THE OMAHA DAILY BEE.

FIFTEENTH YEAR. OMAHA, TUESDAY MORNING, DECEMBER 15, 1885. NUMBER 150.

FIXING THINGS FOR A FIGHT.

The Appropriation Bills Promise a Rollicking Row in the House.

BOUND TO MAKE BAD FEELING.

Dakota's Chances for Becoming a State—Frank Palmer in War Paint —Washington News of Interest to Western People.

Legislative Donnybrook Promised.

WASHINGTON, Dec. 14.—[Special to the BEE.]—It is easy to see that the first thing that the new house is going to do is to get up a big fight among its members. That seems to be the normal condition of congress. Unless it can and itself continually in the midst of a big quarrel the members do not feel that they are earning their salaries. Differences growing out of the question of amending the rules of the house are found to make a good deal of feeling. Indications to-day are that Morrison's scheme with reference to the distribution of the appropriation bills will be adopted. A majority of democrats probably favor the proposed new plan, and as far as the republicans are concerned, they are quite willing to help in anything that is likely to cause a breach in the ranks of the opposing party. The oldest members of the house, and those to whom that body naturally looks for the leadership, are opposed to the new fangled plan, yet the new members, aided by those who are willing to precipitate a row, will probably outvote them. The natural result will be that the old members, who will thus feel themselves snubbed, will be likely to do more or less sulking. The experience of the past three or four years during which time several of the appropriation bills have been farmed out to others than the appropriations committee, shows that a committee with only one appropriation bill to frame is just about as slow in getting its bill ready as though it had half a dozen or more to prepare. The consequence will be probably that they will hold the bill back until the session has been well spent, and then there will be another quarrel to see who will get in first. So the session seems likely to begin and end with quarreling.

THE CHICAGO POSTMASTERSHIP.

Ex-Postmaster Palmer seems to be settling down for a long seige in regard to the Chicago post office. One of our morning papers to-day announced that he and Congressman Van Schaick have quarters at the "Strathman Arms," and there are other evidences that Palmer intends to make a long stay here. His friends are predicting to-day that there will be no action taken by the senate on Cleveland's appointments for postmasters either in Chicago or Philadelphia, and that when the senate adjourns Judd will have to step out and Palmer will step in.

THE PRICE OF THREE HOGS.

To-day in the United States supreme court the motion to dismiss the appeal case of the Mississippi and St. Louis railroad companies, plaintiffs in error, against Olive Beckworth, was denied. This case is the one in which the railroad company appealed from the judgment of the circuit court of Iowa, originally tried by a justice of the peace for Humboldt county, Iowa, in which Beckworth was awarded $24 damages for three hogs killed. The argument of the company is in effect that the slaughtered swine were worth only $15 according to the testimony of the owner, but doubtless the amount of the value proved was awarded under section 1289 of the Iowa code which authorizes a judgment against the plaintiff in error—the railroad company—for double the value of the stock killed. The action is to test the constitutionality of this section of the code, which it is claimed is repugnant to the Fourteenth amendment. As the case is numbered 1,051 on the docket it cannot be argued for several years. Jeff Chandler and Eppa Hunter appear for the company.

DAKOTA'S PROSPECTS FOR ADMISSION.

Senator Harrison, chairman of the senate committee on territories, has fortified himself for a strong, and he thinks, successful fight for division if not admission of Dakota to statehood during this session. He says there is no doubt about the bill dividing the territory and admitting the southern half being passed in the senate, and that it is more than likely the house will accept the same measure. This he thinks can be affected by admitting one of the democratic territories, probably Washington. The house, he says, cannot well refuse division in any event.

To-day the executive committee appointed by the constitutional convention of Dakota transmitted its memorial to the senate, praying for admission of south Dakota. It also sent a draft of a state constitution, which it asks to be approved by congress. This gives the committee on territories something to work on.

THE JUDGMENT MUST STAND.

The United States supreme court to-day affirmed the judgment of the United States circuit court for Iowa in the appeal of Asa C. Call, of Emmettsburg, Iowa, from a judgment in favor of Henry H. Palmer. In 1872 Call borrowed $10,000 from one Barnham and gave a note bearing 18 per cent interest. He claimed that Barnham charged him $2,000 for the accommodation and that he received but $8,000, hence the transaction was usurious. The Iowa court awarded Palmer, the purchaser of Call's note, a decree of foreclosure for $15,482, with interest at 10 per cent and $500 attorney fees and costs, and the supreme court affirms the judgment.

OFFENSIVE PARTISANS IN IOWA.

There have been nominated up to this time by President Cleveland 190 postmasters. Of these eighty-one were to fill positions held by "offensive partisans," and 109 to fill vacancies caused by expiration of commissions. Among the "offensive partisans" removed were the postmasters located at Fort Dodge, Creston, Chariton, and El Dorado, Iowa. None were removed in Nebraska.

PERSONAL MENTION.

John C. Bonnell, of Lincoln, is at the Ebbitt.

John Beatty, jr., of Omaha, is in the city.

Senator Manderson expects his wife to join him at the Portland next week.

WESTERN POSTOFFICE MATTERS.

Changes have been ordered in the time schedule of the star mail route from Otter Creek to Sewingle, Dubuque county, Iowa, as follows: Leave Otter Creek Tuesdays and Saturdays at 11:40 a. m.; arrive at Sewingle at 12:40 a. m. Leave Sewingle Tuesdays and Saturdays at 10:30 a. m.; arrive at Otter Creek by 11:30 a. m.

George W. Lowe was to-day commissioned postmaster at Long Pine, Neb., and John H. Simpson at Thompson, Neb.

Commissions were issued for Iowa postmasters as follows: Hezekiah Woods, Green Castle; Ardivan W. Minturn, Little Sioux; Walter D. Burd, Thayer.

A BILL HAS BEEN INTRODUCED

by Senator Wilson of Iowa, for the appointment of railway postal clerks. The bill provides that the appointment of railway postal clerks shall be for a probationary term of not less than three nor more than nine months, upon recommendations satisfactory to the postmaster general, who shall in each case of probationary appointment designate the term for which it is made; and each application for a probationary appointment shall be in the handwriting of the applicant, and shall state his name, residence and occupation for the five years next preceding the date of such application. The bill provides further for examination during the probationary period, and authorizes the postmaster general to suspend an appointee, pending an investigation, for any cause whatever, such as infidelity to the government, intemperance, habitual profanity, inattention or neglect of duty, incapacity for the duties of the office, disobedience of official instructions, and any kind of insubordination. The charges must be made in writing to the general superintendent of the railway mail service, who shall make an examination and report to the postmaster general.

THE FORT ROBINSON MATTER.

Senator Manderson said to the BEE correspondent to-day that Fort Robinson would undoubtedly be maintained. He stated that he had just had an interview with General Sheridan on the subject, and thought he had convinced him that it would be unwise to abandon it as recommended recently. Senator Manderson directed Gen. Sheridan's attention to the great growth of Nebraska and the necessity of rehabiting the fortress. Gen. Sheridan indicated that he favored putting the post into habitable form. Senator Manderson thinks that Fort Laramie ought to be abandoned and the material removed to Fort Robinson. He will introduce a bill to this effect after he has a further interview with the war department. It is very probable that the senator will carry his point.

THE TERRITORIAL COURT SUSTAINED.

WASHINGTON, Dec. 14.—[Associated Press.]—The supreme court to-day affirmed the judgment of the supreme court of Utah in the case of Angus M. Cannon, plaintiff in error, against the United States. Cannon was indicted under the Edmunds' act for unlawful cohabitation with more than one woman. The defendant objected to the giving of any evidence on the ground that the indictment did not allege that he was a male person, nor that the cohabitation was with the women as wives. The objection was overruled, and a verdict of guilty returned, and the defendant sentenced to pay a fine of $300 and to be imprisoned for six months, and to be further imprisoned till payment of the fine. Justice Miller dissented from the opinion of the court.

The principal question was the meaning of the word "cohabit," and Judge Blatchford in his opinion says: "The court properly charged the jury the defendant was to be found guilty if he lived in the same house with the two women and ate at their respective tables one-third of his time, and held them out to the world by his language or conduct as his wives. It was not necessary it should be shown that he and the two women, or either of them, occupied the same bed or slept in the same room, or that he had sexual intercourse with them."

PUSHING THE WORK FORWARD.

The senate committee on public lands held its first meeting this morning. It took up the measures referred to it by the senate and referred them to sub-committees. These included the bills for the repeal of the pre-emption timber culture and desert land acts, for the forfeiture of certain land grants, and providing for taxation of railroad lands. It is the purpose of the committee to have some of the most important of these measures, a majority of which have already been passed upon in previous sessions, reported at an early day, placed upon the calendar and brought as speedily as possible to the point of final action.

DECISION IN THE ONTONAGON CASES.

The secretary of the interior to-day rendered a decision in the Michigan land cases, known as the common limits of the Marquette and Stall line and the Ontonagon and State line roads. The secretary holds that the title to the lands in question are not void, but voidable, and may be submitted to a board of equitable adjudication for confirmation of entries. The facts in these cases are stated to be substantially the same as in the case of Pecard vs. Gamins, decided by the department September 17, 1885, and the principle therein stated is fully applicable to these. The principle involved in this decision affects lands estimated to be worth $20,000,000. The decision relates to even numbered sections only, and not to lands granted to the railroads.

POSTMASTERS APPOINTED.

The following nominations for postmasters were sent by the president to the senate to-day:

Erastus P. McKinney, at Lacon, Ills.
Joseph Brilsford, at Onarga, Ills.
A. J. Brewer, at Albia, Ia.
John D. Smith, at Bedford, Ia.
A. C. Hutchinson, at Burlington, Ia.
Clarence Snyder, at Racine, Wis.

FORTY-NINTH CONGRESS.

Senate.

WASHINGTON, Dec. 14.—The chair laid before the senate a joint resolution of the legislature of Connecticut urging congress to pass without unnecessary delay, a bill to provide for the presidential count.

The chair also laid before the senate, a memorial from the state executive committee appointed by the constitutional convention of the territory of Dakota praying for the admission of Southern Dakota as a state of the union, and transmitting the draft of a constitution for the approval of congress.

Mr. Harrison said he only awaited of receipt of this memorial in order to introduce a bill providing for the admission of the territory named, and would introduce such at the earliest opportunity.

Mr. Hoar, from the committee on privileges and elections, reported favorably on the original bill providing for the performance of the duties of president in case of death, resignation or inability of both president and vice president. He said it was substantially the same bill that had been acted on last year by the senate, and gave notice that he would call it up to-morrow for consideration.

Mr. Edmunds expressed the hope that its consideration might be delayed for a day in order that he might have an opportunity to attach as an amendment the bill already introduced by him, regulating the count of the presidential vote.

Mr. Hoar was willing the bill should lie over one day, when he should to-morrow have submitted some remarks on the matter. The bill was satisfactory to Mr. Edmunds. The bill was placed on the calender.

A resolution offered by Mr. Morgan was agreed to, requesting the president, if not incompatible with public interests, to communicate to the senate a report of the actual instrumental survey of the line for a ship railway across the isthmus of Tehauntepec, and if any canal or canals are designed to connect such ship railway with the Gulf of Mexico or the Pacific ocean.

On motion of Mr. Allison it was resolved that until the expiration of the forty-ninth congress the committee on appropriations shall consist of two members, and the chair appointed Mr. Logan as an additional member.

Mr. Sewall, at his own request, was relieved of the chairmanship of the committee on military affairs, and Mr. Logan was by the chair appointed to that position.

Mr. Manderson, at his own request, was relieved from service on the committee on military affairs.

Mr. Sherman, at his own request, was relieved from service on the committee on privileges and elections.

Mr. Sewall was appointed chairman of the committee on library, and a member of the committee on privileges and elections.

Mr. Hoar, from the committee on judiciary, reported favorably the bill fixing the salary of United States district judges at $5,000. The bill was placed on the calendar.

At 2:20 p. m. the senate went into executive session and at 2:20 a message was received from the president transmitting the Keily correspondence recently called for by the Vest resolution. It was ordered printed and to lie on the table.

The senate adjourned at 2:25.

House.

WASHINGTON, Dec. 14.—Mr. Morrison of Illinois, from the committee on rules, submitted a report which was ordered printed and laid over until to-morrow. Permission was given Mr. Randall of Pennsylvania to submit a minority report.

Mr. Weaver of Iowa offered a resolution providing for a call of states to-day for the introduction of bills. Considerable antagonism was made to the proposition, Messrs. Hammond of Georgia and McMillan of Tennessee asserting that the introduction of bills before the house had determined the jurisdiction of various committees would lead to great confusion.

Mr. Springer, of Ill., took the same view of the matter, and pointed out various sections in the proposed new code, which would be violated if the resolution was adopted. Mr. Weaver saw no weight in the objections raised to his resolution, because it proposed to refer bills to appropriate committees when appointed. Further discussion was cut short by a motion to adjourn, which at 12:25 was carried.

A Lake Vessel Frozen Tight.

PORT HURON, Mich., Dec. 14.—The wrecking tug Winslow arrived here yesterday morning with the passengers and crew of the steamer Oconto, aground and frozen in near Charity Island. The tug was unable to get within three miles of the wrecked propeller on account of the ice. Two men were left on board with the horses and cattle. It is thought that the boat will go to pieces. An effort will be made to take the cargo off on the ice.

Gen. Robert Toombs Dying.

AUGUSTA, Ga., Dec. 14.—General Robert Toombs is sinking at his home in Washington. His physician says he cannot recover.

NICKEL PLATE PARALYSIS.

Vanderbilt's First Attack and the Purchase of the Rival Line.

NEW YORK, Dec. 14.—[Special to the BEE.]—An interesting chapter in the railroad history of the United States will come to light if the story is ever told of the inside efforts that were made to sell Vanderbilt the Nickel Plate road. It will be remembered he held out a long time against the threats and persuasions of the gentlemen who were intent upon loading him up with their parallel enterprise. Influences of the most remarkable character were brought to bear upon him. Wall Street was firing away at the Lake Shore and other properties with the Nickel Plate for continual bear ammunition, and not a day laborer in his great army of workmen went to bed any night more utterly weary and worn out and overtaxed than did William H. Vanderbilt. Neither peace by day nor peace by night was given him. He was a target all the time. Finally the fret and worry began to effect him perceptibly. He grew nervous and moody. His family began to feel worried, and his doctor began to evince renewed interest in his diet and habits. One day an interview was arranged to be held at his Fifth avenue home. Three gentlemen well known in speculative and financial circles met with him. Their purpose was to try to convince him he must buy up the Nickel Plate property forthwith, or else run the risk of suffering tremendously from new attacks to be made upon his railway property in the stock market. Jay Gould at the time was down in Florida ostensibly for his health, but Vanderbilt's visitors were very clear that Gould's trip south was not much less than a clever trick to cover up a big scheme in another direction, and this other scheme was to get control of the Nickel Plate and attach it to the Wabash and create a new trunk line. Vanderbilt listened eagerly to every word spoken and when finally the truth was brought home to him of this new danger threatened through the unscrupulous tactics of Jay Gould, he quivered like a child in terrible fright. Then suddenly he gasped convulsively for breath, suffering beyond expression, and in another tell forward from his chair to the floor. He lay prone dead. It was a similar scene to that which Robert Garrett witnessed the other day. Vanderbilt recovered quickly. That was his first paralytic stroke, the true story of which has never before been told. The story which involves also the real reason of his seemingly startling change of base from an energetic assertion that he would never pay tribute to "blackmailers," to the sudden purchase of the Nickle Plate out and out, has never been made public before.

The Trans-Continental Meeting.

SAN FRANCISCO, Dec. 14.—The Trans-Continental association met here this morning, all the lines represented. T. F. Oakes, general manager of the Northern Pacific, was elected chairman. A committee of three was appointed to draft a plan for reorganization, to take effect January 1 next. Adjourned till to-morrow afternoon.

The chief subjects for consideration are the division of pool earnings and fixing passenger rates from the east. The greatest discussion will probably be over the percentage to be allowed the Atchison, Topeka & Santa Fe road. This line demands that its claim as a trans-continental road be recognized and its percentage be increased; also, that the California Southern, one of its connecting lines, be admitted a member of the association.

THE SILVER QUESTION.

A Solution Offered by Representative Scott, of Pennsylvania.

WASHINGTON, Dec. 14.—[Special to the BEE.]—According to present appearances the nearest approach to a solution of the silver problem thus far indicated is embodied in a proposition which originated with William L. Scott, of Pennsylvania. His bill authorizes the secretary of the treasury to create what shall be known as the silver reserve fund. This is to consist entirely of standard silver dollars, 412½ grains each, the minimum limit to be $20,000,000. Whenever in any one month the fund shall show a deficiency below that amount the secretary of the treasury shall coin during the succeeding month enough silver dollars to supply such deficiency. While this fund remains intact the coinage of silver will be unnecessary, but as soon as the fund is encroached upon by the demands of trade or otherwise, the government will come forward to fill the gap. Scott believes that it will save an immense sum now lost in the shape of interest on the mass of silver stored in the treasury. The scheme is favored by a large number of democrats representing both sides of the question.

The Hennepin Crowd in Force.

NEW YORK, Dec. 14.—A Washington special says: Projectors of the Hennepin canal scheme are here in force endeavoring to secure such a change in the rules as will save them from the defeat, through the moving of a point of order, which they experienced last year. They propose to accomplish this by giving the committee on rivers and harbors jurisdiction of canals and of all water ways and of changing its title to that of "rivers, harbors and canals." This will enable the Hennepin folks to place their appropriation in the regular river and harbor bill, provided they have sufficient influence in the committee, and will give the measure the special advantage of a place in a bill which the committee in charge has a right to report at any time.

A Huge Bank Swindle.

WOOSTER, Ohio, Dec. 14—The Orville Farmers' bank, a private institution run by prominent citizens of Orville and vicinity, suspended Saturday. It was reported shaky some time ago, but was reorganized and it was believed to be solid. It held the funds of several townships and school districts on deposit and it is reported that the stockholders are so situated that the depositors will lose all. The depositors have consulted lawyers but returned to Orville convinced that the money was gone. The failure is said to have been caused by outside speculation. Full particulars are not obtainable.

They Miss the Money.

NEW ORLEANS, Dec. 14.—A special from Indian Territory to the Times-Democrat says: The Cheyennes and Arapahoes are becoming very restless and trouble is imminent. One cause of discontent is the loss of the money formerly derived from the now abrogated cattle leases. The Indians who were loudest in denouncing the cattlemen as thieves and demanding their expulsion, are now complaining about the changed conditions.

Trouble Among the Miners.

PITTSBURG, Dec. 14.—Trouble is reported at the mines of Brown & Co., at Saltburg. The sheriff left for the scene of the disturbance with a posse.

PITTSBURG, Dec. 14.—LATER—There was no disturbance at Saltburg this afternoon, as reported, at Brown & Co.'s mine. The sheriff found everything quiet.

Death of a Veteran.

SANTA FE, N. M., Dec. 14.—Gen. Gustavus A. Smith, who commanded the Thirty-fifth regiment Illinois volunteers during the war, died here Saturday of Bright's disease. He filled the office of internal revenue collector for ten years in this district.

A Strike Settled.

KNOXVILLE, Tenn., Dec. 14.—The difficulty between the Typographical union and the daily Chronicle was adjusted last night and the paper appeared as usual to-day.

Weather for To-Day.

MISSOURI VALLEY—Generally fair weather, winds becoming variable, preceded by south to west winds in the western portion, generally warmer.

You can buy furniture cheaper of A. L. Fitch & Co., 12th st., bet. Farnam and Douglas, than any other place in the city.

THE CASE OF OUR MR. KEILY.

Official Correspondence in the Matter Transmitted to the Senate.

ITALY'S CAUSE FOR OBJECTION.

The Austrian Government Refuses to Recognize Him Because His Wife is a Jewess—Bayard's Salient Letters.

The Kelly Case in the Senate.

WASHINGTON, Dec. 14.—The president, in response to the senate resolution adopted December 9, to-day transmitted to that body all the papers and correspondence on file relating to the appointment of A. M. Keily as minister to Italy, and his subsequent appointment as minister to Austria. The correspondence begins with a letter to Secretary Bayard from Baron Fava, the Italian minister resident, dated April 13, 1885, in which he calls attention to an editorial in the New York Herald in reference to alleged utterances of Keily in regard to the Italian government, and says if the newspaper's statement is true it is a most urgent and regretable one. Secretary Bayard answered under the same date, making an appointment to see the Italian minister April 15 and saying the department cannot make the editorials of a newspaper in relation to alleged utterances, confessedly made unofficially some fourteen years ago, of the gentleman selected to represent our government in a foreign country, the basis of discussion with the minister of that country here.

BAYARD CONTINUES:

"Having preferred the gentleman, who entertains no other sentiments towards your government than those of entire respect and friendship, to represent the government of the United States in Italy, nothing further devolves on this government, and being assured that Kelly will prove in all respects agreeable and acceptable as persona gratus to the government of Italy, we must leave that government to the exercise of its own and sole discretion in receiving him in the same spirit of friendship and respect in which he is sent forth."

Baron Fava, under date of April 20, forwards to Secretary Bayard a copy of a telegram received by him from the Italian minister of foreign affairs, the substance of which is that if Keily gave utterance to the sentences ascribed to him, he would not be acceptable to the king, and asking this government to appoint another representative to Rome.

THE NEXT LETTER IN ORDER

is one from Kelly to the president, resigning his commission. Secretary Bayard writes Baron Fava under the date of April 30, acknowledging the receipt of a copy of the above mentioned telegram, and saying: "The feeling of your government on the subject has caused an arrestation of Keily's movements, and he has returned to the president his commission as minister to Italy, and the object of the communication of the Italian minister of foreign affairs to you is therefore accomplished."

On May 4 Secretary Bayard informed Baron Schaeffer, Austrian minister at Washington, that the president had

APPOINTED KEILY TO SUCCEED MR. FRANCIS

as minister to Vienna. On May 9 Baron Schaeffer handed to Bayard the following translation of a telegram from Count Kalnoky to himself, dated May 8: "We regret the nomination of Keily as minister plenipotentiary and envoy extraordinary to the imperial court, and his sudden departure from America, as here, too, as in Rome, scruples prevail against this choice. Please direct in the most friendly way the attention of the American government to the generally existing diplomatic practice to ask, previously to any nomination of a foreign minister, the agreement (consent) of the government to which he is accredited. You are therefore requested to earnestly entreat them that the newly appointed minister may not reach Vienna before our confidential consent to his nomination has taken place. The position of a foreign envoy wedded to a Jewess by civil marriage would be untenable and impossible in Vienna."

In a communication to Baron Schaeffer, dated May 18,

SECRETARY BAYARD SAYS:

"The question thus raised by your government involves principles of the greatest importance and has no precedent, as yet discoverable by me, in modern times in the intercourse between friendly nations, and having submitted the matter to the consideration of the president, I am instructed by him to inform your government, through you, that the grounds upon which it is announced that the usual ceremonial courtesy and formal respect are to be withheld from the envoy of the United States to your government—that is to say—

BECAUSE HIS WIFE IS ALLEGED

or supposed by your government to entertain a certain religious faith and to be a member of a certain religious sect—cannot be assented to by the executive of the government of the American people, but must be emphatically denied. The supreme law of the land expressly declares that no religious test shall ever be required as a qualification to any office or any public trust under the United States, and by the same authority it is declared that

CONGRESS SHALL MAKE NO LAW

respecting an establishment of religion or prohibiting the free exercise thereof. This is a government of laws, and an authority exercised must and its measures and warrant thereunder. It is not within the power of the president, nor of congress, nor of any judicial tribunal in the United States, to take or even hear testimony, or in any mode to inquire into or decide upon the religious belief of any official, and a proposition to allow this to be done by any foreign government is necessarily and a fortiori inadmissable. To suffer an infraction of this essential principle would lead to a disfranchisement of our citizens because of their religious belief, and thus impair or destroy the most important end which our constitution of government was intended to secure.

RELIGIOUS LIBERTY

is the chief corner stone of the American system of government, and provisions for its security are embedded in the written charter and interwoven in the moral fabric of its laws. Anything that intends to evade a right so essential and sacred must be carefully guarded against, and I am satisfied that my countrymen, ever mindful of the suffering and sacrifices necessary to obtain it, will never consent to its infringement for any reason or under any pretext whatsoever. In harmony with this essential is almost equally potential the unwritten law of American society that awards respect and delicate consideration to the

WOMEN OF THE UNITED STATES,

and exacts deference in treatment at home and abroad of the mothers, wives and daughters of the republic. The case we are now considering is that of an envoy of the United States, unquestionably fitted, whose presence near the foreign government in question is objected to by its agents on the sole ground that his wedded wife is alleged to entertain a religious faith which is held by very many of the most honored and valued citizens of the United States. It is not believed by the president that a doctrine and practice so destructive of religious liberty and

THE FREEDOM OF CONSCIENCE,

so devoid of catholicity and so opposed to the spirit of the age in which we live can for a moment be accepted by the great family of civilized nations or be allowed to control their diplomatic intercourse. Certain it is, it will never in my belief be accepted by the people of the United States nor by any administration which represents their sentiments. Permit me, therefore, being actuated only by the sincerest desire to strengthen the ties of friendship and mutual respect between the governments, we respectively represent, most earnestly and respectfully to crave careful consideration of this note, and to request your government to reconsider the views you have communicated to me in respect of a feasible reception of Kelly on a mission of amity and mutual advantage, which in the amplest good faith he was selected by this government to perform."

JOHN M. FRANCIS,

United States minister at Vienna, on June 17, notified Bayard that he had been informed that the Austrian foreign office raised objections to receiving Kelly because Italy had objected to him and not because his wife was a Jewess. The Austrian government also objected to Keily's utterances. Bayard on June 1 instructed Francis to again present a request that the objections be withdrawn, and then present his letter of recall and turn over the legation to his secretary if not relieved by his successor on August 6. James Fenner Lee, then secretary of legation at Vienna, telegraphed Secretary Bayard the Austrian government could not receive Kelly and asked the United States to

APPOINT ANOTHER MINISTER.

Bayard in a final letter to Lee says: "From the correspondence two facts appear. First, that the alleged race and religious faith of the wedded wife of an envoy of the United States is held as the cause of his rejection, and further that the objections by a third party, a friendly power, are necessary to be removed in order to allow a proper reception to be extended. These conditions are simply intolerable, and are in the case of the United States, not only inhibited by the plain letter and undying spirit of the constitution of the government, but are inconsistent with that decent self-respect which forbids a nation of 60,000,000 of freemen to accept the position of a diplomatic dependency of the friendly power, whose behests appear to have been acquired in and carried out by Austria-Hungaria in the present instance."

Mr. Bayard informs Mr. Lee that the issues thus raised are grave and will be submitted to congress at its next meeting.

THE COUNTY'S CLEARINGS.

Omaha Heads a Host of Larger Cities in Bank Exchanges.

BOSTON, Mass., Dec. 14.—The following table compiled from special dispatches from managers of the leading clearing houses of the United States shows the gross bank exchanges at each point for the week ending December 5, 1885, with percentage of decrease and increase compared with the corresponding week of 1884.

CITIES.	CLEARINGS.	Increase.	Decrease.
New York	$751,100,900	39.4	....
Boston	81,489,354	17.1	....
Philadelphia	52,875,798	24.6	....
Chicago	52,437,000	6.4	....
St. Louis	17,042,988	3.2	....
Baltimore	16,736,101	1.6	....
Cincinnati	9,800,000	4.2	....
San Francisco	9,079,839	....	7.0
Pittsburg	7,127,355	0.7	....
Providence	5,550,600	22.4	....
Kansas City	5,000,000	26.1	....
Louisville	4,821,771	6.8	....
Milwaukee	4,095,000	7.5	....
*Minneapolis	3,114,619	....	....
*Omaha	2,857,629	....	....
*Galveston	2,323,083	....	....
Detroit	2,352,219	15.2	....
Cleveland	2,224,332	7.1	....
Galveston	2,323,083	....	....
Indianapolis	1,795,953	14.[illegible]	....
Columbus	1,553,408	11.[illegible]	....
Memphis	1,649,183	....	24.7
Hartford	1,430,74[illegible]	6.[illegible]	....
New Haven	1,049,8[illegible]	....	4.9
Peoria	775,05[illegible]	10.[illegible]	....
Portland	911,84[illegible]	94.[illegible]	....
Worcester	857,10[illegible]	35.[illegible]	....
St. Joseph	855,09[illegible]	45.[illegible]	....
Springfield	770,997	9.4	....
Syracuse	534,483	3.9	....
Lowell	502,927	7.[illegible]	....
Total	$1,061,649,746	30.5	....
Outside New York	289,549,74[illegible]	16.9	....

NOTE—Minneapolis, Omaha and Galveston not included in totals.

Review of the British Markets.

LONDON, Dec. 14.—The Mark Lane Express review of the British grain trade during the past week says: Values of wheat have not improved. Sales of English wheat during the week were 50,854 quarters at 30s 5d, against 61,240 quarters at 33s 10d during the corresponding week of last year. The flour trade is dragging. Inferior barleys are in favor of buyers; prices of superior are fully maintained. There is a better local demand for oats and beans. There is merely a retail business in foreign wheat. Trade in foreign flour is lifeless. Corn is slow of sale; mixed American is weaker. Large arrivals of Canadian peas have weakened values. American oats are slightly in favor of sellers. Three cargoes of wheat arrived, seven withdrawn, ten sold, two remained, including one of Californian. A dozen cargoes are due this week. Trade forward is steady. There is rather more inquiry for Californian and Oregon wheat. At to-day's market only retail business was done in wheat. Prices were in favor of buyers. Foreign wheat was nominally unchanged. Corn was occasionally cheaper. Other articles were quiet, but steady.

The Visible Supply Statement.

CHICAGO, Dec. 14.—The following figures, taken from the official statement of the board of trade to be posted on 'Change to-morrow, show in bushels the amount of grain in sight in the United States and Canada on Saturday, December 12, and the amount of increase or decrease over the preceding week:

Wheat	57,981,405	Increase	1,197,716
Corn	4,405,367	Increase	485,159
Oats	25,220,392	Increase	320,174
Rye	739,910	Increase	25,834
Barley	1,609,870	Decrease	88,285

The proportion of this in store in Chicago on the date named was:

Wheat	14,285,010	Corn	675,547
Oats	193,774	Rye	229,788
Barley	218,793		

The Elgin Dairy Market.

CHICAGO, Dec. 14.—Inter-Ocean Elgin, Ill., special: Butter took a sudden turn upward to-day, 24,640 pounds selling on the regular board at 40c straight. The cheese market is lifeless.

CAUGHT IN THE CRASH.

One Hundred Coal Diggers Below the Earth in a Mine Explosion.

WILLKESBARRE, Pa., Dec. 14.—A frightful explosion of gas occurred in Mill Creek mine this morning. About 100 men were at work in the mine when the explosion occurred. The result is as yet unknown.

The mine was operated by the Delaware & Hudson Coal company. The news spread rapidly and the whole population soon gathered about the property. The explosion occurred in what is known as No. 12 lift, located at the extreme end of the opening of the slope, four thousand feet from the mouth. The gas was ignited by a miner named Coffer, who was at work. An exploring party of twenty miners went down as soon as the news reached the surface. It was soon discovered that many had been burned. They at once began removing them. Several men were injured, one of whom died.

The rescuing party brought the following to the surface:

Joseph Clearly, badly burned and skull fractured, and cannot survive.

Peter Coffy seriously burned on the face and arms and internally injured.

Joseph Poodaski, dangerously injured and had his clothing burned from his body. His case is considered doubtful.

Nicholas Gray, driver boy, had his right eye torn from the socket.

His Elephantine Majesty Dead.

LONDON, Dec. 14.—Advices from Mandalay state the sacred elephant is dead. The customary ceremony of keeping the body lying in state three days was prevented by the British officials owing to sanitary reasons. The funeral was attended by an enormous crowd.

Prang's Prize Cards, more beautiful than ever this year. A full line at Saxe's.

Buy a watch for a Christmas present and make your friends happy. The finest selection at EDHOLM & ERICKSON'S.

Auction at Huberman's Jewelry store. General sales from 2 to 5 and 7 to 8 o'clock p. m. every day. For ladies only, from 10 to 12 o'clock a. m. on Mondays, Wednesdays and Fridays.

SPECIALS FROM IOWA.

Decisions Rendered Yesterday by the Hawkeye Supreme Court.

DES MOINES, Iowa, Dec. 14.—[Special to the BEE.]—The supreme court to-day rendered the following decisions:

State of Iowa vs. John Butler, appellant, Carroll district court. Affirmed.

J. M. Halstead vs. W. R. Cuppy, appellant, Pottawattamie circuit court. Reversed.

Edward K. Goodnow vs. Josiah B. Plumb, appellant, Webster district court. Affirmed.

Eikenberry & Co. vs. John B. Edward, certiorari proceeding to review an order made by Judge B. L. Burton of the second judicial district. Order and proceedings affirmed, Judges Beck and Adams dissenting.

Edward K. Goodnow vs. George W. Wells, et al., appellants, Webster circuit court. Affirmed.

Joseph E. White vs. Sarah Farlie, et al., appellants, Mills circuit court. Reversed.

W. M. Brinard vs. Charles R. Simmons, garnishee, appellant, Clark circuit court. Reversed.

S. S. Johnson, appellant, vs. Edson Pannell, C. G. Pannell and Charles R. Simmons, Clark district court. Affirmed.

Charles D. Goldsmith, assignee, etc., appellants, and others, Sac district court. Reversed.

H. A. Huff vs. James G. Olmstead, appellant, Warren district court. Affirmed.

Alonzo Wheeler vs. Joseph Kirkendall, appellant, Council Bluffs superior court. Affirmed.

Samuel Merrill vs. Wm. H. Bowe, et al., appellants, Polk circuit court. Reversed.

Alex. Bradley, appellant, vs. M. T. Cole, Cerro Gordo circuit court. Reversed on plaintiff's appeal. Affirmed on defendant's appeal.

State of Iowa vs. Robert Norton, appellant, Hamilton district court. Affirmed.

L. Blanton vs. R. L. Glover, appellant, Buena Vista district court. Reversed.

Thomas J. Trulock, appellant, vs. A. M. Bentley, et al., Ringgold circuit court. Judges Reed and Adams dissenting.

State of Iowa vs. F. Bissell and Ed Lehon, appellants, Harrison district court. Affirmed.

Pierie, Scott & Co. vs. Byers & Eggers, et al., appellants, Shelby district court. Reversed.

M. J. Bradley, appellant, vs. James H. and Philinda Johnson, Plymouth circuit court. Affirmed.

George Pennington vs. Western Union Telegraph company, appellant, Winneshiek district court. Motion for rehearing overruled.

Druggists Must Have Permits.

DES MOINES, Iowa, Nov. 14.—[Special to the BEE.]—The supreme court this morning decided the test case carried up by the State Pharmaceutical society from Harrison county, affirming the decision of the lower court, according to which defendants, who were registered pharmacists, were convicted of selling intoxicating liquors under the prohibitory laws. The decision is that the pharmacy law was repealed by the passage of the prohibitory law. The case is that of the state vs. F. Bissell and F. Lehon, appellants. This is regarded as one of the most important decisions under the prohibitory law that has yet been made. The effect of it will be to require every druggist in the state who wishes to sell liquor for medicinal purposes to obtain a permit from the board of supervisors the same as any other dealer. The druggists have claimed that as licensed pharmacists they could under the old pharmacy law sell for legitimate purposes without a special permit. They brought a test case to the supreme court with the result adverse to them.

A Winterset Man Missing.

DES MOINES, Iowa, Dec. 14.—[Special to the BEE.]—One week ago last Friday James Yoders, of Winterset, came to this city for the purpose of drawing his pension. Before leaving home Mr. Yoders informed his family that he would return on the following day, but as nothing has been heard of him his family fear he has been foully dealt with. His son, Albert Yoders, is seeking information regarding his father, but up to date has discovered no trace of him. The missing man is six feet, one inch in height, weight about 150 pounds, and when last seen wore a long black overcoat, with pants of a dark material. Mr. Yoders was formerly deputy marshal of Winterset, and holds a commission as a government detective. He drew a considerable sum of money from the United States pension agent in this city, and there is fear that he has been murdered and his body put out of the way.

A Hunter's Fatal Mishap.

CEDAR RAPIDS, Iowa, Dec. 14.—A section hand, John Persing, of Lisbon, while hunting yesterday was shot through the head and instantly killed by the accidental discharge of his gun.

FROM BEYOND THE SEA.

Parnell the Maker and Unmaker of Ministries.

NEW YORK, Dec. 14—[Special to the BEE.]—Extracts from the London papers this morning in the Herald's cable show that Parnellism is the paramount question of the hour in England. The Telegraph thinks the situation is more serious than many wars for the Gordian knot cannot be cut by the sword. The News is very much disturbed. It says: "Parnell is the maker and unmaker of ministries. Our parliamentary system is at stake."

The Standard says a compromise with Parnell would be folly, and adds, "there is no middle way to choose between that of those who wish to maintain the union and those who are intent on destroying it. It would be a lasting disgrace if the present generation are unequal to the task of facing Parnell."

LONDON, Dec. 14.—The press association states it has been officially informed that the government will take the earliest action to ascertain whether it enjoys the confidence of the house of commons. The cabinet had a session of two hours and a half to-day, and decided to meet the new parliament and to submit a programme for legislation, including a bill dealing with the subject of county government in England and Ireland. The ministers were unanimously confident of whig support. The cabinet unanimously refuse to receive or make overtures for an alliance with the Parnellites. They will meet in parliament with a programme of the English church reform and land tenure bills. Another meeting of the cabinet is to be held to-morrow.

LONDON, Dec. 14.—Gladstone, as privy counsellor, has written to the queen on the subject of a parliament for Ireland.

The Daily News believes Lord Ashburne compiled the scheme for Irish home rule which was approved by Lord Carnarvon but which was rejected by the rest of the cabinet.

The Balkan Muss.

LONDON, Dec. 14.—The report in a dispatch from Belgrade, Saturday, that a bloody engagement had occurred at Velikisvor between two battalions of Bulgarians and a body of Servians, in which the former were scattered, leaving many wounded and dead and the town itself captured, lacks confirmation and is generally discredited.

PHILLIPPOPLIS, Dec. 14.—Prince Alexander announces his readiness to receive Madjid Pasha as envoy of Turkey. The latter left Constantinople for this city.

Anniversary Memorial.

LONDON, Dec. 14.—The queen and members of the royal family attended the memorial services at the royal residence at Frogmore to-day for the late Prince Consort. The Prince Consort died December 14, 1861.

Opposed to American Meats.

PARIS, Dec. 14.—The agricultural group in the chamber of deputies have resolved to oppose the importation of American salt meats in the interest alike of sanitation and of French husbandry.

Stop your horses' cough by using Dr. Ramacciotti's cough mixture sold at Omaha Vet. Infirmary 1113 and 1115 Harney st.

ANOTHER LAND THIEF HAUL.

Four Prominent Citizens of Cheyenne Caught in Crooked Work.

HEAVY PROSPECTORS FOR COAL.

Captured in a Scheme to Gobble Up the Public Domain in Wyoming —The Land Embedded With Coal.

Only Seven Thousand Acres.

CHEYENNE, Wyo., Dec. 14.—[Special to the BEE.]—Fred J. Stanton, formerly Wyoming territorial geologist, now notary public and attorney for Baker & Johnson, Iver Johnson, of the firm of Baker & Johnson, merchants, George D. Hawes and Abraham Baker, were arrested to-day, on the charge of conspiring to defraud the government of coal lands. They have forty-seven claims, involving the possession of about 7,000 acres in the northern part of Laramie county, Wyoming, on the lines of the surveyed route of the Chicago & Northwestern railroad across the territory. The land will be worth about $700 per acre when the railroad reaches it, which will be next fall. The land has from eight to twenty-five feet thickness of coal underlying.

Col. George, special agent of the general land office for Wyoming, discovered last July, while on a trip north, a party of coal prospectors for the railroad with a complete boring outfit, who informed the agent that they were prospecting Baker's claims. His suspicions were aroused and he has been watching the matter ever since. Register of the Land Office Wilson, a new appointee, took possession of the office on the 22d of October. The second day of his incumbency he became suspicious of the same parties from the papers on file in his office. He had a conference with Col. George, and the latter has investigated the matter until satisfied of the frauds, and caused the arrest of the parties named to-day through United States Marshal Carr. United States Attorney Campbell is preparing the papers in the case. The arrested men gave bond and will be arraigned before United States Commissioner Cochran to-morrow.

The modus operandi of the party is as follows: Stanton, attorney for the syndicate of coal land sharps, did office work, using his position as notary public to forward the scheme. Hawes and Harper would obtain persons, 112 names being used, to testify as to the location and character of the lands, they witnessing that the land was not mineral except as to coal. The witnesses signed the papers, which they thought were only affidavits as suggested, but which turned out to be declaratory statements of an intention to take up by themselves or agents coal lands under the law. These papers also caused them unwittingly to state they had expended $50 each in the improvement of the lands. It turns out now that the blanks or papers were signed and filled up by Stanton to give them this character. The present administration of the land office in the territory is making things torrid for the land thieves generally.

WHEN TO GET YOUR HAIR CUT

Too Much Clipping a Prolific Cause of Cold and Sore Throat.

"How many prescriptions for sore throats do you suppose I've written in the last week?" asked a Detroit doctor of a Free Press reporter.

"Oh, perhaps a dozen."

"Nearly thirty, sir. And what do you think the cause in every case was?"

"Change of weather, of course."

"Change of nothing! There were two cases where the patients slept with open windows and got cold, but in all the rest the ailment could be traced directly to the barber."

"What did the barber do?"

"Cut their hair. I tell you the average barber is a more dangerous foe to humanity than cholera and small-pox. While they can be guarded against or stamped out, he lives on year after year."

"Is it dangerous to get the hair cut?"

"Outside of the three summer months it is. Take a raw day like this and forty-nine out of fifty men who get into a barber's chair to have their hair even trimmed will have a cold ore sore throat before to-morrow night. I would rather take a walk of two hours without my overcoat than to have two ounces of hair snipped off my head."

"But if people want their hair cut how is the barber to blame?"

"He is all to blame. No one should have his hair cut more than twice a year—May and September—and it should be done then only on a warm day."

Our Railroad Commission.

Holdrege (Neb.) Nugget.

We learned last Friday for the first time that the railroad commission had visited Holdrege last September. Our reporter stated that they came in on a special train and were out of their car long enough to ride up one avenue and down the other, not seeing any one in particular, and, finding no complaints lying around promiscuously on the streets, they boarded the train and skipped out as rapidly as possible for fear some of our citizens might ask them why we pay $2.25 per ton more for our coal than is paid in Kearney, Hastings and Lincoln, and why our coal costs $3.25 more in Holdrege than it costs consumers in Denver.

We have questioned our coal dealers in regard to this matter, and they state, without any hesitency, that the fault is in the railroad company. They receive 75 cents a ton for handling, and whatever shortage there may be on a car, as reported to them, is taken out of the dealers. Sometimes this shortage amounts to several tons on a car.

We see by the Kearney papers that the commissioners showed no disposition to matters when they followed their noses into that city.

We have felt disposed to pass over this unfair discrimination in the coal markets without much comment, but when our grain market became so unsatisfactory as to drive every farmer in the county to outside markets and thus kill Holdrege, we are sure it is time that something was being done for our relief.

Such public journals as the State Journal and Omaha Republican may strive to convince the people that the commissioner system is all sufficient to stand between them and corporate greed; that these individuals can and will shoulder the people's burthens and keep vigil over their interests in the doings of the commercial world, but until they strike a blow which results here es to some degree, be it ever so small, we cannot be convinced that the commission is the thing we want.

He Was Too Fresh Himself.

Wall Street News: "Father," he asked in his childish way, "supposing you owned a silver mine way out in Nevada and you was afraid it would spoil in hot weather?"

"Spoil. How?"

"Well, I don't know how, but the boys all say you had to use salt to carry it to carry it through, and I was going to ask ——"

"That's enough, sir. It's already four minutes past your usual bed time. You go to bed and let the boys say on."

Holiday goods at Cheney & Oleson's prescription drug store, 1507 Farnam.