THE OMAHA DAILY BEE.

SIXTEENTH YEAR. OMAHA, THURSDAY MORNING, FEBRUARY 24, 1887. NUMBER 251

A RAILROAD LOBBY SUCCESS.

Long-Winded Discussion in the Senate on Railroad Legislation.

SNELL'S AMENDMENT CARRIED.

Fremont and Aurora Win the Two Normal Schools After a Protracted Fight in the House —Other Legislation.

Senate Proceedings.

LINCOLN, Neb., Feb. 23.—[Special to the BEE.]—The opposition to the passage of senate file 41, and Mr. Sterling's amendment thereto, have abandoned their position taken upon the presentation of the amendment, namely, that it was a violation of the usage and rules of the senate to strike out all after the enacting clause of a bill and offer an amendment whose effect would be a substitution. They argued long and repeatedly that such a proceeding was in violation of the provisions of the constitution requiring a bill to be read upon three separate days, and it was also held that the national house of representatives was governed by a rule which would preclude such an amendment as that of Mr. Sterling. But the chair was steadfast in its ruling and the amendment was declared in order. Seeing this state of things to be inevitable, and that the rules of the senate could not by them be perverted, the opposition to any kind of effective railway legislation found it necessary to resort to other tactics, which were developed this morning in the bungling amendment of Mr. Snell, which showed a complete flop as the only means of defeating Mr. Sterling's amendment, and, for that matter, the whole question of legislation upon the subject. In supporting Mr. Snell's amendment to the amendment, the opposition are advocating a course directly the contrary of their former position, and have certainly put themselves into a very compromising predicament. The substitution of senate file 247 for house roll 450, as the amendment, only complicated matters and served the underlying purpose of the filibusterers, which was to obstruct and beg the question as a means of delay.

The whole railway question in the senate, by reason of the circumstances attending consideration of senate file 41, was to-day lumped, and the outcome will demonstrate to a greater degree of certainty than ever before just what will be accomplished in this direction. By a standing vote of 17 to 15, Mr. Sterling's amendment was shelved, whereupon the railroad lobbyists left the senate flushed with success, and presumably went into the house for other fields of conquest. They not only have defeated legislation against the railways in the senate but they have secured the adoption of a bill which is infinitely more to their liking than the present railway commission law. They have builded better than they knew, and are accordingly exultant.

A democratic senator said to me this morning: "I have talked all I dare for stringent railway regulation without laying myself open to the charge of being a crank on the subject, and now if the republicans cannot save this question, the responsibility is with them. The people are watching them closely, and a day of retribution will come to every senator who has to-day refused to meet the issue."

The senate met at 10:30 o'clock and immediately took up the special order, consideration of Mr. Sterling's amendment to senate file 41. Mr. Snell offered as an amendment to the amendment what proved to be Mr. Watson's house roll 450, or Mr. Conger's senate file 247, which is a faithful copy of the inter-state commerce bill made applicable as far as possible to the state. Mr. Sterling said that every clause of the inter-state bill which is effective had been carefully omitted in Mr. Snell's amendment and that the railroads would be under no restraint at all should the amendment carry.

Mr. Meiklejohn pointed out sections which had been copied from the inter-state law without the necessary corrections making it applicable to the state and declared the amendment if carried would be a dead letter in the statute books.

Mr. Robbins said no United States law could be wisely applied to the government of a state in the subject of railway legislation. The pattern was too large for the state of Nebraska.

Pending consideration of Mr. Snell's amendment, the senate took a recess until 2 o'clock.

Incidentally the lieutenant governor signed Mr. Vandemark's bill for an recount of the ballots in the legislative amendment and a few minutes later a message from the governor announced his excellency had signed the bill. Senators Vandemark and Schminke were appointed by the president as a committee to join in the recount. The senate was sleepy this morning, a general desire being expressed for adjournment until the recount is made.

AFTERNOON SESSION.

The senate met at 2 o'clock and went into committee of the whole to consider the special order. The question arose upon the reading of Mr. Snell's amendment, (Mr. Watson's house roll 450). On motion of Mr. Brown, senate file 247, (Mr. Conger's bill, which is identical with house roll 450) was accepted in place of Mr. Snell's amendment, which was withdrawn. This in effect took Mr. Conger's bill out of its place and put it in the place of senate file 41. The bill was then read, the question being upon its adoption as an amendment to Mr. Sterling's amendment.

Mr. Meiklejohn said it had no more application to the state of Nebraska than the laws of the United States had to Australia. Section 15 was drawn entirely with a view of common law practice. He was opposed to the whole amendment.

The question was then called, and resulted in the adoption of Mr. Conger's bill 247 as a substitute for senate file 41, by a standing vote of 17 to 15. This shut out Mr. Sterling's amendment.

Mr. Fuller then moved that the amendment just adopted be considered and adopted section by section.

Mr. Sterling saw the action in its idiotic sense, and observed that the amendment had just been adopted in its entirety, and he wanted to know why the committee should go over the ground again and adopt it section by section.

Mr. Fuller's motion prevailed, and the senate considered the bill, which was amended in some minor particulars.

When the bill had been adopted, Mr. Sterling offered as an amendment to the bill a clause fixing the B. & M. distance rate table of 1881 as a basis of maximum rates.

Mr. Snell objected, stating that the clause was the heart of the bill offered by the gentleman from Fillmore, which had just been rejected. He protested against the heart of one bill being injected into the body of another.

Mr. Sterling said the gentleman admitted that his bill had no heart and that organ was very necessary to the life of any measure. He then went on to meet some of the statements made by Mr. Moore a few days since, which he characterized as the strongest argument in favor of the railroads yet made before the senate. He took exception to the figures used by Mr. Moore, who quoted those of the railway commission, particularly with reference to the cost of construction. He took the figures given by the B. & M. $38,843, as the actual cost per mile, while they had returned to the state auditor the figures of $4141 as the actual cost of construction. These figures are sworn to by the state auditor as returned by the railroads for a basis for taxation. He also showed the B. & M. to have received over $17,000,000 as proceeds of sale of land given them by the state—more than enough to build and equip their road, and yet they have the unprecedented gall to ask to be allowed to tax the people of this state so that they may realize a profit on $38,843 per mile, and were told that we are doing them a great injustice in fixing a maximum rate so that there may be some restraint placed upon them. I am disposed to allow the corporations of this state to earn a good dividend on the amount of money actually invested in their roads, but I have no disposition to permit them to earn dividends on vast sums they have never invested. The best interests of the state demand that they be restrained. The constitution seeks to prohibit this irritation of railroad stock. It is our duty to establish a maximum rate. Their lobby is numerous—its number is equaled only by their gall. They are here for the purpose of defeating anything that looks towards an honest and fair law." In speaking further upon his amendment to senate file 41 Mr. Sterling said: "Its provisions seek to give to the aggrieved parties a speedy and inexpensive method of securing the rights to which they are entitled. It seeks to enable parties who have been charged in excess of the maximum rates fixed in this bill, or in excess of the rates established by the board of commissioners, redress without unnecessary expense and delay. I know they will raise the objection to this measure that a maximum rate established by the legislature is not desirable, and that it is not practicable that the entire power of fixing and regulating rates should be vested absolutely in a board of commissioners. Such will be the argument of those who seek to defeat the establishment of a maximum rate. Section 4, article 11 of our constitution defines railways as public highways, and provides that transportation therein shall be carried on under such regulations as shall be prescribed by law; and the legislature may from time to time establish laws fixing reasonable maximum rates, etc. Now, then, the constitution says that the legislature may do this, but neither in the constitution nor in the statutes is authority found for delegating that power to any board. This authority, I take it, cannot be delegated, and it is the desire of railroad corporations to have this power of establishing maximum rates vested in a body that has no constitutional powers. It is their desire to have a commission created, leaving the entire authority of regulating rates to a commission, which I claim has not the power under our constitution to fix a maximum rate. They knowing this, when the board of commissioners would seek to establish reasonable maximum rates, they would demur to the rates fixed, the matter would at once be taken into court, and I venture the assertion that our supreme court would hold that the board of railroad commissioners has not the authority to fix maximum rates."

Continuing, Mr. Sterling said: "The maximum rate which is established in section 11 of this bill, I presume the friends of a commissioner's bill that does not establish a maximum rate (or those who are opposed to the establishment of a maximum rate) will declare that a maximum established by this bill would bankrupt the corporations of this state; that it would cause the roads of this state to go into the hands of receivers if the maximum herein established was to be put into operation—but all such claims are only advanced for the purpose of deceiving you. Such claim is a fallacy, for the very reason that the maximum rate established in this bill is higher than the rate which the corporations are to-day actually charging—the rate is actually higher than that actually granted to the inside shippers. I do not say this, now, merely as an assertion. I am prepared to prove that statement. It is a fact that can be shown from the figures of the corporations themselves that they are charging today from 20 to 30 per cent less than the distance rate table which they have filed in the office of the railway commissioners of this state. I presume that it is true that if an individual desires to ship a carload of any of his products to any of the markets he would be required to pay this exhorbitant charge as shown by the distance rate table, but the favored ones—the bulk of the shippers of this state—would receive a rate which would range from 20 to 30 per cent below that. And I would like to know why one man is permitted to transport his produce cheaper than another. Such practice is in violation of the fundamental principles of right. I am free to say that I am not wedded to the idea of the commissioner system. Especially is that true under our constitution. I recognize the fact that their powers must necessarily be very limited, although the roads of this state are loud in asserting that that is the proper method of regulating this traffic; that the commissioners can be given ample powers; and therefore I favor this bill, because it creates a board of commissioners and gives to them the privilege of exercising powers which, if they can constitutionally exercise them, would redound to the general good of the people of this state, and for that reason I favor the bill, especially because it recognizes the principle that the legislature is the proper body to establish a maximum rate of freight and passenger fare. Our constituencies charged us repeatedly to adopt such measures as would afford them relief from the present grievous oppressions of the monopolies. We assured them that we would use our earnest endeavors to secure such relief. Aside from the obligations which we have taken under the solemn sanctity of an oath, we are bound, as men, to redeem our word as men. We should not deal lightly with this matter. We should not so readily forget that this is the all-important question; that our constituencies have greater interest in the passage of a law that will afford them relief than they have in all other measures that may come before this body. I take it that all men who are willing to support wholesome legislation on this subject will be impelled to support this amendment. If they desire to see regulation of this subject they cannot afford to refuse their support to this measure. We give those who desire a commission system all they ask. We give those who desire the establishment of a maximum rate what they desire. Therefore, having brought forth a measure which should meet the endorsements of the two opposing elements I can see no good reason why we should not unite in this measure. I would urge the adoption of this measure, first, because it establishes a maximum rate as the constitution of this state says this legislature shall establish, and second, because it creates a board of commissioners to carry into effect these several provisions in this bill that are calculated to afford speedy and inexpensive relief to parties agrieved, a bill which, if adopted and thoroughly enforced, will redound to the general good of this state. It establishes the principle that the legislature has the power and recognizes its obligation to establish a reasonable maximum rate. It will make the corporations of this state realize that the time for legislation on this subject has come, and that they cannot longer delay the matter, notwithstanding their hired strikers with specious, smooth persuasive tongues who seek to make you believe that to establish a maximum rate would work a practical suicide to the best interests of this state as well as to the corporations themselves. All such arguments as these are fallacies. They give you no facts, but plenty of vaporing. They seek to impose upon you taxation such as no people would yield to under any other form of government at the hands of a ruler. They impose taxes upon you without permitting you to have any voice in the matter. They extort charges from you which are little short of robbery and you are powerless, and it does seem as though it would not be a difficult matter at this time to adopt a measure that is well calculated to afford relief."

Mr. Robbins of Valley said: "I have given some little attention to this bill. Possibly it might have been more pleasing to some to have had this come up as a separate and independent bill, but the question as to the right to introduce an amendment or substitution of this kind has been discussed. The authorities have been examined, and it has been decided by the chair, and an appeal taken resulted in the chair being sustained. It has been urged by the apparent friends of the present railroad commission law, and urged with great force, and it has not been without reason in the force or argument, that the repeal of the present railroad commission law might possibly leave the state without any law whatever to guide, guard or protect the just and conflicting interests and rights of the people and the railroad companies; that an emergency exists for some law defining in some way the respective relations existing between the railroads and the people, and giving some power to some individuals by which those respective rights may be adjusted and balanced. It seems to me that an emergency exists with the party in power and that party owes it to the people to meet the emergency. It is not a political question. It is as binding upon one as the other. The people have a right to demand that some law be enacted by which an equilibrium may be struck and differences existing between conflicting interests in this respect may be adjusted, and some power created to see that the adjustment is enforced and carried out. The repeal, however, of the railroad commission law as it stands without the substitution of something else, might be of great detriment, not only to the railroads of the state, but to the people, and hence it has been thought best in its repeal to offer a substitute which presents another bill of rights defining their duties and provides power by which that authority conferred upon those individuals may be enforced. Those who are opposed to any railroad legislation whatever undoubtedly will object to this bill. They also would object to a straight repeal of the railroad commission law and undoubtedly any other railroad legislation, no matter in what form and no matter for what object. The right of the people to govern the railroads is upon the principle that the creator has the right to govern the creature. We offer a railroad law which embodies the same elements which were desired by the railroads in the railroad commission law. We also have embodied in it a restriction and curtailing of their power in the exercise of the legitimate franchises so delegated to them. It has been apparent the last two years that the mere establishment of a railroad commission would not be satisfactory to the people of this state. It has been weighed in the balance and found wanting. But a railroad commission whose powers are clearly defined by the people—an act within certain limits prescribed by the statutes, and those limits calculated as well to protect the rights of the railroads as those of the people and to adjust all those equities in the scale of justice—it cannot help meeting the approval of the people."

Mr. Meiklejohn said: "I for one am ready to go on and take this senate file 41 up in committee of the whole and act upon it, and if the amendment offered by the gentleman from Fillmore is defective in any particular, let us amend it. I wish to say here, however, that the amendment to the amendment I am opposed to first, last and always. I have compared it, and while I favor the inter-state commerce bill, I do not favor a bill which takes from that bill passages which are without effect and leaves out those which are effective. If the amendment to the amendment is carried I have nothing further to say, I hope that each member will read that bill. I think we should proceed carefully in this matter and not sit here and act as though we had fears to take a stand one way or the other. I am ready to act."

Mr. Brown of Clay said: "I have compared Mr. Conger's bill with the inter-state commerce bill, and find that the matters left out are those pertaining entirely to inter-state commerce, and which would have no application to our state affairs. If the inter-state bill was good enough for this senate to memorialize congress to pass it, its provisions are good enough for this state. There are senators here who wanted congress to pass the inter-state commerce bill, but when it comes down to our state they want to pass something much more severe to the railroads than is the inter-state commerce bill. I want to deal perfectly fair with the railroads and the people. I am not entirely satisfied with the inter-state commerce bill as a whole, but as between it and the amendment offered by the gentleman from Fillmore, it is far better for all parties, and if I am compelled to take one or the other I propose to take the inter-state commerce bill."

Mr. Sterling said: "I am not surprised that it occurs to the gentleman from Clay that the amendment offered by the gentleman from Jefferson is just about such a measure as the interests of this state demand. From the very fact that it does not possess a single clause or feature that will in anywise restrain the corporations of this state from multiplying their already extortionate rates, and since the recent passage of the inter-state commerce bill the roads have already advanced rates on through business. They now are desirous of securing passage of a law that will enable them to advance rates on local business. They desire to have a law that will permit them to make just such rates as they see fit and bid defiance to the people, no matter how grievous the wrong may be. I invite the gentleman to show in this bill where the aggrieved party has any remedy for extortionate rates."

Mr. Robbins said: "I do not believe that the state of Nebraska or any other state can safely at all times attempt to act under and incorporate as a part of their laws, the laws of the United States. Each state has its own adaptabilities. I am in favor of Nebraska making her own laws. Every state has her own peculiar railroad laws. This bill has been presented to get away from legitimate railway legislation. We are capable as a legislature of making our own laws, because we are under our own peculiar conditions. I am not in favor of this amendment."

Mr. Meiklejohn cut the bill all to pieces and showed its incongruities to be glaring and the whole thing to be gotten together hurriedly and without care or proper consideration. There was not an effective clause in it. The heart and core of the inter-state bill had been omitted. The amendment as it stood was of no use whatever.

Mr. Moore made an explanation, and hoped that it would not be construed as a defense of the railroads.

The vote upon Mr. Sterling's amendment for a clause fixing maximum rates resulted in a tie, the chair (Majors), declaring it lost.

Mr. Colby moved that the committee arise and report the bill back with recommendation that it pass. Carried.

Mr. Snell moved the adoption of the report.

Mr. Sterling moved to amend the report of the committee by submitting his original amendment to bill 41, and called for the yeas and nays. His motion was lost by a vote of 16 to 17, as follows:

Yeas—Calkins, Casper, Duras, Fuller, Higgins of Cass, Higgins of Colfax, Keckley, Lininger, Meiklejohn, Robbins, Schminke, Sorick, Sterling, Tzschuck, Wolbach, Wright—16.

Nays—Bonesteel, Brown, Burnham, Campbell, Colby, Conger, Heartwell, Holmes, Kent, Lindsay, Linn, Majors, McNamar, Moore, Sherwin, Snell, Vandemark—17.

Mr. Lininger moved that senate file 41 with all of its amendments be indefinitely postponed. He said he did this in order to settle the whole question once for all, that it might not take any more time of the senate. His motion was lost by one vote.

On motion of Mr. Tzschuck the senate adjourned.

Doings in the House.

LINCOLN, Neb., Feb. 23.—[Special Telegram to the BEE.]—At the opening of the house this morning Messrs. Pemberton, White and McCann were appointed as members on the returning board committee.

Mr. Baird, who has been absent on account of sickness, was granted unanimous permission to introduce a bill making railroad companies liable for fires caused by passing locomotives.

Mr. Bowman's bill providing for a board of live stock sanitary commissioners was reported for indefinite postponment, but upon that gentleman's motion and quite extended remarks by him, the bill was placed upon the general file.

The following bills were indefinitely postponed: Asking congress to investigate the killing of Captain Emmet Crawford; giving owners of male animals a lien on female animals with young; to relieve parties holding contracts for the purchase or lease of public lands; to dedicate a Lincoln lot owned by the state to the Church of United Brethren; also a like dedication to the Danish Lutheran church; also to the Seventh Day Adventists congregation; also to the Free Will Baptists.

The house debated at some length upon the motion by Mr. Whitmore that the roll be called and each member name two places for the normal schools, and the two places receiving the highest votes be designated as the choice of the house. The motion was finally carried with an amendment that one place be selected at a time by a majority.

Mr. Slater spoke in favor of Fremont and withdrew the name of Wayne.

Mr. Fox said that Plum Creek was the commercial and official center of Dawson county, the population of which was 12,000. The town has 1,500 people. He wanted a normal school at Plum Creek.

Mr. Whitmore spoke in favor of Fremont.

Mr. Newcomer favored Red Cloud. He said the people of that part of the state wanted education and needed it bad.

Mr. Dempster advocated Geneva's claims.

Others presented Aurora, Broken Bow, Fairbury and Ord. The vote showed that Fremont was the choice of thirty-six members and in the order named the other places were represented as follows: Aurora receiving eighteen votes; Geneva, Plum Creek, Broken Bow, Fairbury, and Ord. No place having received a majority, another ballot was taken. No choice was declared, as Fremont received only twenty-seven and Aurora fifteen; while the rest of the seventy-six were scattered around impartially on the second ballot. Omaha received one vote. From the number of gentlemen from different parts of the state who were present in the lobby and on the floor, it was evident that a number of locations were being very vigorously championed, and normal school sites are eagerly sought for.

FREMONT AND AURORA.

When the house reconvened at the afternoon session, by a motion from Mr. Whitmore, the railroad bill was made the special order of 4 p. m. and thence thereafter until disposed of. The voting upon the locations of two normal schools was resumed. It showed that the house was little nearer to a result than before the first ballot was taken. Broken Bow on this heat was winner, having received twenty-nine votes, and after that location Aurora and Fremont were the favorites.

Mr. Whitmore again urged his plurality idea, but Mr. Miller opposed it vigorously. He contended that the bill would fail when it came to final passage, because there would be enough disappointed members who would vote against it, in any event, too much time was being consumed. But there was no use of talking about a plurality. It wasn't constitutional. A plurality couldn't settle anything in this house.

A motion to refer the bill to the committee on normal schools was lost.

Upon the following ballot Fremont, by various changes, became the choice for one of the schools, receiving forty-eight votes, with forty-three necessary.

Before voting on the second location Mr. Dempster, on behalf of the delegation from Geneva, offered $15,000 and ten acres of land for a school. On the ballot Aurora and Plum Creek led with eighteen and seventeen votes respectively, but there was no choice and another ballot became necessary.

Mr. Kennedy of Kearney moved that further proceedings be postponed until next Monday at 2 p. m. The motion was lost and the roll was called again. Although the constitutional changes were numerous yet there were not enough of them, and Geneva only attained twenty-six, or ten less than a majority. Plum Creek and Broken Bow were next. The following ballot was equally unsuccessful.

Aurora, on the seventh ballot, received forty-eight votes and with Fremont will be a place for a normal school if the bill passes the senate and is approved.

THE RAILROAD BILL.

The house went into committee of the whole with Mr. Whitmore in the chair.

The discussion opened on the amendments which were offered on Friday to section 11. The first was Mr. Harlan's, which establishes the reasonable maximum rate to be the distance rate table of the Burlington & Missouri River Railroad in Nebraska, which took effect June 1, 1881, and which was filed in the office of the railroad commissioners of Nebraska on July 9, 1885, reduced by decreasing the rates for the various classes of freight therein contained for five miles 1 per cent and for each additional five miles, an additional 1 percent until the distance of 100 miles is reached and 20 per cent reduction on all rates for any distance after 100 miles.

Mr. Harlan briefly supported his amendment, claiming that the establishment of a maximum rate was a necessity.

Mr. Caldwell opposed a maximum rate at length and forcibly. He contended that the attempt on the part of the legislature to empower three men to fix rates for which work forty able men were employed by the railroads was ridiculous. It was old Spanish. He thought the substitute enabling the commissioners to establish a prima facie rate was the only practicable legislation. Railroads were built in this country to overcome distance. Establishing a maximum rate killed competition. The legislature was fooling with a buzz saw when it contemplated passing a maximum rate. The great question for the people of this state was the cost of the freight shipments to the markets of the world, to the seaboard. The maximum rate, if established, would be added to the through rate. Let the railroads attend to their own business and let us attend to ours. If they impose on the people make them liable as common carriers.

Mr. Ballard said the rates beyond the Missouri river were less than they were this side of the Missouri. The gentleman had said that the principle of equal rates for equal distances should be adhered to. "Look at the following rates," sententiously said Mr. Ballad, "and then say what there is in equal rates for equal distances:"

"Sycamore, Ill., 79 miles, 77 cents; Council Bluffs, 75 miles, 77 cents; Blair to Fairmont, Neb., 110 miles, 80 cents.

"Chicago to Omaha, lowest rate, 14 cents; Omaha to Fairmont, 14 cents.

"It is this kind of equal rates for equal distance that we desire to remedy. A maximum rate alone will do it."

The house then adjourned without farther debate.

The Amendment Recount.

LINCOLN, Neb. Feb. 23.—[Special Telegram to the BEE.]—The recounting of the ballots on the amendment vote commenced at 2 o'clock this afternoon at the secretary of state's office. Senators Vandemark and Schminke and Representatives Pemberton, White and McCann with the secretary of state and auditor are assisted by about a dozen clerks. Over twenty counties have been heard from, including Saunders and others in which the greatest discrepancies are supposed to occur. The following counties, with gains, were recanvassed by the returning board this afternoon:

Adams	111
Cheyenne	36
Furnas	88
Madison	50
Phelps	34
Dawson	157
Total	485

It looks favorable for the amendment.

NEW YORK STOCKS.

Firmness in Al Foreign Markets Causes a Strong Opening.

NEW YORK, Feb. 23.—[Special Telegram to the BEE.]—Firmness in all the foreign markets and a sharpadvance in English and French national securities caused a strong opening in the Wall street market to-day. It was considered that Bismarck's victory in the German elections ensured the maintainance of peace for the present. The opening prices, however, wee the highest for the day. Large lines of Reading were thrown on the market, breaking the price of that stock 1½ per cent. The cause of the selling was said to be the necessity of depositing stock in Philadelphia March 1, requiring brokers to pay cash for their bildings. They evidently did not care to put up so much money and advised their client to sell out. The rumor that Mr. Corbin had sold out his Reading, expecting to buy it back after the payment of the assessment, wa denied, Mr. Corbin asserting that he was a buyer on the drop. The break exercised more or less of a demoralizing influence on the rest of the list, and a shading off of values was the result. Exchange rates wee up again, and this, together with the dullness of the market, encouraged the bears in their belief that there could be no material advance until prices were let down several points. Granzers were in good demand, Northwestern being especially strong in face of the weakness of the rest of the market. At noon the market was steady at a frctional decline from the opening. Toward the close Reading was boomed by clique buying, and nearly all of the early decline was regained. Shorts were large buyers of Union Pacific and St. Paul. A better feeling was observable in the dealings, and the disposition to buy was more marked than for a long time. The close was strong at about top prices for the day. The total sales were about 300,000 shares.

OMAHA RATES RAISED.

The General Managers Agree Upon an Advance.

CHICAGO, Feb. 23.—The general managers of the Western Fright association lines today partly agred upon an advance in throught rates between Council Bluffs and Chicago. Unless he managers reconsider their action the tarff rates after April 1 will be about as follows: East bound wheat, Omaha to Chicago, 25 cents a hundred; corn, 22 cents; live stock per car, $70 (old rate is $45); hogs, $60; packing house products, 5 cents per hundred above Kansas City rates. On classes coverig merchandise Council Bluffs and Kansas City rates will about correspond. In the northwest an attempt will be made to adance all rates except flour and grain from 5 to 10 cents a hundred, although at least one of the roads is opposed to any increase on the ground that it is called upon to hurt its own business to protect others. Another session will be held tomorrow.

Business Failure.

ST. PAUL, Feb. 23.—The Pioneer Press says Edward M. Biggs, wholesale and retail druggist, will make asignment to-day. Liabilities $100,000. Asses supposed to be sufficient to cover the loss.

DEATH AND DESTRUCTION.

Terrible Earthquakes Sweep Through the Whole of the Italian Riviera.

HUNDREDS OF PEOPLE KILLED

Towns Completely Wiped Out of Existence By the Fearful Disaster—A Panic Seizes the Entire Population.

Frightful Earth Upheavals.

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PARIS, (via Havre) Feb. 23.—[New York Herald Cable—Special to the BEE.]—The following telegram from Turin has just been received by the Figaro: "A very severe loss of life from an earthquake has occurred in Savona. In one house in the rue Untoria eight dead bodies have been dragged from the ruins. At Altara and Novi Ligure, too, many have been killed and wounded. Troops have been sent from here to Alassee and Genoa. On the coast the greatest consternation prevails, and the people are taking the railway stations by storm. The municipal authorities at Turin have posted placards throughout the city to calm the panic stricken population.

THE SHOCK AT NICE.

NICE (via Havre), Feb. 23.—[New York Herald Cable—Special to the BEE.]—Only last night Nice and the Riviera grandes fetes de nuit were in full swing. The illuminations, the fireworks and the torchlight procession culminated in a perfect saturnalia when the figure of the carnival was burned in a magnificent blaze on the place de la Prefeture. This evening at five minutes before 6 Nice was thrown into a panic by a severe shock of earthquake, the oscillations rolling from the northeast to the southwest. All the houses swayed to and fro like cradles and from the chimney tops to the foundations cracked. Women, shrieking like maniacs, appeared at the windows in their night dresses. The sky seemed to be all in flames. It glared with a blood-red color. Two more shocks succeeded each other at brief intervals, and the entire population rushed frantically into the streets all in their night dresses. Men, women and children jostled against one another. Fashionable beauties were cheek by jowl with beggars and servants. Each was fully confident that the last hour had come. Parisian club men were rushing about panic stricken with naked feet protruding beneath their fantastic pyjamas, some of them holding their trowsers in their hands. The palace des Platanes, the place Wassena and the place Garibaldi were filled with half naked and terrified masses of humanity. Here and there were to be noticed groups of masqueraders, pierrots, harlequins and North American Indians, who had been making a night of it. When they were returning to their homes they were surprised by the earthquake.

THE FIRST CATASTROPHE.

The first house to fall was No. 7 Rue Paganini. The roof crushed in just as the Countess Rini Bardi, who occupied an apartment on the fifth story, clothed only in a lace trimmed batiste robe de nuit, was in the act of jumping out of the window. The countess had her right thigh fractured and her head was split open. She now lies in the hospital between life and death. Mme. Cheylan, who lived in the same apartment, was killed outright and her mangled remains have just been pulled out from beneath the heap of ruins. The villa Natha, in the rue Saint Etienne, crumbled to atoms, but five ladies and men who inhabited it escaped miraculously by jumping out of the window and they only incurred slight injuries. Three children were also saved by Lieutenant Bennet, of the Sapeurs. Pompiers, who had his left hand crushed

STILL ANOTHER SHOCK.

At half past 8 came another shock, causing the belfry of the St. Augustine church to come crashing down with a noise like the roar of artillery. A small stone rochetted and struck Mr. Hathaway, son of the United States consul, on the left temple, cutting it open. Mr. Hathaway was carried off by the firemen and had his wound dressed by Dr. Barety. Then another shock came and Mr. Hathawsay suddenly recovered consciousness. He rose to his feet, started and ran away as fast as he could. Dr. Barety chased him and catching up with him, held him and finished the operation.

OUT IN UNDRESS.

Villa des Carabiers, inhabited by the Compte and Countess E. d'Eu, swayed and seemed about to fall, and their royal highnesses in night dresses jumped out of the windows. The Duc de Nemours and the Princess E. Blanche d' Orleans are living in a tent in the garden of the villa Grasiella. The popular restaurant Francais is in ruins. Among the ornaments of the fashionable world seen capering about in night toilets were Lady Carthness, the Marchioress Cambiato, Mme. Wurt Dundas, Mrs. Heuston, Miss Heuston, Miss Warren, Miss Sprang, Mr. and Mrs. Hamilton, Dr. Robligs, Dr. Wakefield, Mrs. G. Wood, the Comptesse d'Aspromonte, Lady Graham, Miss Jarvis Amos, Mrs. Sargent, Mrs. Walindley, Miss Wilson, Mr. B. Tilden, Mr. Wakefield, Mr. and Mrs. Thompson, Mrs. Scoville, Mms. de Saphonow and others of the phalanx of brilliant society of Nice.

ALL CAMPED OUT DOORS.

On the heights around Cimiez 2,000 Americans, English and Russians are encamped, the military authorities having placed tents at their disposal. A battallion of infantry patrols the streets and sentinels pass up and down in front of the villas and shops. All the camps and omnibuses are turned into habitations and command fabulous prices. A cab for the night costs 5,000 francs. The railway station is literally besieged. It is a case of sauve qui peut. Everybody is trying to get away. Six thousand passengers left to-day for Paris and 3,000 for Italy. With the exception of Mr. Hathaway no American has been injured, but all are terribly frightened.

AT OTHER POINTS.

At Mantone nearly all the houses will have to be rebuilt. The villas Cepoline and Molinary, in falling, killed the workmen and wounded several others. At Cannes the shock was very slight, merely shaking the houses and frightening the people. It did no harm there. At Cunco eight persons were killed and twenty-eight were wounded. At Port Maurice eight were wounded and one was killed, but there are no Americans among the dead or wounded.

ADDITIONAL DETAILS.

LONDON, Feb. 23.—Further dispatches concerning the earthquakes in southern Europe this morning state that two violent shocks were felt at Toulon at 6 o'clock. The first shock was of fifteen seconds duration, and the second of twelve seconds. At Canne three shocks were felt at the same hour. The first shock, which was very violent, lasted for a minute. The second and third shocks were not so heavy as at first. Many people in this place rushed to the sea shore for safety. Nobody was injured. At Avignon three shocks were experienced between 6 and 8 o'clock. The first shock was very severe and awakened everybody in the place. Several shocks were felt at Genoa at 6 o'clock.

A dispatch from Nice, dated noon to-day, says many casualties were caused by the earthquake this morning. The people are panic stricken and the entire population are in the streets. Railway stations are besieged with visitors anxious to leave. Two houses, one in St. Etienne street and one in St. Philipe street and Maison Bourke, were destroyed. Three persons are buried in the ruins of these buildings.

At the time of the earthquake this morning the Rivera was crowded with English and American tourists and persons of distinction. When the first shock occurred the streets of Nice were fairly thronged with persons in ball-room costumes returning to their homes from the last carnival of the winter season. To these the earthquake came with peculiar terror. The shocks were felt with great severity at Savona, near Genoa, and a number of houses were wrecked and eleven persons killed at that place.

The Prince of Wales being at Cannes, the queen became exceedingly anxious concerning him when she learned of the earthquake, and she at once telegraphed him. The prince immediately telegraphed a reassuring reply, saying he was well and uninjured. The government, in consideration of the popular concern about the safety of the prince, have requested him by telegraph to return to England as soon as he can conveniently to allay anxiety.

An official dispatch from Cannes says that no injury was done to life or property there but a great panic prevails.

Further details from the Rivera increase the disaster. At Cervo, near Dianomarina, 300 persons were killed by being buried in the ruins of falling buildings. Railway traffic is suspended beyond Savona. The prisoners in the government jail at Finalborgo, alarmed by the earthquake, attempted to escape, but were overcome by the guards.

ROME, Feb. 23.—Two shocks of earthquake were felt at Nice at 6 this morning. Houses rocked, walls cracked, and in some cases frail tenements were thrown to the ground. The people rushed from their houses and fell on their knees in the streets praying for deliverance from sudden death. Visitors to the city have been thoroughly frightened and are leaving the place. Many persons were injured by falling debris. Much alarm is felt lest there be a recurrence of the shocks. The Prince of Wales, who was in Nice a few days ago witnessing the festivities which precede the Lenten season, had taken his departure and was sate at Cannes. Shocks were felt at Monte Carlo and Monaco, at which places they were so severe that rocks were detached from the cliffs and precipitated into the sea. The disturbances extended as far as Genoa.

A second and severe shock of earthquake has occurred in Genoa, Pavia, Lucia, Cuneo, Albissola, Poso, Maurizio, Oneglia and Nolin. At Savona eight persons were killed and fifteen others injured. Immense damage was done to property.

The earthquake this morning devastated the whole of the Italian Riviera. At Voil, on the gulf of Genoa, and not far from Savona, several houses fell and fifteen persons were killed. Six were killed and thirty injured at Onegli, also at the gulf of Genoa. At Dianomarina, near Onegli, scores of people were killed and hundreds injured. Fully one-third of the town was destroyed.

At Nice the earthquake shocks have caused an awful sur prise to crowds of maskers returning home from the carnival festivities in fancy costumes worn and bedraggled by the night's exercises and looking dull and dreary under the glare of the morning sunlight. The first shock created an immediate panic. Women screamed in terror. There was a wild rush in all directions for safety from what everyone thought an awful impending calamity. The barking of dogs and the clanging of church bells added to the momentary terror. The people first rushed to the church of Notre Dame and besieged the confessionals. The dramatic scene was presented of many strong men on their knees praying. Then came the second shock. Terror was depicted on every face. The praying crowds hastened outside for safety. The troops were called out to keep order among the crowds besieging the railways throughout the city. To-day there is a blue, cloudless sky and warm sun. A technical inspection will be necessary to discover the extent of the damage to property. One lady jumped from a window in terror when the first shock came and now lies in a precarious condition.

Cardinal Jacobini Very Low.

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ROME, Feb. 23.—[New York Herald Cable—Special to the BEE.]—Cardinal Jacobini is dangerously ill. I called at the vatican to-day and was informed that the cardinal was in extremis and was not expected to live through the week. He suffers seriously from disease of the heart, a continued colic and other serious complications. His death is regarded as imminent. It is probable, in view of the result of the German election and Prince Bismark's victory, to which the Jacobini letter contributed so much, that Cardinal Jacobini will be succeeded by Mgr. Galiaserti, who for some time past has virtually managed the bureau of foreign affairs at the vatican under the supreme supervision of the holy father.

The German Elections.

BERLIN, Feb. 23.—The National Zeitung, commenting on the elections, says: "Foreigners will now see how mistaken they were in regarding the vote on the army bill in the reichstag last January as expressing German public opinion.

BERLIN, Feb. 23.—The results in 299 election districts are known. Candidates elected comprise 156 supporters of the septennate and ninety-eight opponents of the measure. Re-elections will be necessary in forty-five districts.

1 p. m.—At this hour the results in 321 districts are known. The candidates elected include 170 septennists and 103 opponents of the government.

4 p. m.—The results in 338 districts are in, showing the election of 176 septennists, and 109 opponents of the government. New elections in fifty-three districts will be necessary. The reichstag has been summoned to meet March 3.

The conservative and national liberal majority in the new reichstag is now undisputed, although their numerical strength is not yet ascertained. The majority will inaugurate a new era, devoted to the work of consolidating and developing the empire, for the members of these two parties (the conservative and national liberal) will act together as formerly and endeavor to remedy the errors of the past decade.

The French Jubilant.

PARIS, Feb. 23.—The newspapers of this city are jubilant over the result of the election in Alsace-Lorraine. They say Germany is not able to obtain the hearts of the inhabitants of the annexed provinces.

Must Be Decided By the Assembly.

INDIANAPOLIS, Feb. 23.—The supreme court to-day handed down its decision in the Smith-Robertson case, in which the former prayed for an injunction to restrain the latter from exercising the duties of lieutenant-governor, the position to which he was chosen at the general election in November last. The opinion refused the injunction on the grounds of jurisdiction, thus in effect declaring the case must be decided by the general assembly and not by the courts.

The Presidency of the Senate.

WASHINGTON, Feb. 23.—The republican senators will caucus to-morrow to select a candidate for the presidency of the senate. Hoar and Ingalls are the only persons prominently mentioned in connection with the honor.

LABOR'S LENGTHY RESOLVES.

The Embryo Party at Cincinnati Adopts a Long Platform.

WHAT ITS PROVISIONS ARE.

It Declares in Favor of Land For the People, Government Control of the Railroads and Other Reforms.

The Labor Conference.

CINCINNATI, Feb. 23.—It was an hour after the time for convening this morning when the ch