### MAXIMUM RATE CASE CLOSES forces which dominate rail when acting for themselves.

Arguments Concluded and Matter Taken Under Advisement by the Court.

He Contends that the Law Is Uncon stitutional and Unjust and Backs Up His Assertion with Private Figures.

interested in the Nebraska maximum rate which to present the side of the appelless in the case. Mr. Woolworth was argumentative, technical in his presentation, dealing with figures to a remarkable degree, ngures which do not occur in his brief, and which were carried away with him after being used in illustrating his points. Mr. Carter, on the other hand, spoke generally of the bill and its effect on the business of the roads. He offered nothing new in so far as this case is concerned. Throughout the presentation of the corporation side of the case, the court was interested, a great many questions being propounded by Justices Gray and Harlan, while Justice White now and then knocked hores in Mr. Carter's argument relative to the capitalization of railroads and their earning capacity. Mr. Woolworth laid particular stress on the series of tables which he had attached to his brief, showing the present earnings of the railroads in Nebrasks, and what they would be under house roll 33.

Mr. Woolworth in his brief held that there were five important points to be considered by the court, and on this line he said: First—House Roll No. 33 is unconstitutional because it attempts to fix and limit the rate which the Union Pacific Railway company may charge for transportation of freight on Its lines between points within the state of the operating expenses, which should be That company is within the Nebraska. language of the act and the Board of Trans-We submit that portation so construes it. not within the powers of the state of Nebraska to interfere with the revenues or income, or the sources of the revenue or income, of the Union Pacific company, necause that company is a debtor of the United States

to a large amount and its earnings are irre-wocably pledged to the payment of its debts. WHY IT IS UNJUST. Second—House Roll No. 33 is unconstitu-tional because it unjustly discriminates against certain of the roads in the state in It appears from the pleadfavor of another. ings and proofs that the Chicago, Rock Island A Pacific Railway company is and for twenty years has been a corporation organized and existing under the laws of the states of Illinois and Iowa, and owns and operates railroad from Chicago to Council Bluffs; that between January 1, 1889, and January 1, 1891, it acquired the right to run its trains over the Union Pacific's bridge and tracks be-tween Council Bluffs and Omaha, and built a railroad from South Omaha, by way of Lincoln, to Beatrice, where it connects with another of its lines to Denver. operation of this act the Rock Island is left to charge and receive compensatory rates for the same service which the other com-panies render, while they are not permitted to do so. It is impossible to resist the conviction that the Rock Island was exempted from the severities of this act by those unreasonable prejudices and passions which seem to have dominated the legislature. Third-What has been submitted shows that House Roll No. 33 is vicious in two particular provisions. There is a more general objection to the act. Its sole object was to establish a schedule of rates and to forbid the company charging higher rates than those fixed by the act. That is its whole

scope and purpose. The objection is that these statutory rates, if put in force, would not yield to the carrier reasonable compensafor the service to be rendered by it The result of the most searching examin tion, conducted by any appropriate process, will show that under House Roll No. 33 these companies are shorn to the skin and mus be left powerless to meet their duties to the public and their creditors and the government and to maintain their existence. Fourth-It has been decisively shown that these statutory rates, if put in force, never would to this day yield to the companies revenue sufficient to cover the expense of do the business. The injustice of the act

has been made even more conspicuous by the further showing that under its operation nothing would have been realized by the ompanies from this business to meet the share of taxes and fixed charges which that business should fairly contribute. The result is that the property of the companies, or the of it, which is the same thing, is taken by the act for public use without any com pensation. Against such violence these companies are protected by the constitution of the United States. So this court has de-

WHAT RATES ARE RIGHT. Fifth-Maximum rates, when fixed by the legislature, must, in order to be reasonable, be so high as to leave the companies free to raise and lower them as they may be compelled to do by the law of supply and demand. The records show that the statutory rates

on many shipments are far below cost; and the statute does not assure the company any compensation for the loss by providing high-class freight to cover it. This line of re-mark may be summarized thus:

1. A railroad, if left to the natural law of

supply and demand, must sell transportation at what it can get, and take the chance of being able, on the whole, to make cost and a The state cannot require a road to work less than cost and a fair profit, for that

3. If the state fix the rate at which trans portation shall be sold it must either (a) fix every charge high enough to pay cost and a fair profit, or (b) guarantes enough high-class freight to cover losses on low class. 4. As statutory raise cannot be changed for a long time, at least two years, they mus e against possible changes of conditions to which the road, when left to itself under the operation of the law of supply and de-

modate its rates. result may be then stated: Maximum fixed by the statute must, to reasonable, he upon a line so high as to leave below it room for the play of the economic

mend, must for the sake of its own existence

forces which dominate railroad companies

MR. CARTER'S CONTENTION. The brief of James C. Carter of counsel for the appelless is a very exhaustive docu-ment. It takes the ground that neither an individual nor a state have any right to complain of high rates as long as they were paying no more than other roads charged for the same service. If a road could WOOLWORTH FOR THE STOCKHOLDERS make 25 per cent on its investment by virtuof its superior management it was entitled to the benefit. The ground was taken that

a "combine" in the interest of high rates was purely imaginative. It was for the interest of the roads to make as low a rate as possible in order to secure business, and the cost of the service in particular cases had but little to do with making the charge. WASHINGTON, March 5.—(Special Tele-gram.)—Representatives of the stockholders braska is denied. It is claimed that there is an energetic competition among the main

Interested in the Nebraska maximum rate lines of the state, and that while rates case, James M. Woolworth and James C. in other communities may be much lower Carter, were given three hours today in than in Nebraska, it is because they are older and more thickly settled communities. It is also asserted that fraudulent or illadvised management is not at the expense of the people who patronize the roads, but of the stockholders whose money is being The conclusions consist in thirteen which include the alleged unconstiwasted. tutionality of the law, that the law takes away from the roads powers which belong to them, that the power of the legislature to fix rates is subject to the review of the courts, and that the question of the au-thority of the legislature to establish rates was still unsettled by judicial decisions.

ATTORNEY GENERAL'S BRIEF. The brief presented by Attorney General Churchill for the appellants is introduced by a concise rehearsal of the history of the maximum rate bill and the legal fight in the lower courts. Some space is given to quotations from the opinion of Judge Brewer, which concluded that it was incumbent upor the plaintiffs to prove that each of the railroads was operated in a prudent and economical manner, and that when so managed the reduction of rates provided for in the bill would deprive the road of a just and reasonable compensation for the services performed.

attention of the court is then called to the fact that there was wanting any com petent evidence which tended to prove either that the road was prudently managed or the amount of the income of the roads from all sources. Decisions are then cited to show bat a decision as to the excess income considered a reasonable compensation, was a matter of public policy, and therefore within the province of the legislature to determine.

The argument concludes with a detailed estimate of the cost per mile of the inter-ested roads, based on the evidence of experts. It shows that on a liberal estimate the roads would have earned more than 5 per cent if the rate law had been enforced. This amount did not include earnings from carrying mails and express matter, and it was also based on the assumption that all the so-called "expenses" of the management were for legitimate purposes.

It had been Mr. Churchill's intention to close the debate for the state, but questions of the court to both Mr. Woolworth and Mr. arter along the lines of Mr. Webster's open ing argument made it essential that Mr Webster should combat certain propositions laid down by either, and he closed. He laid down by either, and he closed. He handled his subject well, knowing his case horoughly, and point after point seemed to go home to the court. Mr. Webster has never appeared to so excellent an advantage.

Attorney General Churchill leaves for home tomorrow, Woolworth and Webster going t New York to take testimony in the American water works care, as to the financial opera tions of the company and the manner i which certain bonds were approved.

WASHINGTON GOSSIP. Senator Thurston today introduced bills to pension Mrs. Hattie E. Redfield of Omaha at \$20 per month and allowing the village of Valentine to purchase 720 acres out of the Fort Niobrara military reserve for village purposes, the reservation being to Valentine what Fort Omaha is to Omaha.

At a meeting of the national republican committee tonight Representative Mercer was named as one of the executive committee of eight upon whom will fall the management of the congressional campaign throughout the United States. Representative Hull of Iowa was also named as a member of the same

degree of favor the plan of Postmaster satisfied with the house resolution. General Wilson for the consolidation of sma with large postoffice. To perfect the plan it would be necessary to increase the allowance or clerk hire about \$750,000, and to permit this sum to be deducted from compensation of postmasters. However, where consolida-tions have been effected the plan gives great satisfaction, although a great many small towns object most strenuously to having their individuality interfered with. If the scheme is ultimately endorsed, it will result in the consolidation of a number of small offices with Omaha, Lincoln, Fremont, Hastings Grand Island, Kearney and several other presidential offices. Should the idea prevail, naking all offices within a radius of twenty miles substations to one general office. Omah would include South Omaha, Bennington, Florence, Millard, Elkhorn, Waterloo, Valley, Papillion and some others.

Postmasters were appointed in Iowa as fol-

ows: Eureka, Adams county, G. S. Inger soll, vice T. B. West; Flagler, Marion county, Mrs. Mary McGaugh, vice S. A. McGaugh; Foote, Iowa county, W. G. Oldaker, vice J. D. Miller.

Representatives Strode and Hainer renewed their attempt to have the salaries of United States marshals in Nebraska advanced to figures the same as in Iowa and Kansas, but their amendments were knocked out as was their attempt to raise the salary af the United States attorney.

News from John Hays Hammond. WASHINGTON, March 5 .- John Hays Hammond, the American mining engineer who is under bail at Johannesburg awaiting trial on the charge of treason, has cabled Secretary Olney as follows: "Please re-cord my appreciation of Consul Manion's ef-forts in my behalf. He has shown wisdom and good judgment, rendering me great service. I am well treated by the government Preliminary trial begins next week. I have no fear of the ultimate result, as I am in-nocent of any attempt to overthrow the nocent of any attempt to overthrow the lutionary movement.

Great Fire at Gunyaquil. WASHINGTON, March 5 .- A great fire destroyed eight whole blocks at Guayaquil on the 12th of last month and inflicted losses was only \$190,000 insurance, mostly in English companies. United States Minister Dillard, who reports the fact to the State department, says there is great distress among the poor of the city. amounting to \$1,500,000, against which there

PEN PICTURES PLEASANTLY AND POINTEDLY PUT.

ALLEN HAS A SPEECH READY

Does Not Take Kindly to Senator Hale's Cutting Him Off.

THREATENS TO RETALIATE SOME TIME

Measures on the Calendar Taken Up -Inquiry Ordered Into the Issunnce of Injunctions in Time of Labor Troubles.

WASHINGTON, March 5 .- The question of Cuban independence came up unexpectedly u the senate today, when Mr. Allen, populist of Nebraska, presented a resolution directing the president to issue a proclamation recognizing the independence of Cuba. An obtection from Mr. Hale of Maine to the request of Mr. Allen for unanimous consent to make a speech on the resolution directed matters to an exchange of personalities, inconsisten with senatorial courtesy. The Nebraska senator warmly announced that if Mr. Hale objected the latter could take warning that he would not receive unanimous consent on any measure as long as he (Allen) was in

the senate. This brought forth from Mr. Chandler of New Hampshire a declaration that he would give consent to no senator who prefaced his requests with a threat against senators in

Mr. Allen retorted that his remarks were applicable to Mr. Hale and not to senators in general, and that, as to Mr. Hale, he had o apologies to offer.

Mr. Hale said he would have no vendetta

with Mr. Allen, and thought each could be in better business than watching to pay the Mr. Chandler announced that senators were n the habit of doing business as a body of gentleman. observing such amenities as would prevail in a gentleman's own parlor, and Mr. Wolcott of Colorado added his pro-

est against personalities.

Mr. Allen closed the incident by stating that he would postpone his speech, adding sarcastically, that he would do this if Mr. Hale gave his consent to such a course.

The senate then went to the calendar and assed the following bills and resolutions: To pay Charles P. Chouteau, survivor of uteau Harrison Valle, \$174,000 for a batery furnished during the war; directing the ediclary committee to investigate the subamendatory legislation was necessary. The last resolution was drawn by Mr. Hill and is a substitute for resolutions for an inquiry into the imprisonment of E. V. Debs.

An agreement was reached that when the senate adjourn today it be until Monday.

At 1:30 o'clock the senate took up the Du ont contested election case, and Mr. Mitchell esumed his argument in behalf of Mr. Duoont. Upon its conclusion Mr. Turple the floor to open the argument against Mr. Dupont, but yielded until Monday. Mr. Sherman presented the conference re-

ort on the Cuban resolutions, but action vas postponed. The senate then took up the calendar and passed the following bills and resolutions: To pay the heirs of the late John Roach \$48,853 on the construction of the gunboat Dolphin; to incorporate the supreme council the Thirty-third degree of Scottish Rite Masonry for the southern jurisdiction of the United States; establishing an additional and office in Montana.

At 4:25 p. m., after a brief executive session, the senate adjourned.

ACCEPTS THE HOUSE RESOLUTIONS.

Conference on the Cuban Resolutions Lasted Only a Few Minutes. WASHINGTON, March 5 .- The confreres of the two houses on the Cuban resolutions consisting of Senators Sherman, Morgan and Lodge on the part of the senate, and of Messrs. Hitt, Adams and McCreary of the house, reached a conclusion more speedily and with less difficulty in their conference today than had been anticipated. The conommittee.
The house committee on postoffices and tion, and it became apparent immediately that ostroads does not regard with any great the representatives of the senate would be was strongly in favor of that clause of the house resolution which contemplates intervention, a declaration which he had suggested should be made when the queson was before the senate. There was men tion made of the possibilities of war with Spain as a result of the action of congress and the statement concerning the position of the administration in opposition to the recog-nition was discussed. So far as the house is oncerned, the resolution is a closed ques ion for the present. There will be no de bate, because it is only necessary for the secretary of the senate to notify the house that the senate confreres have agreed to the use resolutions

> Navy Department Seeks Information. WASHINGTON, March 5 .- The Navy department is sending out to the navy military commanders of the various states having such organizations blank forms for the collection information respecting the topography and physical features of their respective localities for military use. What is wanted is in-formation touching all water approaches, docks, creeks, bearing of nearest telephon and telegraph connections, approaching roads, possible sights for batteries, landing places for naval forces and every feature of the vicinity calculated to be of value from a military standpoint. This is the result of the success attending the experimental recon-noisance made last summer of the shores of Long Island sound by the naval militia, whe mass of information respecting the sound shores was obtained which was placed on the files of the War and Navy departments as sure to be immensely valuable in time of WAT.

> Mulligan Did Not Want the Place. WASHINGTON, March 5 .- The nomination of James H. Mulligan of Kentucky to be United States consul general at Caperown South Africa, was withdrawn, as it is now learned, at Mr. Mulligan's own instance. He was desirous of a transfer from his present post as United States consul general at Apia but did not care to make this particular exchange.

Allen Will Try it Again. WASHINGTON, March 5.-Senator Allen oday reintroduced his resolution requesting the president to recognize the independence of Cuba, which was voted down last Fri-day. It is a joint resolution and if it should be adopted by both houses would go to the president for his signature or disapproval.

Objects to the Lunguage of His Re-

cent New York Speech. WASHINGTON, March 5.—The house day wrangled about four hours over the salaries of United States marshals and the other features of the amendment to the legislative appropriation bill to abolish the July 4 today was called to the attention of fee system in the case of United States attorneys and marshals; Interest in the debate, however, was completely overshadowed by a sensational attack made upon President Cleveland by Mr. Hartman of Montana, who felt himself personally aggrieved by Mr. Cleveland's utterances at the Presbyterian Home Mission meeting in New York on Tuesday, and who seized the opportunity allowed by the latitude of debate on appropriation bills to repel the idea that the western states were the home of evil influences. Mr. Hartman sent to the clerk's desk and had read the following extracts from Mr. Cleveland's address: of evils and indifference to Christianizing and elevating agencies" in the new states of the west, which, "if unchecked, develop into badly regulated municipalities, corrupt and unsafe territories and undesirable states." "Whatever may be my individual opinion of the president," said Mr. Hartman. "matters not. It would not be proper for me to state it here. For the high office of the president of the United States I have supreme regard. The legiti-mate functions of that office are limited to those enumerated in our constitution Under the constitution and laws, I deny Under the constitution and laws, I deny the right of the chief executive to willfully and wantonly, in public address or other-wise, insult any of the citizens or any state

of the republic over whom he has been called to preside. I deny the constitutional authority of the president to give utterance in public address to sentiments favor-able or adverse to proposed legislation pending in our house of congress. When the president made the foregoing remarks he knew there was pending in congress bills for the admission of certain territories into the union of states. He had been advised that a majority of the citizens of those territories were antagonistic to his peculiar financial and economic views, and under the cloak of a supposed religious address, be fore a religious organization, and with gross impropriety and for the purpose of pre-venting the achievement of the rights of statehood to which they aspire and are en-

titled, he gave utterance as chief executive to this unfounded slander against citizens and states of the republic, whose interests he is sworn to protect and uphold.

CALLS HARTMAN TO ORDER Mr. Powers jumped to his feet and called Mr. Hartman to order. "If there is nobody on this floor," said he, addressing the dem peratic side, "who is related to the president by ties of affinity, or consanguinity, social or political-

"State your point," demanded Mr. Hartman, interrupting him.

"The point of order, Mr. Chairman," continued Mr. Powers, "is that it is not permissible here to reflect upon a co-ordinate branch of the government."

"I am not reflecting upon the president," said Mr. Hartman. "I am reflecting upon the sentiments which the president utters and man, interrupting him.

the sentiments which the president utters and I have a right to do so,"
Mr. Hepburn, who was in the chair, said

that he did not feel called upon to say whether the remarks came within the rule, whereupon Mr. Miles came to the support of the president, but he was promptly over-ruled, whereupon he appealed from the de-cision of the chair, adding that Mr. Hart-man had taken a liberty which had never been countenanced in congress before.

The chair, however, was sustained, and Mr. Hartman proceeded. The percentage of crime in those states and territories will not exceed that found in the state of New York, where the pres-ident seems to think all virtue resides. The per capita of wealth of the citizens of our state exceeds that of any state in the union save one. Our educational facilities are equal to those of any section of the union, and if some of the patriotism of the people of the west had been possessed by the president and his friends the citizens of this republic would not have been called upon to witness the national humiliation of hauling dawn the American flag at Honolulus of her down the American flag at Honolulu, of beg-ging the bankers of Wall street and Great Britain to cave us from financial ruln, and

inder the behests of the powers behind the throne, of denying to the oppressed citizens of Cuba the recognition which the dictates of humanity and common right demand. (Applause.) It is true we do not get our patriotism from Wall street, where the president gets his. (Laughter.) It is true none of our citizens have possessed that particular style of patriotiem which would enable to save by thrift and strict economy five times as much as their entire income amounts to, and it is also true that the patriotism of these 'corrupt and unsafe ter-ritories and undesirable states' has never yet been able to rise to that lofty plane of

upreme wisdom and virtue."

At this point Mr. Hartman's five minutes expired and Mr. Grosvenor undertook to help him out by the parliamentary expedient of securing recognition and yielding his time back to Mr. Hartman. "I think," said Mr. Grosvenor, "that my friend from Montana overlooks one very im-

portant fact. When we get on our feet in deep religious frame of mind (laughter) is is a new field. Then we are plowing in virgis soil, as it were." (Laughter.)

"I raise the point of order that the gentle-man is out of order," broke in Mr. Sulzer because the other day he (Grosvenor) said on this floor that he had no religion. (Laughter.) Having no religion himself, I submit that he is incompetent to discuss the question of the religion of any other man."

EXCHANGE OF COMPLIMENTS.

"I never said that I had no religion," re plied Mr. Grosvenor, "but I would rather be without a very large modeum of religion than without the elightest indication of com-mon sense." (Laughter.)

"I am sorry for a gentleman who has neither," retorted Mr. Sulzer.
"It is always unfortunate," returned Mr. Grosvenor, "when a gentleman is possessed of such a knowledge of his own failures that constantly advertises them to the pub-(Laughter.)

from the serious argument that I was about to present (laughter), and I yield the balance my time to the gentleman from Montana."
"It is also true," continued Mr. Hartman. resuming, "that the patriotism of these corrupt and unsafe territories and undesirable states' has never yet been able to rise to that lefty plane of supreme wisdom and virtue which enables those who claim to occupy it to justify the sale of thirty-year government bonds of a year ago, when that very day ten-year bonds were selling to 106. On be-half of the citizens of the states and territories thus slandered and maligned by the chief executive I here and now repel the insult and respectfully suggest that the greatest need in this country for the work of the missionary, the schoolmaster and the statesman will be found at the white house.

(Laughter and applause.)
This closed the incident. On the motion of Mr. Hitt, chairman of the foreign committee, the senate's request for a conference on the Cuban resolution was agreed to, but the speaker did not announce the conferees on the part of the house.

A bill was passed to make the national military parks national grounds for the maneuvers of the regular army and militia o

the states under regulations to be prescribed by the secretary of war.

FIXING MARSHALE SALARIES. The house then resumed the consideration of the amendment to the legislative appro priation bill to abolish the fee system in the case of United States attorneys and marshals. The salaries of the marghals fixed today were identical with those of the district attorneys. identical with those of the district attorneys, fixed yesterday, except in the following districts: Indiana, \$4,500; eastern district of Louisiana, \$2,500; Maine, \$3,000; Newada, \$2,000; New Jersey, \$2,500; northern district of New York, \$5,000, and southern district of New York, \$5,000. Under, the fee system both district attorneys and marshals were allowed fees not to exceed \$6,000 and mileage. lowed fees not to exceed \$6,000 and mileage which in some cases swelled the compensa-tion to as high as \$8,000 and \$10,000. Instead of mileage at the rate of 10 cents per mile each way the amendment allows attorneys and marshals their actual traveling expenses sioners considerably below their present scale debate was interrupted to allow the

speaker to appoint as conferees on the Cuban esolution Mesars. Hitt, Adams and Mc After the committee arose without com

HARTMAN ATTACKS THE PRESIDENT WILLING TO PORGET THE PAST. COUNTY AUXILIARY FORMED General Gordon Talks of the Proposed

WASHINGTON, March 5.—The decision the Grand Army of the Republic, in reference to the proposed joint parade in New York on Senator Gordon of Georgia, who has been ITS OBJECTS MORE FULLY SET FORTH commander-in-chief of the United Confederate veterans ever since their organization, and he was asked if he proposed to take any action looking to a change of the date of the next annual meeting of the confederates at Rich-mond, June 30, and July 1 and 2. General

This date will be finally decided upon, in order to permit the confederates who come from further south to go to New York im-mediately after the adjournment, and take part in the joint parade, but I see no reason for changing the date of our reunion, which was called to meet at Richmond by the last annual meeting at Houston, Tex., and although the date could legally be changed by me, yet I shall not do so until I find it to be the wish of a majority of the confederate camps and suited to the convenience of the people of Richmond, who have been most generous in making provision for our entertainment. It will readily be seen that no change can be contemplated if it in any measure incommodes our host, the president of Richmond.
"Of course, it would now be entirely in-

ompatible with our self-respect as ex-confederates to take any part in the proposed joint parade. I do not wish, however, to discuss the action of General Walker. has been my effort since the war to cultivate the most cordial relations between the soldiers of the two armies and between the people of the sections. I am glad to know that I have had the cordial sympathy and approval of my comrades in this effort, and wish also to add in this connection that I have had the most cordial manifestations of a like sentiment on the part of the great body of the union soldiers.

CAMPAIGN COMMITTEE ORGANIZES. Mercer Selected as a Member of the Executive Committee. WASHINGTON, March 5.-The members

committee held their

the republican congressional cam-

first

meeting tonight and selected officers who will have control of the organizatien this congress. Most of the old board of the last committee was reelected without opposition, although there had been preliminary rumors of a factional disaffection against Mr. Babcock of Wisconsin, who di-rected the affairs of the committee in the

paign

last campaign. This opposition did not materialize, however, and Mr. Babcock was reelected chairman. Mr. Apsley of Massachusette, vice chairman, and Mr. William B. Thompson of Michigan, treasurer. The xecutive committee chosen was Representatives Hull of Iowa, Cannon of Illinois, Sherman of New York, Overstreet of Indiana, and Mercer of Nebraska. Senators Pritchard of North Carolina, Pettigrew of South Dakota, and Mitchell of Oregon, were also chopen as members of the executive committee. Each state has one representative on the committee and about thirty of the members took part in the meeting, which was entirely harmonious. Mr. Apeley, in naming Mr. Babcock, said that in the last campaign be had predicted the defeat of Wilson, Springer, Holman and Bland, and the election of Morton in New York by a majority of 100,000, but had been laughed at by the press of the country for his pro-phecy. Mr. Apsley said the prospects of the epublican party had never been more pron ising and declared there was no doubt that the next house, senate and president would be republicans. Mr. Hull, in nominating Mr. Apsley, said that he deserved equal credit with Mr. Babcock for the work of the

TO RESTRICT COURTS JURISDICTION

committee in the last campaign.

Move to Prevent a Repetition of the Debs Contempt Case. WASHINGTON, March 5 .- Congressman Phillips of Pennsylvania introduced today, at the request of the executive council of the American Federation of Labor, a bill to restrict the jurisdiction of the United States courts in proceedings for contempt. It provides "That the courts of the United States, sitting as courts of equity, shall not have jurisdiction to punish for contempt any per-son charged with the violation of any order decree of the court whose acts co arise cut of, or are connected with the comlaws of the United States, or of the state in which the offensive act is committed, but in every such case the offense against the court shall be deemed merged in the greater States." The bill does not apply to United States courts sitting as courts of law, as distinguished from courts of equity, and only applies to the latter case in two instances where the contempt charged is the viola-tion of an order or decree of court, or where maker the offender a principal or ac

essory to a crime. Satro Letters Were Unmallable. WASHINGTON, March 5 .- The seizure by postal authorities of the mail addressed from San Francisco to various United States senators and members of congress was the result of instructions issued from the Postffice department here. Several senators and members complained to First Assistant Postnaster General Jones some time ago that they were receiving communications which they regarded as unmailable. The matter was referred to Assistant Attorney General Thomas for an opinion. The report of Judge Thomas holds that a number of the envelopes were unmailable, and those which fell within the decision were immediately ordered held up by the department in a dis to the San Francisco postmaster Judge Thomas, in his report says: "Mail matter is nonmailable if libelous or calculated by its manner or style of display to injuriously on the character or condition of the addresses or any other person.

Amendments to the Pension Laws. WASHINGTON, March 5 .- Senator Gal-"Now Mr. Chairman, I have been diverted inger, chairman of the pensions committee. today introduced into the senate several bills bearing upon the pension laws. One of these provides that upon the consideration of the application for a pension under the pension aws, the fact that the applicant was accepted and mustered into service eccepted as satisfactory proof that he was of sound body and mind. Of the other bills, one empowers fourth class postmusters to idminister oaths to pensioners; one, that in pension cases the oath of a private shall have equal weight with the oath of an officer one, that the failure of a soldier to receive an honorable discharge, providing there is no charge of desertion against him, shall not be a bar to the granting of a pension to his widow or those dependent upon him case of his death, and one dispensing with the requirement in the case of widows as applicants under the act of 1890.

Proposed Another Amendment. WASHINGTON, March 5 .- Mr. Fenton of Ohio introduced today a joint resolution for an amendment to the constitution providing that no addition shall ever be made number of states of the union from any territory which may hereafter be acquired by the government, if such territory lies out of the parallel of 30 degrees north latitude. In the event of the acquisition by the United States of any territory so situated, congress is to forever exercise exclusive jurisdiction over it.

Confirmations by the Senate. WASHINGTON, March 5.- The senate it executive session today confirmed the following nominations: Samuel Comfort of New York, to be consul of the United States at Bombay, India; George S. Wilson, to be post-master at Malvern, Ia.; Commodore Thomas . Selfridge, to be rear admiral in the navy also e number of promotions in the army and navy.

To Freeze Out Foreign Shipping. WASHINGTON, March 5 .- Senator Elkins today introduced a bill for a discriminating duty of 10 per cent ad valorem in addition to other duties on all merchandice imported in vessels not belonging to citizens of the United States. The bill proposes the abrogation of all treaties contrary to its provisions.

No Massacres for Two Months. WASHINGTON, March 5 .- Secretary Olney has received a cablegram from Minister Ter reil at Constantinople stating that no general massacres have occurred in two months and that much confidence is felt that they

published by General Watker, commander of Business Men Spend an Evening Talking Nebraska Club.

Effort to Advance the Material Interests of the State Strengthened and Many Expressions of Confidence Reiterated.

The movement to push forward the state and the city appears to be gathering impetus and weight. An additional momentum was attained last night at a meeting of the business men of the city in the parlors of the Commercial club. This meeting formally launched the Douglas County Auxiliary of the Nebraska club and at the same time brought out some enthusiastic testimony of the faith of the citizens in the state and city and their intention to promote and increase their prosperity by every means in their power.

Before the meeting was adjourned it was resolved to hold a general mass meeting of citizens under the auspices of the auxiliary the coming week. The arrangements for this were left in the hands of a committee, but it was decided that the meeting should be held on either Thursday or Friday night of next week. Invitations will be sent out, and it is oped that a large number will be present. The meeting will be held at the Commercial

George F. Munro called the meeting to order and announced that the primary pur-pose was to elect officers of the auxiliary. He called for nominations for president, and he himself was at once placed in nomination and unanimously elected. He said that the lub could do a great deal of good for the state if all the members assisted in the work He promised to devote all the time and en-ergy possible to the club and asked others to do the same.

It was decided to elect a vice president rom every division in the county and the following were unanimously elected. II. Hardy. Omaha; Thomas Hoctor, South Omaha; G. R. Williams, Benson; B. B. Baldwin, Elkhorn C. Robinson, Waterloo; Pat McArdle, Ardle; Peter Mengold, Bennington; J. F. Weybright, Millard; R. R. Kimball, Mercer Dr. Gelson, Eik City; Frank Hibbard, Irvagton; V. G. Lantry, Florence Major T. S. Clarkson and W. I. Kiersted

were unanimously elected recretary and treaturer respectively.
It was decided to appoint a committee whose duty it shall be to appoint committees o solicit subscriptions of stock. This com-nittee was instructed to meet at 2 o'clock today in the Commercial club rooms. In its hands also was placed the matter of arranging for the mass meeting to be held nex week. The committee consists of the follow ing, in addition to the president, secretary and treasurer of the auxiliary: H. S. Jaynes, Theodore L. Ringwalt, M. F. Roys and Henry A. Thompson

MONEY AT ONCE NEEDED. After this business had been disposed of cretary Holmes of the Manufacturers and onsumers association urged that efforts hould be made by the committee to get as nany subscriptions to stock as possible in order that the club might have money in hand to go to work. He believed that \$10,000 or \$15,000 ought to be raised at once. He stated that in Portland, a smaller city than Omaha, the merchants had raised \$30,000 to do a similar work. Some fourteen firms alone had guaranteed to pay \$50 a month for twelve months to put into this fund.

A request was made by W. B. Taylor that he objects of the club be explained, and Major Clarkson was called upon by the presi dent. He said that the motto of the was "Stand Up for Nebraska," and he lieved that the time had come to stick to it not because there was anything wrong with the state, but because it had of late years een visited with unfavorable conditions. He held that there was not a state in the union which was better suited to the business man stock raiser or agriculturist, than Nebraska. The resources of the state were comprehended not even by Nebraskans. He especially referred to the agricultural resources to make Nebraska the greatest agricultural state in the union. He said that in 1891 not an acre in the state was under irrigation out that on May 1 of this year ditches would be dug and water supplied for 1,000,000 acres and by the same time next year 2,500,000 acres would be irrigated.

BEET SUGAR INDUSTRY The beet sugar industry was picked out av another of the great resources of the state. Major Clarkson stated that the climate of Nebraska was better fitted to the cultivation of sugar beets than that of any other state Its beets furnished 15 or 16 per cent of saccharine matter, while the German l-cets. heretofore the best in the world, furnished only 10 to 11. He said that under ordinary crop conditions nothing paid the farmer like the raising of beets, as he obtained from \$75 to \$90 an acre for them. He urged the build ing of small refineries in every county, and said that capital for them could be furnished if the beets were raised. The cost of such mill with a capacity of 100 tons a day would be from \$25,000 to \$30,000. By the process lately discovered the product could be partially refined and then shipped to some central refinery to be fully refined.

The state could not be surpassed in its

stock raising resources. Sandhills and grading lands adjoining, which were good for nothing else, could be devoted to this indusry, and the state could be made the greatot stock raising state in the country. Those advantages, Major Clarkson urged. ould be presented to the country. Nebraska man whether for immigration or resident." he concluded.

Secretary Williamson of the Nebraska club said that it was the intention to form an auxiliary in every county. So far thirty countles that were represented on the board of directors had formed or were forming clubs. These were waiting for Omaha to set the pace in the work. He believed that ,000,000 increase in population could be obtained by the club before 1900. He advised, however, that it behooved to set to work however, that it behooved to set to work as soon as organizations with similar objects in view had been started in neighboring stance of his guardian. Chauncey Adams,

BEGINNING TO COME ALREADY. Superintendent Jaynes of the St. Paul & informed the meeting that immigration had already set in. He said that he had knowledge of 300 cars of movables that had concert by the Seidi Orchestra company May lately been brought into the state for set
9, afternoon and evening, the contract being tlers. Within the past ten days fifty cars of conditional on a guarantee of \$2,500, which movables had been carried into northern Nebrasks. He thought that such facts ought to lickets at the regular rates. be brought out in order to encourage the tion was started at noon yesterday.

scole. Nevertheless, he believed that deternined efforts ought to be made to stop grants that are being carried past or through chraska to other states.

W. B. Taylor spoke at length on the adstate before existen people by literature and excursions. In this connection State Secretary Williamson said that while the club did not as yet have money to do active work, it was doing samething. Articles on the state were sent to newspapers and facts regarding the Men were sent out on various railroad sys-tems to advertise the state, and a large amount of literature on the state was being distributed. He urged, however, that a determined effort be made to obtain subscriptions to stock in order that some money could be raised.

Wanderers' Club Social and Smoker. Wanderer's club, an organization cor posed of foreign born citizens who meet stated intervals to discuss at stated intervals to discuss "The Land We Left and the Land We Live In," held a combination smoker and concert at Continental hall last night. The large room was crowded with members of the club and their friends and a literary and musical program of exceptional merit was presented. Some of the best known Omaha professionals, among them being Hans Albert, W. T. Taber and Thomas J. Kelley, were on the program, and several amateur singers and instrumentalists filled in a bill of unusual length. The entertainment was a most enjoyable one.

#### PERSONAL PARAGRAPHS.

George A. Brooks of Bazile Mills, is in the Mr. and Mrs. C. B. Godell of Wilber are

hotel guests. Sol Bloteky, dry goods merchant, Shelby, In., is in the city

N. K. Griggs left for Chicago last night to be gone a week. L. W. Russell, hardware merchant, Glenwood, In., is in the city. Captain Beck, agent at the Winnebago

eservation, is in the city. J. G. Megeath left for Baltimore yesterday where he will visit relatives. T. J. Dolsen and George E. Hurst are

registered at the Barker from Kansaz City. Frank Cole, D. C. Woodring and F. orguson are Lincolnites registered at the Barker.

H. D. McLean, advertising agent for the Mercy World company, is registered at the

John N. Flynn, a merchant of Denver, was in the city vesterday and left for New York on the evening train. Victor Caldwell left for Tioga, Pa., last vening, where he will join his mother, who

has been visiting relatives for several months in that city. They will return to April 1. H. T. McCormick went to Sheridan, Wyo., yesterday, where he will purchase a large tock farm for which he has been negotiating for some time. He will take his family to

Wyoming this spring, where they will have their permanent residence. Nebraskans at the hotels are: G. A. Eckler, John G. Maher, Chadron; C. E. Hinman, Oxford; J. E. Gilmore, Hay Springs; W. H. Westover, Rushville; James R. Smith, Blair; W. M. Widener, York; James Porterfield, Wayne: Dennis O'Flaherty, Dixon; R. M. Huribut, A. K. Lammers, Hartington; J. H.

Blenkiron, Belden; J. W. Bennett, Elgin; V. A. Hester, Harrison. At the Murray: J. W. Woodward, St. Paul; James W. Blaney, Pittsburg; Jule Braun, Greentown, Ind.; E. M. Marqua, St. Louis, Mo.; F. C. Traver, C. F. Southward, John L. Baker, Chicago; F. R. Nicholas, Ogden; J. W. Massaner, New York; H. C. Stilphen, Chicago; Charles W. Shivel, St. Louis; M. Horton, Chicago; D. M. Jenkins, Detroit; F. A. Fitzgerlad, New York; Ernest Zeis, Boston; S. E. Taylor, McCook; R. H. Casson and lady, Lincoln; W. J. Earhart, Chicago, Ill.; J. G. Anderson, Pittsburg.

### LOCAL BREVITIES.

The baby which caused the row in the Mitchell family has been turned of Thomas Slack of 718 North Sixteenth. over The local weather bureau has received ad-

vices that the temperature will fall 20 degrees by today noon, or to 16 abive zero. This evening at 8 o'clock Prof Coppins will lecture to the Omaha law class on "Hypnotism and Law." Prof. Henry will give a practical demonstrations of hypnotic

Margaret Merington's play "Lettarblair," will be given as the second number in the Young Men's Christian association Star course in a few days. It is a comedy which has met with great success.

A meeting for the discussion of the money question will be held at Knights of Labor hall this evening. Speeches will be limited to ten minutes. Mr. Jeffcoat, Mr. Logan and a number of others will talk.

The three horses which were reported to the police as having been stolen from C. I. Johnson, a farmer, ten miles west of the city, have been picked up by a man, Gleabe, Corty-ninth and Charles streets. Shortly after 8 o'clock yesterday the fire epartment was called to a small blaze at

1216 Mason street, which was caused by a disjointed stove pipe. No damage was done. The house was occupied by Dennis Maher. The police are advised to look out for Mati Adams, for whose arrest a reward of \$250 has been offered by the authorities of Arapahoe county, Colorado. Adams is a de-faulting district clerk of that county, and fled last November.

Captain Jackson's deep sea collection of natural history specimens is still on ex-hibition at 115 South Sixteenth street for the benefit of the Women's Christian Ter perance union. Doors are open from 2 to 5 and from 7 to 9 p. m. Mrs. M. M. Pugh will give a lecture on 'Hygienic and Chafing Dish Cookery," with

demonstrations, in the pariors of St. Mary's Avenue Congregational church this evening at 8 o'clock. The lecture will be under the uspices of the Women's Christian Temperance union. Henry Smith; the bridge jumper

burglar who entered the residence of Mrs Donaldson, 1722 Dodge street, about ten days ago and stole \$40 in cash from a boarder named Mattice, and who was penitentiary on parole, was taken back to prison last evening.

Ninth and Harney streets. Adams says that the boy plays "hookey" from school and is uncontrollable. He would have him sent to the reform school.

Adolph Meyer has closed a contract for a The subscrip-

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Illustrated by 6 dolls with 21 dresses, 6 suits, 28 hats, and 85 other articles, furnishing the ladies with the latest French fashions as well as the children with an amusing toy.

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Send 6 Coupons, or Send 1 Coupon and 6 cents, or Ways to Send 1 Coupons, or Send 1 Coupon and 6 cents, or Send 10 Cents without any

Blackwell's Durham Tobacco Co., Durham, N. C., and the Fashion Dolls will be sent you postpaid. You will find one coupon inside each 2 oz. bag, and two coupons inside each 4 oz. bag of

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Buy a bag of this Celebrated Smoking Tobacco, and read the coupon, which gives a list of other premiums and how to get them. 2 CENT STAMPS ACCEPTED. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

MONEY



ONE WHO IS INTERESTED.

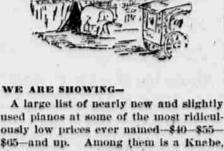
In and appreciative of color combinations and biessed with an aritstic eye will and an unusual feast spread before him In the new carpet creations as revealed to him in our new spring arrivals. The first class goods show a distinct departure from former years, being warmer through In color without verging so much upon absolutely dark shades. It is not too much for us to say that our present purchases are far beyond any previous amel top cork soles for \$3 and box calf

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HOW'S YOUR CORN CROP-Don't you know there's nothing that will make your corns grow better than rubbers or overshoes?-make your feet sweat and to be strongly suspected. Our cork sole shoes will keep any clean foot free from these evils-cork won't allow moisture to get to your foot through the soles, and enamel tops will shed water like a duck. Men's cork soles for \$5, and \$5 cork soles for \$2.50. Ladies' \$5 26th century en-\$4 20th centuries for \$2.15.



ously low prices ever named \$40 \$55-\$65-and up. Among them is a Knabe, as well as several other well known makes of square planos. We have been particularly careful in restoring these pianos to as near first class condition as possible, and feel that we are giving t nusual bargains at these prices.

Terms-\$5 a month, with \$5 down.

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spe, jr,

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After the consideration of the bill, a bill was passed appropriating \$96,000 for the reconstruction of the Rock Island, Ill., bridge, and then, at 5:20 p. m., the house adjourned.