that unless he receives advices from General Miles contrary to that already mentioned, part of the forces under his command will move tonight and the remainder tomorrow. Accordingly orders have been ismed for companies to move tonight as follows: Company D of the Second regiment, to proceed from their station here to Fairbury, via Crawford over the B. & M. railway; company K of the Second, from Gordon to Schuyler, via the Freemont, Elkhorn & Missouri Valley railway: company G of the Second from Hot Springs to Long Pine over the same route; company B of the First regiment from station here to Crawford, thence to York via B. & M., thence to Sutton via Kansas City & Omaha railway; company D of the First from the station at Crawford to Lincoln, via the B. & M.; company 1 of the First from Chadron to Crawford, thence to Lincoln and thence to Bennest, via the B. & M.

Those sick in the hospital are all able now to be moved to their homes, but will not be taken before tomorrow night, or until staff officers leave to accompany them, which it is thought they will do within the next twenty-four hours.

Cotonel Bills has issued a special order ap-

pointing Lieutenant Colonel Bisof, Captain U. P. Degman, Captain G. L. Pritchett and Surgeon Detapster as an investigating committee to inquire carefully into and ascertain the cause of the death of Private George Wilhover of Company K, Second reg-iment, while on 'picket duty last night near Gorden and to report the same in writing to his headquarters at the earliest possible mo-ment. It is understood that Private Wilhover's death was purely the result of an ac-cident, but the colonel is acting strictly in secord with military requirements.

STILL OUTSIDE THE AGENCY.

Hostiles Have Not Yet Ventured Inside the Breastworks.

PINE RIDGE AGENCY, S. D. (via Rushville, Neb.), Jan. 13.- Special Telegram to THE Berl-The hostile Indians still remain in the camp they went into yesterday, about two miles from the agency. They have made no attempt to come nearer with the exception of those who desired to visit some of the friend-

lies and who were compelled to take a cir-cultous route around the agency to reach them. Those were generally met about half a mile beyond the breastworks by pickets by whom they were compelled to surrender their arms until after their return from their visit. The number of these visit-ors this morning is somewhat greater than It was yesterday and it is not at all improba-ble that many of them have weapons con-

ccaled about their persons.
Young-Man-Afraid-of-His-Horses came in
from the camp this morning and is now arranging for a meeting of hostile chiefs with General Miles.

The commands referred to in these dis-

patches of yesterday are about two miles to the rear of the hostiles. They will advance no nearer until there shall have been a conference between the chiefs and Genera

Captain Pierce, the new agent, has a play Captain Pierce, the new agent, has a plan of enlisting four companies of Indians to do duty on the reservation instead of white soldiers after this trouble shall have blown over. It is also felt that the Indians will be expected to give up all their arms, take a receipt for them from the agent, and that they will be guaranteed protection by the enlisted force of their own people. General Miles, it is said, is in favor of this plan. Agent Pierce is making an lavestigation of the amount of rations issued and it is rumored. the amount of rations issued and it is rumored has made some interesting discoveries. Today he sent out Colonel Kent and Captain Today he sent out Colonel Kent and Captain Baldwin, under escort of K troop of the seventh cavairy, under Lieutenant Squires, into the corral to weigh the cattle received. Last October the cattle there had an average weight of 1132 pounds. Today the average weight was but a little over nine hundred pounds. This shows a shrinkage of over two hundred pounds per head for which the government paid and of which the Indians will be deprived. be deprived.

COMING HOME.

Several Militia Companies Start on the Return Journey.

CHADRON, Neb., Jan. 13 .- | Special Telegram THE BEE! - Today has been one of the busiest in the Western Union office in this city. The uninterrupted passage of business has taxed the local force to the uttermost, The receipt of local messages regarding the situation at Pine Ridge have been very numerous, their tenor indieating, beyond a doubt, a victory for patience and perseverence, but whether General Miles' reward will be a permanent settlement now remains to be seen.

The Indians, with a few exceptions, have returned to the agency.

Generals Brooke, Carr and the other com mands are all within easy distance and a simultaneous move upon the Indians can be made at a moment's notice and General Miles is now, if at no other time, master of the situation. But the end is not yet. It has not been de-

cided whether he will insist on a surrender of all arms in their possession and, if he does lasist, it remains to be seen if his request will be complied with. By those familiar with the Indian character it is thought the prediction al

ready set forth in your paper will be verified and that as soon as an attempt is made to enforce this demand will come the tug of war. Dispatches state that General Miles is sanguine there will be no further trouble, but it is not yet known what his future plans are. That this belief is converted to the plans are. That this belief is generally shared in is sub-stantiated by the fact that general orders for the return home of all the companies of the national guards have been issued. Company I of Bennett, Neb., will leave

Chadron at 6:30 tomorrow morning returning Chadron at 6:39 tomorrow morning returning home vin Crawford and the B. & M. railway. Company E of Frenont and company F of Juniata have been ordered to break camp and return to Chadron for furthur orders. They will probably leave here tomorrow evening via the Fremont, Elkhorn & Missouri Valley railway. Company E. Second regivent of Chadron and pany E. Second regiment, of Chadron, are expected home tomorrow morning. The several other companies now stationed at Crawford, Gordon, Rushville and Hay portation is provided.

A Scare at Chadron.

CHADRON, Neb., Jan. 13. - [Special Teregram to THE BEE.]-A fire occurred here this morning at I o'clock and what might proved a serious conflagration was averted by the prompt response of the firemen, who were on the scene five minutes after the first alarm. The fire originated in a small frame house south of the railroad depot, and, as a strong wind was blowing at the time, the building was quickly reduced to ashes. The efforts of the freemen were mainly directed to adjacent buildings which caught

directed to adjacent buildings which caught fire several times, but were quickly extin-guished. Loss, 8500; no insurance.

During the progress of the fire a number of pistol shots were heard in the vicinity of Main and Sec-ond streets, which were audible to residents in the east end of the town, who immediately jumped at the conclusion that the Indians had arrived. The greatest alarm and confusion prevailed in consequence, which was not quieted until some of the more nervy of the masculine gender, armed to the teeth, sallied forth to investigate. It is needless to say that cigars are plentiful on our streets today.

Reports Heard at Gordon

Gordon, Neb., Jan. 13 .- [Special Telegram to THE BEE. |-Colonel Fr D. Yates, an old time trader and scout, is just in from the agency and reports that the hostiles are all at the agency, surrounded by the troops, so that it is impossible for them to escape, General Brooke is on the north, Colonel Carr on the east and Miles on the west and south. The hostiles are in a pickle where it is impossible for them to get away. With Gatling guns, Hotchkiss guns and regular artiltery within reach of the camp it is not probable that General Miles will ask or demand their arms until they have a chance to cool down. What the outcome will be no one can

It may be another Wounded Knee and it may be a backdown on the part of General Miles. All indications point to a battle if

Miles. All indications point to a the they refuse to give up their arms.

As I write, the remains of George Wilhouser of Company K, Second regiment, are houser of Company K are with muffled being carried by his comrades with muffled drums to the depot, to be sent to his grief stricken mother.

Passed the Hostiles.

PINE RIDGE AGENCY, S. D., (via Rushville, Neb.,) Jan. 18.-[Special Telegram to Tax BEE.]-At 2 o'clock this afternoon Companies B, Captain Green; D, Captain O'Brien; H, Captain Howe, of the Seventeenth infantry, under command of Major Egbert, and with thirty army and freighters wagons, arrived for supplies. They passed within half a mile of the hostile camp. The Indians came to within about one hundred and fifty yards from the road and carefully scrutinized the command as it passed. The train and escort will return to the mission tomorrow and rejoin Colonel Offley.

To Reward the Indian Police. Washington, Jan. 13.—Secretary Proctor has received a letter from General Ruger in regard to the conduct of the Indian police taking part in the capture of Sitting Bull, with a view to rewarding them for their services, and also providing for the families of the policemen killed in that engagement. He says: "The conduct of these men is remarkable for fidelity as well as courage and some act of the government in recognition of them would seem fit as to those directly concerned and expedient for the encouraging effect it would have on all Indians of the reservation who desire to conform to the new conditions of their lives."

Only a Drunk.

Washington, Jan. 13.-The commissioner of Indian affairs says regarding the reported I dian troubles in Idaho that he has received a telegram from the agent saying that there 1 no trouble. The Indians were off the reser-

[CONTINUED ON YURD PAGE,]

THE EXPORTATION OF CORN.

Secretary Rask Enlists in the Movement to Advance It.

AN APPROPRIATION ASKED OF CONGRESS.

W. G. Waddell of Omaha Argues Ecfore the House Committee on Commerce on the New Bridge.

WASHINGTON BUREAU THE OMARA BEE, 513 FOURTRENTH STREET, WASHINGTON, D. C., Jan. 13. Secretary rusk has enlisted in the moveeent of W. S. Delano to advance the exportation of our corn to foreign countries, for which an appropriation is asked of congress. Secretary Rusk has written a letter to Senator Manderson, in which he has commissioned Colonel Murphy as a special agent of the agricultural department to make a report on this subject, and he intends to enter extensively upon the work. "There is, however, one consideration which I think ought not to be lost sight of," says Secretary Rusk, "and that is that representatives of other than the corn surplus states and the members of our agricultural organizations generally might feel indisposed to support a special appropriation having in view the extension of foreign markets for a single product. The appropriation could be made for the purpose of an effort toward the extension of foreign markets of American agricultural products."

The secretary then calls attention to the absolute importance to an agricultural interest of a careful study of all the foreign markets, in order that we may be fully informed as to the demand in foreign markets for such goods as we can produce, and as to the best manner in which such order must be prepared in order to satisfy the foreign customer. He suggests that this could be done by a general appropriation, to enable the secretary of agriculture to make a careful study of and report upon the availability of foreign markets for agricultural products to increase the expert of our agricultural products to

foreign countries.

Every effort is now being made by the agricultural and state departments to enlarge our export trade for farm products, and congress will at this session be asked to lend as gress will at this session be asked to lend as-sistance in the way of an appropriation for the appointment of special agents to go abroad and work up and report upon the mar-kets there and the possibility of enlarging the sales of our surplus. It is likely that Senator Manderson will offer an amendment to the agricultural appropriation bill to this effect.

HEARING ON THE NEW OMAHA BRIDGE. W. G. Waddell of Omaha was today given W. G. Waddell of Omaha was today given a hearing by the house committee on commerce in support of the bill which has been prepared by Mr. Reed of Iowa, authorizing the construction of a draw, street railway, motor, wagon and pedestrian bridge over the Missouri river near Omaha. The committee expressed an immediate inclination to make a favorable report upon the bill, but according to the rule it must wait till the scenaror of to the rule it must wait till the secretary of war has reported upon the subject. It is probable that a favorable report will be made upon the bill at an early date. The bill authorizes the Interstate bridge and street railway company to construct and maintain a bridge across the Missouri river between Council Bluds and the East Omaha land company's possessions at some point at least one-third of a mile from any other bridge to be selected consistent with the interests of navigation. The bridge is to be constructed so as to provide for the passage of railway trains, wagons and vehicles of all kinds, street railway cars, motor cars, etc., and for all road travel for such reasonable rates of tolls and under such rules and regulations as may be prescribed by the corporation and approved by the secretary of war from time to time. The bridge, which must be commenced within two years from the adoption of the bill, is to be constructed under plans and specifications approved by the secretary of war. The bridge is to be constructed without interference with the security and convenience of navigation beyond what is necessary to carry into effect the rights and privileges of the bridge company. The bridge is to be constructed as a pivot draw bridge with one span affording two clear openings of not less than two hundred feet. Eachdraw span shall be maintained over the main channel of the river at an accessible and navingable point and with a fixed span or spans, each not less than three hundred feet in length in the clear, and the head room under such spans shall not be less than ten feet above the standard high water gradten teet above the standard high water grade line established by the Missouri river com-mission in 1889 and now in force, and the piers of the bridge shall be parallel with and the bridge itself at right angles to the current of the river. Provided, also, that the draw shall be opened promptly by the company upon the usual signal for the passage of boats and rafts, and the company or corporation shall maintain at its own expense from sunset till surrise such lights or other signals on the bridge as the light house board shall pre scribe. Provided, further, that the interstate bridge and street railway company shall build and maintain, under the directions and supervision of the secretary of war, such wing dams and booms or other works necessary to maintain the channel within the draw draw span of the bridge, and shall maintain a depth of water through the draw span not less than that now existing. All railroad companies desiring the use of the bridge shall have and be entitled to equa rights and privivileges relative to the pas-sage of railroad trains or cars over the approaches thereto upon the payment of a rea-sonable compensation for such use, and in case the owner or owners of said bridge and several railroad companies, or any one of de-siring such use shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform using said bridge, the secretary of war shall decide.

NO HOPE FOR SENATOR HEARST. The condition of Senator Hearst of California, who has been very ill for several weeks, is such as to cause the most serious apprehension on the part of his friends apprehension on the part of his friends. His disease is cancer of the stomach and his physicians said this morning that there was no hope of his recovery. He may live a month and he may die within a few days. The senator has just completed a very expensive residence in this city, and Mrs. Hearst, who is one of the social leaders of Washington, was preparing to entertain the Washington, was preparing to entertain lav-ishly, but this sad affliction keeps her entirely from social enjoyment.

A CHANCE TO DISPLAY HIS KNOWLEDGE. Justice Brown, the new member of the supreme bench, will have his knowledge of supreme bench, will have his knowledge of admiralty law put to the test over the Behring sea case, which has just been brought before the court. For some years the supreme bench has been without a judge whose specialty was admiralty law. Most of the judges have their legal specialties, but no one had this one. Judge Brown was therefore welcomed by reason of his thorough knowledge and experience. For yours had knowledge and experience. For years he has made this a special study and most of the cases before his district court were upon admirally practice. The Behring sea case is largely one of admiralty practice and it is likely, therefore, to have the special attention of Justice Brown. It is a fact, how-ever, that the justices of the United States supreme court do not give individual opinions. The full bench considers a case and after coming to a conclusion the matter is given to one of the justices to be put in the form of a legal decision, this being largely a matter of composition. This is directly opposition to the practice in the state courts. posite to the practice in the state courts, where the individual justices first write the

assent to MISCELLANEOUS, G. W. Carhart was today appointed post-master at Castana, Monona county, Iowa,

decision, which the other justices affirm or

vice J. E. Carrett, resigned; also W. H. Ketcham at Marsiand, Box Butte county, Nebraska, vice R. B. Gregg, removed.

Dr. Cyrus Picket has been recommended for appointment on the pension board at Broken How.

Broken Bow.

Representative Pickler of South Dakota Representative Pickler of South Dakota today introduced a resolution asking the committee on rules to give a day early next month for the consideration of the bill ratifying the agreement between the Wahpeton and Sisseton Indians in South Dakota.

Charles A. Broukes was today appointed

Charies A. Brookes was today appointed postmaster at Bristow, a new postoffice in Todd county, South Dakota.

By direction of the president Captain F. Beers Taylor, North cavalry, will report in person to Brigadier General Thomas A. Ruger, president of the army retiring board at St. Paul, for examination by the board and on the conclusion of his examination will return to his station.

John F Cook of Davenport, Ia., is at the Shoreham

PERFY S. HEATH.

AT THE KANSAS CAPITAL.

egislature Convenes and the Citizens' Alliance Goes Into Session. TOPEKA, Kan., Jan. 13.+[Special Telegram to THE BEE.]-The Kansas legislature convened today and perfected its organization. The lower house electing P. P. Elder, a prominent alliance candidate, for United States senator, as speaker. The allliance legislators, of whom much of the ludicrous had been expected, conducted themselves much as other lawmakers of the old parties have been accustomed to do. In their caucus, which lasted all of last night and this morning, the members were put through a regular drill in legislative practice to make them familiar with parliamentary customs of the former Kausas legislative bodies.

The state convention of the citizens' alliance was in session here today for the purpose of making the organization a secret order and for calling a national conterence to perfect a national organization, with a view to engaging unitedly in the third party movement. General John H. Rice and Congressman-elect Davis of the executive council of the Knights of Labor are the principal movers in the matter. Over seven hundred sub-alliances are represented by delegates. The convention will be in session two days. The executive committee of the state farmers' alliance began its investigation of President McGrath in connection with the boodle letter of Congressman Turner. Many witnesses were sworn, but the committee pose of making the organization a secret

witnesses were sworn, but the committe has not yet announced its verdict, as each member is a warm personal fr end of President McGrath. A report is expected completely exhonorating him from all blame in

The Chairman Rattled. Topera, Kan., Jan. 13 .- After a continu-

ous session of twelve hours the caucus of the farmers alliance completed at 3 o'clock this morning a list of officers for the lower house. H. H. Elder was agreed upon as speaker and at 12 o'clock today the organization of the legislature began. In the senate the senators-elect were

sworn in and adjournment till this evening

In the house, after the members had taken the oath, J. R. Coons was elected temperary chairman in accordance with the alliance caucus. The chairman labored under great embarrassement and was "ratiled" at every motion, and the house soon after adjourned

PACIFIC RAILROADS. They Ask for Further Time and a Reduction in Interest. Washington, Jan. 18 Senator Frye's committee on Pacific railroads met today to hear further arguments upon the bill already reported to secure the reparement of the government indebtedness of the Union and Cen tral Pacific rallroad companies. The Union Pacific was represented by Jeremiah Wilson, who said in substance that as a result of the reorganization of the company the management now found itself unable to accept the terms formerly agreed to by it and emboded in the bill reported. The company would accept a proposition to refund its debt at 214 ber cent interest, payment to be based upon a term of 100 years instead of 3 per cent and three years as proposed in the bill. The Central Pacific was represented by Huntington. He said that inismuch as the Central ington. He said that inasmuch as the Central Pacific's earnings and prospects were below those of the Union Pacific if better terms were granted that road the Central Pa cific debt, fixed in the bill for 100 years and 2 per cent interest should be favored in a corresponding degree by a further reduction of interest and extension of time. If it is done he would be willing to he would be willing to apply a part of the earnings of the Southern Pacifi toward the payment of the debt of the Cen

tral Pacific. Agents' and Operators' Troubles. CHICAGO, Jan. 13.—The committee repre senting the agents and operators on the lines of the Chicago, Milwaukee & St. Paul road has completed its conference. General Manager Earling refused to recede from his position. He says the company has not made a reduction in wages, but simply equalized them, as it has been doing in cases of other classes of employes. At towns along the line operators have been paid \$50 per month be-sides being furnished with dwelling houses, fuel and light, while in large cities the pay has been only \$60 per month without extra The recent order was intended to equaliz The management does not anticipate a

MINNEAPOLIS, Minn., Jan. 13.—An Ottumwa, Ia., special says that as a result of the failure of the conference of the operators and agents with officials there will be a general strike of all operators in a few days.

Business Troubles

WILLIMANTIC, Conn.. Jan. 13.-William C Jillson, owner of a majority of stock in the Hope river wire company, and who is busiless manager of that company, has assigned. Liabilities are stated to be over \$25,000, and

ti ti expected that the assets will realize 100 cents on the dollar.

Lynn, Mass., Jan. 13.—The Pard Co-operative shoe manufacturing company assigned tive shee manufacturing company assigned today. No statement yet given.

Findlar, O., Jan. 13.—Three firms went to the wall tonight—the grocery of A. J. Bish, the general store of Baker and the shoe es-tablishment of Weekley Brothers. In each instance the habilities are largely in excess cess of the assets.

A South Dakota Bank Insolvent. MINNEAPOLIS, Minn., Jan. 13 .- The Tribme's special from Sioux Falls, S. D., says: Proceedings were begun in the United States court today for the appointment of a receiver for the Bank of Canton, at Canton, which closed yesterday. The bank has \$500,000 capital. The petitioners allege that Charles B. Kennedy, the president, fraudulently mismanaged the affairs of the bank and that it is insolvent.

Enthusiastic Reception of Parnell. DUBLIN, Jan. 13 .- At the meeting of the National league held here today Parnell was given an enthusiastic reception. A dispatch from Longsford say that there

has been a split in the National league party in that locality. A division there taken upon the question of a vote of confidence in Parshows that there were 150 Parnellites and 105 McCarthyites present.

The Weather Forecast.

For Omaha and vicinity-Fair; slightly colder. For Nebraska and Iowa-Fair: colder, except stationary temperature in southwestern Nebruska; southwesterly winds. For South Dakota—Fair: warmer; south-

westerly winds. The Death Boll. Boston, Mass., Jan. 13.-Captain J. B. Thomas of the Standard sugar refluery and

the Boston trustee of the sugar trust, died this morning.

Last Night's Conneil Meeti g Fails to Materialize.

SCOURING THE CITY FOR ABSENTEES.

President Lowry and Eight Democrats Hold the Fort and Patiently Wait for Daylight.

There's a big row on in the council.

At 8 o'clock last night, when Presidentelect Lowry called the meeting to order, nine democrats were present, but not a republican was in sight. Mr. Cooper, democrat, was also absent, leaving one man short of a quorum.

The members present formed themselves into groups with interested spectators and wondered what it all meant.

President Lowry announced that the council had met for business and would remain while the sergeant-at-arms went out and captured a few absentees. Ed O'Conner, the new sergeant-at-arms,

made a sortie, but returned in half an hour with the report that the other nine members of the council were supposed to be dead.

"We'll camp right here until a quorum is secured if it takes until tomorrow night, or until Saturday night," said President Lowry, and the crowd in the lobby cheered.

Cards were produced and the members of the council was were produced. the council who were present, with their friends, soon had a half dozen high five games

in full blast. During the progress of the card contests the cause of the shortage of members, numerically speaking, was discussed. It was finally pretty well understood that the whole affair was the result of an effort that is being made by some of the members of the council to result of an effort that is being made by some of the members of the council to re-tain Harry Comsman as deputy clerk and other republicans in the city clerk's office. Harry is a republican and the democrats want to supplant him by forcing John Groves, the clerk, to appoint a democrat. The appointment of a deputy has to be confirmed by the council and Company of these land. by the council, and Counsman's friends hoped to win over two republicans by some clever

maneuvering. Mr. Cooper was compelled to be absent from the meeting, and, with Chaffee and Davis out of the city, the other members in favor of retaining Counsman saw a chance to block the proceedings by staying out, and probably by this means force the democrats to a compromise.

At 2 o'clock Ed O'Connor, the sergeant-at-arms, came in, accompanied by Couns-man, and said he had visited several of the councilmen's homes and found that they were either out of the city or in bed. He had no authority to break into their houses and could not bring them to their houses and could not bring them to the council chamber unless he had some means of getting them out of bed.

"Go and try again," said Lowry.
"It is no use," said O'Connor. "I am willing to do anything reasonable for this council, but I will not break into a man's house to drag him out here at this hour of the night." "I am a member of this council," shouted Elsasser," and I demand that the sergeantat-arms be made to obey the chairman or be

discharged.' This created a great hubbub, and all the men in the room were suddenly crowded around Lowry to hear what should be done with the sergeant-at-arms.

Osthoff took O'Connor's part, saying that it was unreasonable and ridiculous to ask him to go out after the absentees at that

Counsman ventured to say a word in behalf of the sergeant-at-arms, and Councilman Tuttle answered him sharply. The words began to fly hot and fast, and Counsman became quite angry. Tuttle was on his mettle in a flash. Couns-man pulled his coat, and a personal encounter was only averted by several of the councilmen stepping between them

Lowry smoothed the ruffled edges down by a few timely words of advice to both, and then the card tables were made the center of ntcrest. It was generally conceded by all members of the council, including Elsasser, interest. that it was unreasonable to expect the ser geant-at-arms to bring anybody in until "As soon as daylight comes," said Lowry

As soon as daying the comes, said howry to the sergeant-at-arms, "you will bring in the absentees." All others will remain here until we get a quorum. Your deal," said the president passing the eards to Tuttle, and on went the game.

National Capital Notes.

WASHINGTON, Jan. 13 .- The report on the house apportionment bill was presented to the senate today. Davis, Berry and Blodgett unite in a minority report that Arkansas, Minnesota, Missouri and New York ought to have each one more representative than provided by the bill.

A bill passed the senate today to transfer officers of the army from the limited to the unlimited list of the retired list. It will re sult in the immediate transfer of ninety officers and result in placing fifty of the sixty officers now ineligible for retirement on the limited list.

Released from Custody.

Burt Alley, the young man who was arrested upon the charge of arson, was acquitted yesterday in police court. The evidence was extremely vague and was deemed of no consequence by Judge Helsley, S. S. Alley of Wilber, father of the young man, appeared in his son's behalf and had no difficulty in showing that there was no reasonable grounds

A Double Murder in Missouri. JEFFERSON CITY, Mo., Jan. 13.-Meager details of a double murder come from Tuscum-Mrs. Freeman quarreled with one Faulkerson and fired a charge of shot into his breast. Faulkerson snatched the

from the woman and before he expired mor-tally wounded ber.

A Sheriff short. PEORIA, Ill., Jan. 13.-Experts who have been examining the accounts of ex-Sheriff Noel made an informal report today showing a shortage in the neighborhood of \$11.000.

The sheriff says he will make the shortage Snowed Under and Starving. Paris, Jan. 13 .- Advices from Algiers state

that the French military force has been snowed up in Terney pass. A large detach-ment has been sent out to try and relieve the inhabitants of Terney, who are snowed up

Senator Mitchell Renominated. SALEM, Ore., Jan. 13 .- In the joint caucus of the republicans of the house and senate tonight Mitchell was nominated by acciamation for United States senator to succeed himself.

Senator Stanford Succeeds Himself. SACRAMENTO, Cal., Jan. 13.-The two branches of the legislature in separate session today formally elected Senator Stanford United States senator.

Killed by Giant Powder. DEADWOOD, S. D., Jan. 13 .- Harry Lewis, Dennis Stmonds and Joseph Hughes were killed today by an accidental explosion of giant powder.

Texas Lawmakers Convene. Austin, Tex., Jan. 13 .- The legislature convened today. The senate completed its corganization and the house will do so tomor-

Big Salt Lake Fire. SALT LAKE, Utah, Jan. 15,- [Special Tele-

gram to THE BEE]-The Co-operative furni-

ture company, a part of the fame's Zion's co-operative mercantile institution, was burned out today. The blaze started in the cellar and was caused by an exploding The loss was \$150,000; insurance, \$50,000. Several fremen were overcome by the smore, Assistant Chief Levy being resent from his position in the third story with \$th catest difficulty.

MUTILATED THE CORE

A Salt Lake Case Which Exc ts oreat Indignation.

SAIT LARR, Utah, Jan, 13,-(Special Telegram to THE BRE. On Sunday morning Richard M. Johnson, who had been arrested the previous night for drunkenness, was found dead in his bunk. The deceased was buried on Monday. Edwin Johnson, a brother of the deceased, had the remains disinterred this morning and taken to J. E. Tayor's undertaking establishment. Mr. John-

son said to a reporter:
"I was not informed of the death of my brother until I saw it in the paper, yester-day. They say he was arrested for dranken-ness, but I have my doubts about it. There was no inquest held, so far as I have been able to find out. Such a burial as was given

my brother!
There he is in a cheap box, with nothing on but a shirt and socks. He was one of the

best known men in the place.

The bedy was washed and the fact disclosed that it was baily mutilated, some one evidedtly having been practicing surgery upon it. Rosa & Evans, who do the business for the coroner, claim they know nothing of it, but an investigation will be had. It is suspected that some amateur was trying his hand at dissection. There is considerable ex-citement over the affair.

The Snap was Spoiled.

SALT LAKE, Utah, Jan. 13.-|Special Telegram to THE BEL |-It has just come out that on the day of Emma Abbott's death her maid carried down into the hotel boiler room a lot of new shoes and underwear and a sealskin sacque, the property of the deceased prima donna, and requested the fireman to burn them. He took them and said he would o so, at the same time thinking what a snap he had struck. The maid started to go away but turned and came back, remarking that she would watch them burn, and she did. This action was in accord with Miss Abbott's will, which provides that her wardrobe should be burned. should be burned,

The Barbed Wire Ontlook.

CHICAGO, Jan. 13.-A local trade journal says the outlook for the combination of barbed wire manufacturers in the country is good; that they met two weeks ago in Pittsburg and formed a plan of consolidation, and now that session is being continued in Chi-enge. The Columbia wire company has been incorporated under the favorable laws of Kentucky, a stock book opened and substan-tially all the manufacturers except the Washbura-Moen company are or will be subscrib-ers. The new company will control all patents, contracts, etc., issue new licenses and establish prices.

On Trial for Heresy.

PITTSBURG, Pa., Jan. 13 .- Rev. J. R. Milligan of the Allegheny Reformed Presbyterian church was on trial by the presbytery today, charged with heresy. At the conclusion of his trial Rev. A. W. McClurkin will be tried for the same offense. Several months ago the accused, with five other ministers, adopted a platform recognizing the right to vote for public officers. For this the ministers were tried and suspended from the church, and Rev. Mr. Milligan is now arraigned. A split in the church is feared if the suspended ministers are not reinstated by the repertal syncal. the general synod.

A Leading Citizen Dead.

DEADWOOD, S. D., Jan. 13 .- | Special Telegram to The Bee.]-News has just been received here of the death, at Sata Barbara, Cal., last night, of J. K. P. Miller of this city. aged about forty-eight years. Mr. Miller was president of the Deadwood Central railway, of the Deadwood & Delaware smelter company and was largely laterested in min-ing enterprises hereabouts. It was due mainly to his individual efforts that the B. & M. and the Fremont, Elkhorn & Missouri Valley radroads were induced to build to

Deadwood. Insurance Compunies Fooled. Спісло, Jan. 13.—Outside insurance com

punies doing business m Illinois without a state license met a sharp set-back today. J. F. Powell, a cotton factor of Mississippi, insured \$300,000 worth of cotton with several of these companies here. The cotton burned and when Powell demanded the insurance companies cooly rejoined that the policies were void, as they had no right to do business in this state. Judge Anthony held today that they could

not take advantage of a probibition not to do business without authority from the state.

Thawed Giant Powder. DEADWOOD, S. D., Jan. 13.-|Special Telegram to THE BEE. |-Harry Lewis, Dennis Simmons and Joseph Hawes, three graders in the employ of the Fremont, Eikhorn & Missouri Valley railway, were instantly killed this morning by an explosion of eighteen sticks of giant powder. They were thawing it out before a fire at a camp near Silver City, four miles above Dadwood. The bodie

were herribly mangled. The Chilian Naval Revolt.

London, Jan. 13 .- Further advices from Chili confirm the statement to the Chilian minister here to the effect that only a portion of the Chilian fleet is in revolt and the army continues to remain loyal to the gov-ernment. The government is taking ener-getic measures to repress the disturbance.

Destitution in Kansas.

LAWRENCE, Kan., Jan. 14 .- J. H. Shirley of Northfield, Sherman county, in western Kansas, is in the city soliciting aid for destitute settlers. Crops have failed for five years and now they are actually dying from destitution, starving from want of food and freezing for want of clothing and fuel.

Three Killed by an Explosion. ASHLAND, Pa., Jan. 13,-Martin Saeger, John Smith and C. Bolish were instantly killed and another man badly wounded by the explosion of a locomotive boiler at Gor-

A Chippewa Indian to Hang. Madison, Wis., Jan. 18 .- John Youngman Chippewa Indian convicted in the United States district court for criminal assault on a five-year-old girl, was today sentenced to be hanged April 3.

ALBANY, N. Y., Jan. 13.-The court of appeals has granted a new trial to ex-Sheriff Flack and William Flack, convicted of conspiracy to secure a divorce for the former. Amelie Rives Improved.

Flack Will G t a New Trial.

Paris, Jan. 13 .- Amelia Rives, the American authoress, has improved in the last few She is suffering from severe bronchitis and not consumption

MONTREAL, Jan. 13 .- The premises owned by R. B. Angers, tenanted by a number of firms, burned last night. The loss amounts to \$125,000.

The Fire Record.

A Brilliant Reception. WASHINGTON, Jan. 13.—The reception given by President and Mrs. Harrison tonight to the diplomatic corps was a brilliant one.

Capture of an Iowa Burglar. New York, Jan. 12.-William Warren, a Fayette county, Iowa, burgiar, is being held by the police awaiting a requisition.

BOYD, THAYER AND MAJORS

They Are All in it According to the State Supreme Court.

THE BASIS OF THAYER'S CLAIM.

Chief Justice Cobb Renders the Opinion Orally and Throws in a Few Side Remarks-A Summons Issued.

Lixcoln, Neb., Jan. 13.—[Special Telegram to THE BEE.]-On convening this morning the supreme court announced its decision allowing the que warrante proceedings against Governor Boyd to go on file and the summons to issue. The ruling was by Chief Justice Cobb and was oral. Following is a stenographic report:

"Last Friday morning application was nade to file an information in the nature of a quo warranto by John M. Thayer against James E. Boyd. We have been given an opportunity of passing, and as these matters are of great importance to the parties in court as well as to the people generally, we have concluded, as a mere matter of form and proceeding, and as a matter of notice as well as of jurisdiction, to indicate that a summons may be issued, returnable according to the statutes governing the issuance of summons in the district court here; and we have determined in consultation that I should say that if it should appear at any time in the course of these proceedings that the person who was elected lieutenant opportunity of passing, and as these matters that the person who was elected lieutenant governor at the last election should desire to intervene in this proceeding, in view of a decision in a certain way as to the eligibility of the present incumbent of the executive office, that the court will allow such interven-tion; and furthermore, while it may seem somewhat out of place that what I am about somewhat out of place that what I am about to say should come from this place, yet we have deemed it advisable that it should be said, that during the pendency of these proceedings, so far as the matter may ever be directed by this court, unless we should be advised differently from what we now are, that the relator will lese nothing by a quiet, and orderly submission to the present order of things growing out of the recognition of James E. Boyd as the legal governor, as now recognized by this court and all departments of the state government."

of the state government."

The hearing may be postponed five weeks. The summons is returnable on the second Monday after issue and the defendant has until the third Monday thereafter to answer.

The Information. The ground upon which ex-Governor Phayer, by his attorneys, bases his claim to the office of governor are contained in the information, the full text of which is given

herewith: herewith:

John M. Thayer, in his own behalf, prosecutes this action. George H. Hastings, the attorney general, having refused to prosecute the same and gives the court to understand and be informed;

1. On the Tuesday next succeeding the first Monday of November, of the year 1888, he, the said John M. Thayer, was, and for more than two years next preceding that time.

than two years next preceeding that time, had been a citizen of the United States, and of this state, and then had not now has all of this state, and then had and now has all the qualifications required by law to hold the office of governor of the state of Nebraska.

2. At the general election of this state, at the date aforesaid, for the election of governor and all state officers, in accordance with the provisions of the constitution and laws of this state, he was duly elected governor; that he duly qualified fand entered upon the duties of said office on the first Thursday after the first Thesday in January, 1889, and ever since then has exercised and now exercises the duties of said office.

now exercises the duties of said office.

3. That his said election and oath of office as governor made it his duty to hold his office for the term of two years from the first Thursday after the first Tuesday in the Jan-

uary next after his election and until his successor should be elected and qualified. 4. That there was held another general election of this state on the Tuesday next succeeding the first Monday of November in the year 1890, for the election of governor and other officers, and the returns of said election for the officers of the executive department were, as required by the constitution, scaled up and transmitted by the returning officers to the secretary of the state, directed to the speaker of the house of representatives, who, did, on the 5th day of January, 1891, immedi-ately after the organization of the house and before proceeding to other business, open and publish the same, in the presence of a ma-jority of each house of the legislature, who

were for that purpose assembled in the hall of the house of representatives. 5. That said returns so sealed up trans-5. That said returns so sealed up transmitted, opened and published, showed that the whole number of votes cast at said general election for the several persons for for the office of governor aggregated 214,000; that of said number of votes so cast for governor James E. Boyd received 71,331; J. H. ernor James E. Boyd received 71,331; J. H. Powers received 70,187; L. D. Richards received 68,878, and there were scattering 3,694; and James E. Boyd, being the person naving the highest number of votes for the other of received 68,878. office of governor was by said speaker de-clared duly elected governor for the term of two years from the first Thursday after the first Tuesday of January, 1891, and until his successor shall be elected and qualified. And relator exhibits herewith and makes part

hereof a duly certified and authenticated opy of said returns. 6. That thereupon the said James E. Boyd took the oath of office required to be taken by the executive officers before they enter upon their official duties, and has usurped and invaded the office of governor of Ne-braska and has unlawfully attempted and now unlawfully attempts to hold the said office and perform the duties of governor of upon their official duties, and has us Nebraska, and will continue to do so unl susted therefrom by the judgment of this

orable court.

7. But the relator further gives the court to understand and be informed that the said James E. Boyd was not at the time of his James E. Boyd was not at the time of his said pretended election on the said Tuesday next succeeding the first Monday of November, 1830, a citizen of the United States, and because he was not, as aforesaid, then a citizen of the United States he was not then eligible to the office of governor of this state, and as yet no person eligible thereto has been elected and qualified to succeed your informant; and it is the bounden duty of the relator to hold and continue in the office of governor until some person eligible thereto shall be elected and qualified as his successor; that in truth and in fact the said James E. Boyd was born in Ireland, of alien parents, in about the your 1844; that he was brought to this country when about ten years of age by his father

reland, of anen parents, in about the year is 34; that he was brought to this country when about ten years of age by his father whose name was and is Joseph Boyd, who settled in about the year is 4 at Zancsville, Muskingum county, in the state of Ohio, where he has ever since resided and now resides; that the said Joseph Boyd, father of the said James E. Boyd, has never since he came to this country and settled at Zancsville, O., resided at anyother place.

That on March 5, 1849, at and during the February (1849) term of the common pleas court of said Muskingum county, in the state of Ohio, the said Joseph Boyd, a native of ireland, and father, as aforesaid of the said James E. Boyd, and when the said James E, Boyd was about fifteen years of age, in open court, declared it to be his bona lide intention to become a citizen of the United States and to renounce and abjure forever all allegiance and fidelity to every foreign prince, potentale, state, or soverainty whatsayor. and to renounce and adjure forever all alleg-iance and fidelity to every foreign prince, po-tentate, state or sovereignty whatsoever and particularly the queen of Great Britain and Ireland. And the following is a true and full copy of the journal entry from said com-mon pleas court of said Musicingum county, Ohio, showing such declaration of intention. showing such declaration of intention,

The State of Ohio, Muskingum county ss.

In the common pleas court, February term, 1812. Journal volume "T," page 187. Certified copy of journal entry. Monday, March 5, 1849. Page 187. This day came into open court William Riches, a native of England, and Joseph Boyd and Patrick Jordon, natives of Iroland, and on their oaths respectively declare it to be bona fide their intention to become citizens of the United States, and to renounce an ab-