THE OMAHA DAILY BEE.

SEVENTEENTH YEAR. OMAHA, THURSDAY MORNING, MARCH 8, 1888. NUMBER 234.

FATAL LEAPS FROM FLAMES.

Men Jump From a Burning Building and Are Dashed to Death.

A SPRINGFIELD NEWSPAPER FIRE.

Six of the Employes Killed Outright and a Number of Others Mortally Injured — List of the Victims.

Crushed to Escape Cremation.

SPRINGFIELD, Mass., March 7.—The new office of the Evening Union was burned out this afternoon and the blaze was attended with the most sickening horror ever witnessed in this city, six of the employes meeting a terrible death, most of them jumping from the fifth story and being crushed into a shapeless mass below. Six others were badly injured. Fire was first discovered in the mailing room, and clouds of smoke were pouring out of the lower story windows before the fifty souls on the upper floor were aware of their danger. The flames shot up the elevator in the rear, cutting off escape by the stairway, and most of the employes who escaped found their way to the ground by way of the roof in the rear. The unfortunates who crowded into the editorial rooms met a horrible fate. They were cut off from escape in the rear, and had to face the horrible alternative of burning to death or jumping to the sidewalk below and frightful mutilation. The fire department responded promptly, but it seemed an age before it reached the windows on the fifth story. A ladder was put to the fourth story, and the sight of rescue so near seemed to madden the suffering group at the two windows, who dropped in succession to the sidewalk below. Six fell in this way, some of them forced off, and some madly leaping, and the crowd groaned and turned their heads away as they whirled through the air. The dead are as follows:

HENRY I. GOULDING, foreman of the Union composing room, burned to death.

MISS G. THOMPSON, proof reader.

MRS. FREDERICK E. FARLEY, editorial department, fell from the window and was killed.

MR. LAMZON, of Quebec, jumped and was killed.

W. E. HOVEY, of Boston, fell to the sidewalk.

MR. BROWN, compositor.

The injured are: Thomas Donahue, Timothy Dunn, Joseph W. Witty, G. F. Ensworth and Thomas Donahue, all compositors. Their injuries are likely to prove fatal.

It is thought that the fire started among the lumber in a closet on the ground floor. The only available article for quenching the flames in the office was an old watering can. There were no force pumps or fire buckets of any sort. Joseph Landford was standing on the sidewalk at the end of the building furthest from the corner when Mrs. Farley fell. He stood his ground and reached out his arms to catch her. She fell on his neck, throwing him to the ground senseless. Mrs. Farley was killed instantly. Landford was soon restored to consciousness and is not seriously hurt.

FIFTIETH CONGRESS.

Senate.

WASHINGTON, March 7.—The senate to-day resumed consideration of the urgent deficiency bill. The provision inserted by the house requiring the public printer to rigidly enforce the eight hour law was stricken out—yeas 32, nays 20.

Mr. Payne offered amendments appropriating $60,000 for the pay of assistant custodians and janitors of public buildings all over the country for the current fiscal year. This led to a general discussion upon the subject of public buildings Plumb referring especially to the library building in Washington, about which debate was had last week. After some animated discussion a vote was taken on Payne's amendment and it was not agreed to—yeas 24, nays 24.

On motion of Paddock, the pension bill went over till to-morrow. Adjourned.

House.

WASHINGTON, March 7.—The committee on Pacific railroads reported favorably the bill extending the time for payment of the government debt by subsidized roads comprised within the Union Pacific system. House calendar.

A resolution was adopted calling on the president for correspondence between our government and the governments of Great Britain and Venezuela in regard to the boundary dispute between the two last named nations.

The bill was reported from the committee on invalid pensions for pensioning prisoners of war. Committee of the whole.

In consideration of the morning hour the house went into committee of the whole on on public measures, and in discussing the bill for the erection of a public building, at Sedalia, Mo., at an ultimate cost of $50,000, Bland took occasion to inveigh against protective tariff and against the extravagant system the house had inaugurated in passing such measures. The bill was agreed to, reported to the house, and passed.

The house again went into committee of the whole and considered the bill to divide the great Sioux Indian reservation into separate smaller reservations. Some discussion arose over the provision granting to the Chicago, Milwaukee & St. Paul, and Dakota Central railroads the right of way through the reservation, and on motion of Holman an amendment was adopted providing that unless the roads shall be constructed within three years all lands granted for station purposes and right of way shall revert to the government. The committee arose, the bill passed and the house adjourned.

Army Orders.

WASHINGTON, March 7.—[Special Telegram to the BEE.]—Captain George M. Downey, Twenty-first infantry, and Captain David H. Kellon, Tenth infantry, are retired from active service, having been found incapacitated for duty by disability incident to the service.

The order directing the transfer of Captain J. B. Campbell and Captain J. P. Story, Fourth artillery, is revoked.

The following transfers in the Fourth artillery are ordered: from battery H to battery I, First Lieutenants Robert Craig and Albert S. Cummins, and Second Lieutenant George F. Landers; from battery I to battery H, First Lieutenants L. H. Walker and Frederick S. Strong, and Second Lieutenants Stephen M. Foote and John W. C. Brooks.

General order No. 12, issued March 5 by the adjutant general directs that an inventory be immediately taken at each military post of all books which may heretofore have been received from the adjutant general, and a return made to the assistant adjutant general of the department. A similar return is also to be made semi-annually. Officers of the inspector general's departments will, at the annual inspection of each post, verify the books on hand with the returns, and condemn and destroy such as may be found unserviceable. Secretary Endicott is still in Salem, Mass., having been called to the bed-side of his father, who is dying. The secretary of war is his oldest son.

Nebraska and Iowa Pensions.

WASHINGTON, March 7.—[Special Telegram to the BEE.]—The following pensions for Nebraskans were issued to-day: Original, invalid—Frances S. Gurnea, Pawnee City; Charles Lockwood, Milford. Increase—William Shadle, Valentine; Christopher B. Miller, Gould; Harry F. Mills, Nebraska City; John Barnd, Kearney. Reissue—John H. Whitshire, Nonpareil.

Pensions granted Iowans: Original invalid—Hiram Mackey, Cromwell; Amos P. Smith, Boyden; Joseph Babb, Montezuma; Francis M. Vought, Centerville; Peter Howard, Laddsdale. Increase—John C. Bell, Columbus Junction; David C. Wilson, Manson; William O'Rourke, Clermont; Jacob Wright, Oakland Mills; Eli Brown, Laporte City; Isiah Nation St. Charles; James H. Sivens, Leon. Reissue—Eldon J. Hartshorn, Emmettsburg; John H. Bellis, Randalia. Reissue and increase—John M. Barnett, Des Moines. Original, widows, etc—David, father of John H. Warner, Guthrie Center. Mexican survivors—John S. Conger, Oskaloosa; Holden T. Vaughan, Valisca.

The International Exposition.

WASHINGTON, March 7.—The joint resolution passed by the house accepting the invitation to take part in the international exposition at Paris in 1889, was reported favorably, with amendments from the senate committee on foreign relations. The committee struck from the resolution the provision directing the commissioner of agriculture to secure, if possible, as a part of the exposition, competitive inspection of pork products of the United States and Europe. It also eliminated the provision authorizing the commissioner to prepare for distribution at the exposition a statement printed in English, French and German descriptive of swine raising in the United States, together with such information as he may possess as to the relative wholesomeness of pork raised here and in other countries.

The appropriation to defray expenses of representation at the exposition is increased from $200,000 to $300,000. The clause authorizing the president to assign one or more of the public vessels to transport to and from France free of cost such articles as may be offered for exhibition by the citizens of the United States is stricken out, as is also the provision authorizing the appointment of an honorary commissioner from each of the states.

The Mills Tariff Bill.

WASHINGTON, March 7.—In the ways and means committee this morning, after ineffectual efforts on the part of the republican members to secure a hearing to manufacturers and others on the effects of the Mills tariff bill, a resolution by Breckenridge allowing communications to be filed, but refusing oral hearings, was adopted by a party vote. The republican members expressed their opposition to it. The committee then adjourned, subject to call of the chairman. A conference of democratic members was held after adjournment, at which it was resolved to proceed with consideration of the tariff revenue bill in committee when certain information—mainly tables showing the present and prospective tariff receipts—shall be received from the printer. It is understood this will be ready in a day or two, and a meeting of the committee will probably be called for Friday or Saturday.

Postal Telegraphy.

WASHINGTON, March 7.—The house committee on commerce, by a vote of 7 to 6, has authorized a favorable report on Raynor's bill for a system of postal telegraphy. The bill appropriates $8,000,000 and places general supervision under a fourth assistant postmaster general. The work of establishing lines will be done under the direction of the secretary of war. The tariff for twenty-word telegrams is 10 cents, for 500 miles or less; 20 cents for 500 to 1,000 miles; proportionately increased rates for longer distances. Postal money orders by telegraph at existing rates plus telegraph tolls. The report which will accompany the bill asserts that the service will be self-sustaining, defends the government's right to build and operate telegraph lines, and states public opinion, good faith and justice do not require the government to purchase the property and franchises of the Western Union.

American Pork.

WASHINGTON, March 7.—In response to Senator Cullom's resolution of inquiry the president to-day sent to the senate a letter from the secretary of state giving the history of the prohibition by France of the importation of American pork. The department knows of no ground to expect that the decree will be revoked at an early date. Since August, 1880, it has been, from time to time, the subject of earnest diplomatic representations and protests to France.

The New Chinese Treaty.

WASHINGTON, March 7.—The sub-committee of the house committee on foreign affairs agreed to report a bill to give effect to the new Chinese treaty, which will be submitted by the president in a few days.

A Well Deserved Snub.

NEW YORK, March 7.—[Special Telegram to the BEE.]—A delegation representing the Ancient Order of Hibernians called upon Mayor Hewitt to ask him to review the parade on St. Patrick's day. The spokesman in opening, referred to the number of democratic votes cast by the Irish and particularly by members of his society. "Now, let us understand each other," said Mr. Hewitt. "I am mayor of this city, and you ask me to leave my duties to review your parade, and you speak first of the vote cast by the Irish and by your society. Now I may be a candidate for mayor next fall, or for president," he continued, with a facetious glance around the room, "and I may want all the democratic votes I can get. Every one knows that the Irish vote is strong enough for any candidate in this city for which it is cast, but for the purpose of getting this vote I shall not go down to the level of consenting to review any parade, be it Irish or Dutch or any other nationality. I shall review no parades except those which I am officially requested, as mayor, to review." The committee retired in great disorder.

The Fisheries Negotiations.

OTTAWA, Ont., March 7.—Canada's proposal for a settlement of the fisheries dispute on a trade basis, and the American answer thereto, was laid before parliament to-day by the consent of the negotiators. The proposition from the British plenipotentiaries was to the effect that the fishermen of both countries should have all the privileges enjoyed during the existence of the fishery articles of the treaty of Washington, in consideration of a mutual arrangement for freedom of commercial intercourse. The American negotiators declined the proposal, because the great freedom so proposed would necessitate the adjustment of the tariff by congressional action, which adjustment they consider impracticable through the medium of the treaty under the present circumstances. Nor could the Americans admit that such an arrangement could be accepted as constituting a suitable basis of negotiations.

A Paper Trust Formed.

CHICAGO, March 7.—Thirty of the paper mill owners, members of the Western Paper Manufacturers' association, held a meeting here to-day to act upon the proposition of H. E. Mead, of Dayton, O., to buy the entire annual product or all the mills, with the view of reducing production and enhancing profits. The proposition was abandoned and another scheme adopted to lessen the production by a close combination or trust, controlled by a directory which will have power to shut down any or all the mills for a certain time, the expenses of the combination to be met by assessments and the behests of the directors to be enforced by fines from the general fund. A committee was appointed to prepare a contract, etc. It is expected the plan will be ratified by all the members.

Arrest of a Forger.

SAN FRANCISCO, March 7.—Michael Fox, alias James Foss, was arrested here to-day and will be taken to Illinois to answer to the charge of forgery. It is alleged that Fox married Miss Fenton in Durand, Ill., five years ago and soon after fled, leaving notes, claimed to be forgeries, for $5,000. He came to California, and since arriving here has married another woman. It is thought the charge of bigamy will also be made against him.

A Bald-Knobber on Trial.

ST. LOUIS, March 7.—The trial of Dave Walker, chief of the Bald-Knobbers, was resumed at Ozark, Mo., yesterday.

BID HIS WIFE GOOD-BYE.

A Prominent St. Joseph Doctor Takes Morphine and Is Dying.

ST. JOSEPH, Mo., March 7.—[Special Telegram to the BEE.]—Dr. J. A. Gore, for years a prominent physician of this city, has been given up by the doctors, and is expected to die within a few hours from the effects of a dose of morphine taken with suicidal intent at a late hour last ninght. Late yesterday afternoon he wrote his wife a letter telling her that he intended to suicide, and that he would never see her again. He remained at his office last night, and the fact that he had taken the morphine was not discovered until this afternoon. No reason can be assigned for the deed. Dr. Gore was sixty-four years of age, and had a large practice here. He was well known throughout Northwest Missouri.

An Electric Railway for St. Joe.

ST. JOSEPH, Mo., March 7.—[Special Telegram to the BEE.]—A. Steinacher, superintendent of the Union street railway company, returned from New York last night, where he closed a contract with the Sprague motor company for building an electric road from New Elm park in north St. Joseph to the market square. The road will be built by May 15. It will be necessary to build a new track the entire distance and the iron has been ordered from Georgetown, Pa., and is now on the way. The main conductor will be a wire of silicon bronze instead of the copper wire formerly used.

A Cable Railway, Too.

ST. JOSEPH, Mo., March 7.—[Special Telegram to the BEE.]—A contract has been let for the building of the Watt park cable railway, five miles long, in this city, and the work is to be finished in seven months, at a cost of $735,000. R. E. Convis, of New York city, is the contractor.

The Chicago Boodlers.

CHICAGO, March 7.—The appellate court this morning granted Ed. McConald, the convicted "boodler," another stay of proceedings until March 19 on the ground that the supreme court could not take action on his appeal before that time.

The state's attorney this morning made a motion before Judge Shepard that the motion for a new trial in the case of W. J. McGarigle, the fugitive "boodler," be overruled and an order to that effect will be entered during the day. When McGarigle fled to Canada this motion was pending and the result of to-day's action is that he may be sentenced at once if he returns to this country.

Arranging for Finish Fights.

DULUTH, Minn., March 7.—[Speci Telegram to the BEE.]—T. W. Curtis is arranging two finish fights with small gloves, one with J. Donner and the other with Black Frank. Both fights are for $500 a side in private.

A match is being arranged between Gleason and Myers for a purse of $1,000 this sum to be given equally by Jim Murnane, Donaldson and Cardiff. The fight will take place with skin gloves somewhere on the St. Paul & Duluth line and will be to a finish.

Forninst Anti-Poperty.

NEW YORK, March 7.—[Special Telegram to the BEE.]—The Catholic club met at the club house on West Twenty-seventh street last night and expelled Lylvester L. Malone because he presided several days ago at a meeting of the Anti-Poverty society, at the academy of music, at which Dr. McGlynn lectured. Among the members of the club are Judge Morgan, J. O'Brien, Joseph J. O'Donohue, ex-Mayor Grace, Henry L. Hohnet, John D. Crimmins, Eugene Kelley and other well known citizens. Mr. Malone is a graduate of St. Zavier's college and Columbia law school and practices law in this city.

Cattle Thieves Arrested.

RAPID CITY, Dak., March 7.—[Special Telegram to the BEE.]—Yesterday warrants were sworn out at Buffalo Gap for the arrest of six men, H. P., C. W. and S. F. Oliver and Fred Clark and Ringo Triplett, who live in Custer county, seven miles north of Hot Springs, on the charge of cattle stealing. It is charged that the accused have for a long time been killing beef cattle belonging to the Theidley cattle company, the Anglo-American cattle company and the Zeibel cattle company. David H. Clark, of this city, manager of the Sheidley cattle company, caused the arrests. The evidence against them is said to be strong.

Wyoming's New Territorial Officers.

CHEYENNE, Wyo., March 7.—[Special Telegram to the BEE.]—The following nomination were made to-day by Governor Moonlight:

L. D. Ricketts, territorial geologist; Louis Miller, fish commissioner; H. C. Beckwith, William Crawford and Charles Stone, insane commissioners; C. G. Epperson, mine inspector; Gibson Clark, attorney general. Epperson and Clark were rejected by the council. The others were confirmed.

Arrested for Seduction.

SIOUX CITY, Ia., March 7.—[Special Telegram to the BEE.]—Sheriff Jarvis and a deputy from Bremer county start home tonight having in charge a young man by the name of Balentine who is accused of seduction. Balentine's father is one of the wealthiest farmers in Bremer county. It has been known that he was in this locality since last September but the sheriff was unable to lay hands on him till to-day.

Gives General Satisfaction.

RAPID CITY, Dak., March 7.—[Special Telegram to the BEE.]—The news of the passage by the house of the bill opening to settlement the Sioux Indian reservation was received here with general satisfaction. No great demonstration has yet been made. Everybody is more than pleased and feels that a great step for this section has been taken.

Nebraska Enterprise.

LANDER, Wyo., March 7.—[Special Telegram to the BEE.]—Nebraska enterprise is still to the front in Wyoming. C. N. Jones, of Alma, Harlan county, Neb., will probably build a roller process flour mill at Lander Valley for the bonus offered. A mill of fifty to sixty-barrel capacity in operation ninety days from beginning of erection will receive a bonus of $8,000 in wheat and cash.

Placer Mining.

LANDER, Wyo., March 7.—[Special Telegram to the BEE.]—The Sweetwater placer company will organize in a few days with headquarters at Lander. The company is located and will develop this year gold placer mining along the upper Sweetwater for nine miles.

A New Pipe Line.

LIMA, O., March 7.—The Standard oil company has commenced the preliminary work for the building of an immense pipe line from this city to Chicago, a distance of over 200 miles, for the purpose of transporting oil, both crude and refined.

Slack Work.

PITTSBURG, March 7.—Three hundred workmen at the railroad shops of the Pittsburg, Fort Wayne & Chicago railroad company in this city were discharged to-day on account of lack of work.

Postal Changes.

WASHINGTON, March 3.—[Special Telegram to the BEE.]—The name of the postoffice at Pozen, Howard county, was changed to-day to Farwell. James A. Thomas was to-day appointed postmaster at Webster, Keokuk county, Iowa, vice Isaac Sender, resigned.

Reduced the Price of Coal.

NEW YORK, Macrh 7.—Six great coal companies to-day decided to make a reduction of 50 cents per ton in coal and new schedules have been made upon that scale.

PREPARED FOR A PARALYZER

All Brotherhood Men Given the Option to Strike.

THE CRISIS WILL COME TO-DAY.

Many Roads Will Probably Be Affected —Mr. Kimball Says the Union Pacific Must Handle Burlington Cars.

Support of the Entire Brotherhood.

CHICAGO, March 7.—The full support of the entire Brotherhood of Locomotive Engineers and Firemen has been pledged to their members on any and all roads throughout the United States who deem it necessary to strike and formally decide to do so in order to uphold their brethren on the Chicago, Burlington & Quincy. This information was obtained this evening on the best of authority, and was verified through another source. It can also be stated upon authority that general meetings of the local grievance committees of various roads held to-day were in each case convened for the purpose of discussing the advisability of a strike on that particular road, and if such a radical step was not considered essential the object was to decide what measures in lieu thereof should be adopted. The sanction of the general executive of the brotherhood thus given in advance to men who strike on any road was secretly obtained at the conference of the general grievance committee of the brotherhood held here Monday. It no longer rests with Chiefs Arthur and Sargent to say that the men on any road, should they strike, will be backed up by the brotherhood as a whole. The men on any single railroad system, or half a dozen systems, have it now absolutely in their power, not only to say whether they shall strike, but also when they shall strike, with the whole might of the brotherhood behind them. That the men are not disposed to use with undue haste the weapons in their grasp may be partly inferred from the fact that although several meetings were held to-day, each clothed with complete authority to declare a strike affecting a vast stretch of territory, no such declaration had been made up to this evening. At least two meetings of the kind mentioned are known to have been held in this city to-day. Others are said to have been convened at Rock Island, Omaha and Kansas City. One meeting in Chicago was composed of delegates from every brotherhood lodge having members in the employ of the Chicago & Northwestern railway. About thirty delegates were present. The meeting was held in McCoy's hotel. Little is known of the proceedings beyond a rumor that the delegates manifested extreme reluctance to strike except as a last resort. Both the Northwestern and St. Paul men will be again in session to-morrow.

A prominent railroad official said this evening that he understood the grievance committees of several roads will each formulate an appeal to the general manager of the company by which they are employed, asking for the intervention of the general managers of the various roads as a body to help the Burlington strike to a settlement. It is rumored to-night that a meeting of the general managers entering the city will be held here to-morrow or next day to discuss the situation. Marvin Hughitt, president of the Chicago & Northwestern company, is credited with being the leading spirit in the movement to bring about an intervention by the general managers of outside roads. A knowledge of this fact is hinted to be one of the causes of the reluctance of the Chicago & Northwestern grievance committee to-day to adopt a hostile policy.

Among the many rumors flying about to-night which could not be hunted down to a verification or denial was one that the strikers had telegraphed to the inter-state commerce commission asking that body to take official cognizance of the strike, and that dispatches had been sent to Governor Oglesby requesting him to formally call the matter to the attention of the Illinois state railroad commission.

Must Handle Burlington Cars.

Thomas L. Kimball, assistant vice president of the Union Pacific railroad, yesterday evening issued a letter to the employes of the road in regard to that road's relation to the Burlington strike. Appended is the letter in full, together with citations of the law and telegrams of Charles Francis Adams, the president, and T. J. Potter, the vice president:

To Employes of the Union Pacific Railway Company: Whatever may have been the liability of this company at common law in respect to the receipt of freight from connecting lines, its present attitude is fixed and established under the provisions of the act of congress, approved February 4, 1887, and commonly known as the inter-state commerce law. Section 3 of that article is as follows:

"That it shall be unlawful for any common carrier subject to the provisions of this act to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation or locality, or any particular description of traffic in any respect whatsoever, or to subject any particular person, company, firm, corporation or locality, or any particular description of traffic, or any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

Under this section this company has no discretion. It is absolutely bound to treat all connecting lines alike, to receive all freight tendered to it by them, and to transport it over its own lines, without discrimination, in the ordinary and usual manner. A refusal on the part of this company to obey the act of congress by accepting freight tendered to it by the Burlington system would subject it: 1, to a forfeiture of its charter in case the government saw fit to prosecute it for the same: 2, to a criminal action against the corporation, or any of its officers, participating aiding, assisting, or acquiescing in such action; 3, to a suit for damages from the Burlington road; and fourth, to a suit for damages by every individual shipper of any class or species of freight shipped over the Burlington to a point either upon or beyond our line. From this situation there is absolutely no escape. This company cannot refuse to obey this law either for purposes of its own commercial advantage, or out of any desire to aid any particular body of men in a contest between them and the Burlington management. The duty of the company is so clear, the consequences of its failure to obey the law so serious, that it does not seem as if any person or organization could ask it so to do.

If, therefore, it is demanded of this company that it shall violate and defy the law of the United States, that its officers shall so act as to become criminals subject to prosecution and punishment, that it shall incur a forfeiture of its charter and submit itself to ruinous litigation, it must unhesitatingly decline so to do. Its position is one of strict neutrality. Should the Burlington company ask it to discharge all brotherhood engineers, and not to permit its engines to be run by them, it would be an unwarrantable interference with the management of this company, and would be promptly declined. Upon the same ground, and for reasons which leave the company no alternative, it is impossible for it to comply with any request which may be made of it on the part of the brotherhood, that compels it to disobey the law of the land.

If, for the purpose of punishing a road against which it complains, the brotherhood finds it necessary to paralyze the operations of a system against which it has no grievance, by submitting to it the alternative of either defying the statutes of the United States or being left without any engineers to operate its line, it must submit of course to the inevitable; but in so submitting it suggests to its employes that no organization can retain the sympathy of the American people which demands from an unoffending railway company a violation of existing law, and which proposes as the only alternative the absolute destruction of its prosperity. We submit in the utmost spirit of friendship that such action must necessarily arouse the hostility of the whole general public. While this company hopes and believes that its locomotive engineers and firemen, who admit that it has treated them with fairness, justice and consideration, will not in a great degree injure it financially because it feels compelled to obey the law, yet in view of the fact that such a possibility has been suggested, we feel it our duty to advise our employes fully of the whole measure of responsibility which they assume under the law if they shall combine in a refusal to do that which the congress of the United States declares that every employe of a railroad company must do. We call theirfore attention to section 10 of the inter-state commerce act, which reads as follows:

"That any common carrier subject to the provisions of this act, or, whenever such common carrier is a corporation, any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for, or employed by such corporation, who, alone or with any other corporation, company, person, or party, shall willfully do or cause to be done or shall willfully suffer or permit to be done any act, matter or thing in this act prohibited or declared to be unlawful, or who shall aid or abet therein, or shall willfully omit or fail to do any act, matter or thing so directed or required by this act to be done, not to be so done, or shall aid or abet any such omission or failure, or shall be guilty of any infraction of this act or shall aid or abet therein, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof in any district court of the United States within the jurisdiction of which such offense was committed, be subject to a fine of not to exceed five thousand dollars for each offense."

Under this section there can be no doubt that ever officer and employe of a railway corporation from the highest to the lowest who refuses to receive freight from a connecting line, who aids or abets any other person in so refusing, or who suffers or permits any such refusal, commits a crime against the United States and is subject to arrest, conviction and punishment therfor as above set forth.

There can be no escape from the full measure of responsibility and liability under this section of the law of congress. While this company might not be disposed, as against any of its employes, to commence a criminal prosecution, yet such prosecution might be begun either by the officers of the United States or by any shipper, consignee, officer or agent, of the line whose freight they refused to receive and handle.

Our duty to our employes is not fully performed unless we call their attention to another statute of the United States, under which a prosecution could certainly be commenced and successfully carried through: Section 5440 of the revised statutes of the United States is as follows:

"If two or more persons conspire either to commit any offence against the United States or to defraud the United States in any manner, or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than $1,000 and not more than $10,000, and to imprisonment not more than two years."

Under this section and the decisions of the courts of the United States any two or more persons who agree, combine or confederate together to violate any law of the United States, may be prosecuted, and upon conviction must be punished by both fine and imprisonment. It has been suggested, and we are informed, advised by counsel for the brotherhood that an engineer or employe of a railway company could escape the penalty imposed under section 10 of the inter state commerce act, by unconditionally leaving the service of the company, and thereby ceasing to be an employe against whom the language of the section is directed. Even if that position is correct the refusal on the part of employes of the Union Pacific railway company to receive freight from the Burlington could only be successfully maintained by the whole locomotive force of the road leaving its employ. This is something entirely different from and beyond the ordinary action of a strike; for a body of men in the employ of a corporation to strike means that they temporarily refrain from the performance of duty. To leave its service in the manner suggested is to sever all connection with the corporation and to place themselves in the attitude of mere outsiders, having no possible claim of consideration from the corporation or its officers; and being no more entitled to re-employment than any other competent men whose services can be secured. But, supposing that the penalty of section 10 may be escaped by the employes of a corporation severing their connection with it, yet it is perfectly clear that in taking such concerted action for the purpose of preventing a compliance with the law of the United States, which requires a company to receive and accept freight of all connecting lines alike, they are clearly guilty of a conspiracy under section 5440 as above quoted, and subject to prosecution, and punishment in the courts of the United States therefor.

We therefore submit that the locomotive engineers of this company have no grievance of any kind against it; that our relations with them are of the most friendly possible character; that we feel our interests are in a great measure identical; that we have recognized the hitherto conservative and reputable character of the organization to which they generally belong; and we believe, as we know its members in our employ to be fair-minded, law-abiding citizens, that they cannot advisedly enter upon any course of action which will compel this company either to violate the law of the land or upon its refusal so to do to bring upon it great losses, if not irretrievable disaster, and which will at the same time subject every man joining or engaged in the execution of such a scheme to criminal prosecution and punishment under the laws of the United States.

The position of the Union Pacific in this matter is clearly and unequivocally stated in the following dispatches from the highest official authority of the corporation:

BOSTON, Mass., March 5.—T. L. Kimball, Omaha Neb.: Have received your telegram stating Arthur's orders to our engineers in regard to interchange traffic with the Burlington. The Union Pacific is operated under a United States charter, and the provisions of the inter-state commerce act are clear and specific. We cannot lay ourselves open to the penalties of the act and the possibility of a forfeiture of our charter by refusing to interchange business with all connecting lines in the usual way. Point this out to our men, and show them that it would be no more illegal for them to call upon us to burn the Chicago, Burlington & Quincy freight house or murder its officials than to make the present demand. Our position is one of neutrality. If the Chicago, Burlington & Quincy, because it is engaged in a contest with the brotherhood, were to call on us, and under penalty of the loss of their traffic, to dismiss every brotherhood engineer in our service, the proposition would be denounced by the brotherhood as a high-handed outrage, condemned by public opinion, and at once rejected by us. Yet Arthur demands exactly the converse of this when he calls on us to violate the law by refusing to interchange traffic with the Chicago, Burlington & Quincy, and so to compel us to take sides with the brotherhood against a connecting line. Our men cannot be so unreasonable as to take this position if the case is fairly put before them. They will recognize that the sauce for the Burlington goose must be the sauce for the brotherhood gander. Be in this matter very considerate to the men, but absolutely firm.

CHARLES FRANCIS ADAMS,
President.

WASHINGTON, March 5.—T. L. Kimball, Omaha, Neb.: The law does not allow us to refuse to handle passenger and freight traffic in our usual manner as a common carrier. You are on the ground and should be governed by the above. T. J. POTTER,
Vice President.

When the United States government assumed, on April 5 last, direct and active control of inter-state traffic, a radical change was effected in the relation of carriers and their employes to such traffic, and new duties and liabilities were imposed.

It is solely for the information and protection of our employes in respect to this change of situation that the foregoing is respectfully submitted. THOMAS L. KIMBALL,
Assistant to Vice President.

What the Men Say.

Two hundred firemen and engineers, mainly those from the Union Pacific railroad, met at the hall on the northwest corner of Douglas and Fourteenth streets last night. These quarters are the regular meeting place of the brotherhood of Union Pacific firemen, and last night was one of their nights for the transaction of business.

Under the existing circumstances connected with the strike of the Burlington men, they however, varied their rights and admitted the engineers and firemen of the latter road so that a free discussion could be indulged in. Several representative engineers and firemen from the Burlington were present, and the meeting was considered a union one of engineers and firemen under the pledge that it was a "love feast" all around.

The circular letter of Assistant Vice President Kimball, of the Union Pacific railroad, was read and was laid to one side. It excited but little discussion, and was treated with very little concern.

The main topic of discussion was the present status os the strike; and to a man it was resolved to stand firm by the strikers, and the principals of the brotherhood.

After the meeting dissolved the firemen went into secret session, and transacted business pertaining to their order. If the the Kimball letter was considered, it is only known to themselves, as members seen refused to answer questions.

The grievance committee chairman sent to Chicago to confer with Chiefs Arthur and Sargent had not returned up to last night, and stories set afloat that a meeting was called to hear from them were unauthorized. They are not expected back for some days, so a BEE reporter learned from a gentleman in authority.

Previous to the meeting a BEE reporter spoke with Union Pacific engineers. They had not seen the Kimball letter, and being told its import, one replied:

"Well, the road can't compel us to stay on our engines. If we feel inclined not to pull Burlington cars we can walk out, and that's what we'll do. The brotherhood is loyal, and don't let it be forgotten."

A FREIGHT TO THE WEST.

The only new feature in the Burlington strike yesterday was that a freight train was sent to the west last night, the first one since the strike. It was a long one, and from the fact that it was capably manned gave credence to a rumor that an old engineer had returned to duty. This was promptly and effectively denied. At the passenger depot, the old remark, "nothing new," was heard. Train 3 to the west, the Kansas City train and the eastern trains were run out last night nearly on time.

The Situation in Chicago.

CHICAGO, March 7.—Chiefs Arthur and Sargent were seen at noon and told of the strike on the Burlington & Northern and rumor of one coming on the Milwaukee & St. Paul. Both professed to know nothing whatever of the matter. "I have not had the slightest intimation of such a thing," said Arthur. "If the men on these roads are striking, they are acting on their own responsibility."

Chief Arthur stated unreservedly to the Associated Press representative about noon to-day that, to use Arthur's exact words, there was "serious danger" that the strike of engineer and firemen would now spread widely. "It is impossible to appease our men," he said, "when they know the railroad companies all over the country are giving aid to the Burlington. We are continually in receipt of telegrams showing that the companies are rendering this assistance and it is not in my power or the power of any other man to use restraint unless such things are stopped." Arthur showed the following as a sample of the communications with which he is deluded:

AURORA, Ill., March 7.—P. M. Arthur, Grand Chief, Chicago: E. Reynolds, engineer, says he was in the employ of the New York Central and was forced to come here and run or consider himself discharged. Investigate. T. A. BAUHESON.

Another communication was picked up from a pile by Arthur and handed over with a request that the identity of the sender should not be disclosed. The message was from Jackson, Mich., and said in part: "On Saturday, March 3, the following was sent to all agents of the Michigan Central road: 'All engineers wishing to go to Chicago to work for the Chicago, Burlington & Quincy, send free.'" This message was sent under the character, "No. 28," which is used by no one but the general superintendent or acting general superintendent.

"Now," said Chief Arthur, "when you know that men have information like that and more is coming constantly, you can understand the danger that this strike will spread. It is not to be expected that they will submit to such proceedings, but will put a stop to them effectually."

Alarming reports that another general meeting of delegations of engineers and firemen of a majority of the railroads centering in Chicago was to have been held here this afternoon and that a decision as to the promulgation of an order for a general strike were in circulation until late this afternoon. The reports went into details and gave the place of meeting as McCoy's hotel. The rumors proved wholly unfounded. The only basis for the reports was the fact that the grievance committee of each lodge of engineers and firemen on the Chicago & Northwestern railroad convened at McCoy's hotel. Instead of 100 or more delegates, there is not to exceed thirty, and all were employes of the Chicago & Northwestern road.

Strike on the Gulf Inevitable.

KANSAS CITY, March 7.—Indications to-night are that a strike on the Kansas City, Fort Scott & Gulf system is inevitable. The Burlington road notified all roads entering here of its readiness to resume all business as usual, and followed the announcement by pushing twenty-five freight cars from the Hannibal division into the Gulf yards. The Gulf road has announced its willingness to handle the freight, and unless it reconsiders its determination the men will surely go out. About five hundred men are employed on the system as engineers and firemen. Assistant General Superintendent Fish, of the Burlington, declares he has received assurances from nearly all roads that they will accept Burlington freight. In the face of these facts, the men declare as soon as any of the roads attempt to haul Burlington freight the engineers will strike. It is accordingly thought a crisis has been reached and that to-morrow will bring forth startling developments. It is the general talk among the men here that the Atchison, Topeka & Santa Fe, the Missouri Pacific, and possibly the Union Pacific, will be drawn into the strike in a few days.

Still Firm at Lincoln.

LINCOLN, Neb., March 7.—[Special Telegram to the BEE.]—The day has been eventful in railroad matters regarding the strike. The fact that the Union Pacific would not take freight from the Burlington in car lots has been known for some time and traffic on the Burlington remains entirely local. A number of the new Reading men have departed homeward. By far the larger number of new men who have been employed here are not Reading men but strays from all points, except those who are promoted brakemen and conductors. The brotherhood remains contentedly awaiting future developments. To-night they have engaged Red Ribbon hall and are holding a meeting which is being addressed by J. J. Harrahan, of Chicago, vice grand master of the Brotherhood of Locomotive Firemen. No signs of discouragement prevade the ranks of the brotherhood here and the dispatches that they receive from other points are all expressive of confidence that a successful outcome is assured.

Information from different points of the state brings intelligence of the hardships that the rolling stock is meeting with at the hands of the inexperienced engineers, that the company are using. This is what the brotherhood has predicted from the start. The labor organizations in the city continue to express their sympathy and support. The cigar makers' union, numbering 143, has passed the following resolutions:

Whereas, There is a strife between the brotherhoods of engineers and firemen and the Chicago, Burlington & Quincy railroad for the right of maintaining the prin-

[Continued on Second Page.]

LYING AT DEATH'S DOOR.

The Aged Emperor of Germany Again Stricken Down.

BATTLING TO PROLONG LIFE.

All Hope Abandoned During the Day, But at Night More Favorable Symptoms Give Promise of Recovery.

King William's Condition Precarious.

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BERLIN, March 7.—[New York Herald Cable—Special to the BEE.]—For several hours to-day all hope of preserving the kaiser's life was given up. He was so weak as to seem almost lifeless. He was racked by pain, and when the pain was eased by injections of morphine, then his mind rambled incoherently through the maze of state cares and intense anxiety regarding his son. Bismarck spent hours in the palace awaiting his master's death. Prince William, just returned this morning from San Remo, went at once to the palace and spent the day there. Toward evening a favorable change took place so that the emperor was able to speak a few connected words, eat a little food and show signs of sleepiness. To-night, if a quiet sleep comes, as is said now to have come to him, then his life may be saved. If not, then the worst may occur at any moment. Even if he sleeps well to-night—and the fact that the chief physician and Prince have now left the palace seem to indicate this hope—even then the kaiser's extreme and unprecedented weakness will leave his health a matter of the greatest anxiety for the next week. His usual symptoms, bladder and kidney pains, are unusually severe, aggravated by the anxiety of the past month. These pains force the use of morphine, which always was bad for the kaiser, and now seems so poisonous for him that the physicians seem forced reluctantly to choose between allowing him to die of exhaustion from the pains or risk killing him by exhaustion from morphine.

The kaiserine is so greatly overcome as to need the constant attendance of a physician. The duchess of Baden, his daughter, who is herself seriously ill, is now hastening by special train to her father's bed. It is also rumored that the crown prince was asked to