THE OMAHA DAILY BEE.

NINETEENTH YEAR. OMAHA, TUESDAY MORNING, FEBRUARY 11, 1890. NUMBER 232.

OPENED THE RESERVATION.

The President Signs the Long Looked For Proclamation.

CONDITIONS OF POSSESSION.

Boomers at Chamberlain and Pierre Make a Wild Scramble for the Promised Land—Bloodshed Narrowly Averted.

The Long Promised.

WASHINGTON, Feb. 10.—The president today issued the proclamation opening the Sioux reservation. After setting forth the provisions of the act of March 2, 1889, the proclamation says: "Satisfactory proof having been presented that the acceptance and consent by the different bands of the Sioux nation was obtained in the form required, now, therefore, I, Benjamin Harrison, president of the United States, by virtue of the power in me vested, do hereby make known and proclaim the acceptance of said act by the different bands of the Sioux nation of Indians and their consent thereto by them, as required by the act, and said act is hereby declared to be in full force and effect, subject to all the provisions, conditions, limitations and restrictions therein contained. All persons will take notice of the provisions of said act, and the conditions, limitations and restrictions therein contained and be governed accordingly.

"I furthermore notify all persons to particularly observe that by said act certain tracts or portions of the great reservation of the Sioux nation in the territory of Dakota are set apart as separate and permanent reservations for the Indians receiving rations and annuities at the respective agencies therein named; that any Indian receiving and entitled to rations and annuities at either of the agencies mentioned in this act at the time the same shall take effect, but residing upon any portion of said great reservation not included in either of the separate reservations herein established, may at his option, within one year from the time when this act shall take effect and within one year after he has been notified of his said right of option, in such manner as the secretary of the interior shall direct, by recording his election with the proper agent at the agency to which he belongs, have the allotment to which he would be otherwise entitled on one of said separate reservations, upon the land where such Indian may then reside; that each member of the Ponca tribe of Indians now occupying a part of the old Ponca reservation be entitled to allotment upon said old Ponca reservation in such quantity as is therein set forth, and when the allotments to the Ponca tribe of Indians and to such other Indians as allotments are provided for by this act shall have been made upon that portion of said reservation, which is described in an act entitled "an act to extend the northern boundary of the state of Nebraska," approved March 28, 1882, the president shall, in pursuance of said act, declare the Indian title extinguished to all lands described in said act not so allotted hereunder, and thereupon all of said land not so allotted and included in said act of March 28, 1882, shall be open to settlement as provided in this act.

"Protection is guaranteed to such Indians as may have taken allotments either within or without such separate reservations under the provisions of the treaty with the great Sioux nation concluded April 29, 1868, and provision is made in said act for the release of all title on the part of said Indians receiving rations and annuities on each separate reservation, to the lands described in each of the other separate reservations, and to confirm in the Indians entitled to receive rations at each of said separate reservations respectively, to their separate and exclusive use and benefit all title and interest of every name and nature secured to the different bands of the Sioux nation by said treaty of April 29, 1868, and said release shall not effect the title of any individual Indian to his separate reservations, nor any agreement heretofore made with the Chicago, Milwaukee & St. Paul railroad company or the Dakota Central railroad company. It is therein provided that if any land in said great Sioux reservation is occupied and used by any religious society at the date of said act for the purpose of missionary or educational work among the Indians, the same, not exceeding 160 acres in any one tract, shall be granted to said society subject to the conditions and limitations of this act. It is therein provided that all lands in the great Sioux reservation outside of the separate reservations described in said act, except American island, Farm island and Niobrara island, regarding which islands special provisions are made, and sections 16 and 36 in each county thereof, which are reserved for school purposes, shall be disposed of by the United States upon the terms, at the price and in the manner therein set forth, to actual settlers only, under the provisions of the homestead law, except section 2,301 thereof, and under the law relating to town sites.

"Persons who in good faith, and being legally entitled to do so, entered upon or made settlements with the intent to enter the same under the homestead or pre-emption laws of the United States upon the Crow Creek and Winnebago reservation, under the president's proclamation, February 27, 1885, shall for a period of ninety days after the proclamation of the president have the right to re-enter upon said claims and procure title thereto under the homestead or pre-emption laws of the United States and complete the same as required therein, and said claims shall for such time have preference over later entries; provided, that the pre-emption claimants shall reside on their lands the same length of time before procuring title as the homestead claimants under the act.

"The price to be paid for town site entries shall be such as is required by the law in other cases and shall be paid into the general fund provided for by the act."

The proclamation further cites the reservation from entry or settlement, of the land occupied by the agency and the school buildings at the Lower Brule and Cheyenne river agencies, and also the tract of land situated in Nebraska beginning at a point on the boundary line between Nebraska and Dakota, where the range line between ranges 44 and 45 west of the sixth principal meridian in Dakota intersects the said boundary line, thence east along said boundary line five mil s, thence due south five miles, thence due west ten miles, thence due north to said boundary line, thence due east along said boundary line to the place of beginning. The same is continued in a state of reservation so long as it may be needed for the use and protection of the Indians receiving rations and annuities at Pine Ridge agency.

The proclamation concludes: "Warning is hereby also expressly given to all persons not to enter or make settlements on any tracts of land specially reserved by the terms of said act or by this proclamation, or any portion of any tract to which any individual member of either bands of the great Sioux nation or Ponca tribe shall have the preference right under the provisions of said act, and further, to in no wise interfere with the occupancy of any of said tracts by any of said Indians or in any manner to disturb, molest or prevent the peaceful possession of said tracts by them. The surveys required to be made of the lands to be restored to the public domain under the provision of said acts and in this proclamation set forth will be commenced and executed as early as possible."

Over nine million acres of land are thrown open to the settlement by the president's proclamation. The great Sioux reservation, containing in all 21,000,000 acres, lies between 43 deg. 30 min. and 46 deg. 10 min. It is bounded by the Missouri river on the east, and extends to the South Dakota line on the west and south, embracing all west of the Missouri river except the Black Hills territory. The portion of the reservation to be opened lies to the south of the Cheyenne river and north of the White river, and a narrow strip of land lying to the north of the Belle Fouche river, in the territory ceded by the treaty of 1876. Under the terms of the treaty settlers entering the territory and filing upon this land within three years of the proclamation which declares it open to settlement must pay for it at the rate of $1.25 per acre, and no one will be allowed to file upon more than 160 acres. The land will be most easily accessible from the points where the railroads touch the Missouri river, and from far out sections along the Elkhorn Valley railroad in the Black Hills. The nearest approaches to the reservation by rail are at Chamberlain and Pierre.

Within the boundaries of this territory are such variety of soil and condition as would seem adapted to fill the wants of any one seeking a home in the newer portions of the west. The bottom lands along the streams afford the best facilities for general agriculture, the soil being in nearly all cases deeper, richer, and less susceptible to the drought. For stock raising and grazing the region lying in the extreme western part and headwaters of the White and Red rivers will be found most suitable. The timber will be found along the rivers and creeks and very little in any other place. Some of the deeper gulches have scraggy pines, oaks and cedars growing in them, but not enough for any practical purposes.

The country north of the Bad river and south of the Cheyenne river contains, probably, the land best adapted for mixed farming, being less broken and irregular, away from the streams, and therefore better adapted for tillage. The soil is very fertile where it has been tried, yielding magnificent returns of potatoes and other garden vegetables, those being the only crops planted on the uplands so far. The Northwestern Stage Company formerly had a number of stage stations located about ten miles apart across this tract. In the gardens at those stations many varieties of garden stuff were cultivated, and with success in all those varieties suited to that latitude. Potatoes, beets and all roots especially yielded in profusion. The soil on this upland tract between the Bad and Cheyenne rivers is a mixed gumbo and sand, the gumbo predominating nearest the Bad river, while there is found more sand in the soil as one approaches the Cheyenne river There are between the smaller streams tributary to these rivers plateaus which, so far as can be judged from observation, will produce splendid crops of wheat and oats. The soil, where excavations have been made, have been from two to forty inches in depth, overlying a heavy gumbo clay subsoil, which resists the penetration of water into its depths. Below this subsoil is a soft shale which readily becomes pasty when immersed in water. The depth to which wells must be sunk to obtain a supply of water is unknown, as none have ever been sunk in this region.

Two railroads terminate at the Missouri river and will extend their lines across the territory now thrown open for settlement. The Chicago & Northwestern railway, whose present terminus is at Pierre, has already surveyed a line, following the course of the Bad river for nearly sixty miles and thence making direct connection with its line entering the Black Hills from the south. The bill under which this land was ceded gives it and the Chicago, Milwaukee & St. Paul railway a right of way across the land and sufficient land for depot purposes and such sidetracks as may be needed to transact the business of the company. The Chicago, Milwaukee and St. Paul railway, now terminating at Chamberlain, has also made preliminary surveys for the extension of its line into the Black Hills. The proposed line runs a little south of west of Chamberlain to a point within four miles of the White river, then follows up that stream for a distance of forty miles, thence by the most feasible route into the hills. There will be a number of very desirable locations along these roads where will spring up hustling towns, affording employment for the mechanic and merchant. These roads tap a large territory and will develop the resources of the country lying to the west of the reservation.

In the Missouri river are two large, heavily wooded islands, which are by the bill given to the towns of Pierre and Chamberlain to be used for public park purposes. Farm Island, near Pierre, is about six miles long and half a mile wide. American Island, given to Chamberlain, is about the same size.

Report of the Sioux Commission.

WASHINGTON, Feb. 10.—President Harrison today sent congress the report of the Sioux commission. In the letter of transmittal he says the commissioners had no right to bind either congress or the executive by their construction of the statute, but they were as agents of the United States, first to submit a definite proposition for the acceptance by the Indians, and that failing, to agree upon modified terms to be submitted to congress for ratification. "Good faith demands that if the United States accepts the lands ceded the beneficial construction of the act given by our agents should also be admitted and observed."

The secretary of the interior submitted a draft of a bill embodying the recommendations of the commission requiring the legislation and appropriation necessary to carry into effect the provisions of the act. The president says it should be promptly made and be immediately available. The bill provides for the following appropriations: For 10,000 cows and 400 bulls, $400,000, for milch cows, oxen, harness, farming implements and houses, fifty each, and for Indians taking allotments, $380,000; for day schools, teachers and furniture, with a provision for the compulsory attendance of children, $150,000; for thirty school buildings, $30,000; for one year's interest on $3,000,000, $100,000; to pay for ponies taken by the militia, $200,000; to pay the Crow Creek Indians for deficiencies in allotments, $187,039; for extra beef rations, $100,000; to purchase land for the Santee Sioux, $82,000. There are additional sections on minor matters.

Pierre Boomers Go Wild.

PIERRE, S. D., Feb. 10.—[Special Telegram to THE BEE.]—The news that the proclamation opening the reservation went into effect at once was received here this afternoon at 3:30. It was expected, the crowd was prepared and only waiting for the word to start. Men had stood in great crowds on the streets all day anxiously waiting the news, and when it was known a mighty cheeer went forth and the scene of excitement almost beggared description. The crowd made a break for the river bank and participated in the grand rush for the other side. When news was made known in the statehouse by a cannon the members of the legislature then in session arose from their seats and gave three long cheers, and a motion to adjourn went through as soon as it could be heard. But the greatest interest seemed to center on the river and other side. Teams hitched to wagons had been stationed all along the river bank on this side all day, and countless boomers remained by ready to make a start for the promised land when the word was given. But when the first loads reached the other bank they found an unlooked for obstacle in their way. The troops which have been stationed there for some weeks had been drawn up in line along the bank and the first excited boomers who reached there were stopped. They did not want to, but when confronted by pointed bayonets in the hands of soldiers sufficient in numbers to keep them back they fell back on to the river. The military had received orders from headquarters not to allow boomers to go on, so they resisted the crazy throng with their fullest power. The boomers reorganized and with augmented numbers proceeded up the river bank again till they faced the line of troops. Every man was armed, but no guns were drawn. They were ready to break through the line of troops at the first chance presented. At this point Colonel Eassin, in command of the soldiers, came forward and parleyed with the boomers. Mounting a stump, where he could be seen and heard, he explained that he had no orders to let them in, and firmly told them they must go back. At first the boomers insisted that they would proceed, but finally returned to this side a disappointed crowd. Down the river, two miles below East Pierre, the situation was different. Another boomers' camp was there located. When the cannon announced the news they made a start to the number of several hundred. It was unfortunate just at this time that the guard that had been thrown along the river was being changed and the troops were not prepared to hold them in check, consequently the boomers had crossed and were scattering up over the hills back on to the reservation before the troops could get ready to hold them in check. The latter, however, immediately commenced a hot pursuit and finally overtook and captured all but a few, whom they are still searching for. Some of the boomers are in organized bands and have county records and officers elected, so that they can reach the counties they have selected, and in several cases several organizations are ready for each county, which will make trouble when they come together on the ground. Notwithstanding the president's proclamation the Indian police patrol the reservation further back from the line of troops. The people at Fort Pierre though allowed to live there, are not allowed to leave the mile square except to come to this city by a permit from the officer in charge. Fred W. Pettigrew, a brother of United States Senator Pettigrow, is one of the leading boomers and is at the head of one of the strongest organized bands who will occupy the land there. Captain W. J. Shinnan, an ex-member of the Ohio legislature, is another prominent leader. Several large bands of boomers have gone up and down the river far enough in hopes to get around the line of guards strung along, and there is no doubt but many will succeed in crossing and getting a foothold before morning, though the troops will scour the land, with the help of the Indian police, and take them back until they receive orders to the contry. Some three miles above this city a crowd of boomers to the number of ten succeeded in getting by the guards and escaped into the reservation in the darkness. Colonel Eassin sent details after them and word comes that seven have been caught and are in the guard house at Fort Pierre. The commandant has posted a public notice in this city tonight that any who are caught attempting to cross contrary to orders will receive the severest punishment within military authority. This has tended to help check the more enthusiastic boomers and they may be induced yet tonight to await orders from military headquarters to enable them to go on. The city is actually overrun and the police are powerless to suppress the excitement.

A Wild Scramble at Chamberlain.

CHAMBERLAIN, S. D., Feb. 10.—[Special Telegram to THE BEE.]—Never has the northwest witnessed such a scene as occurred here this afternoon when the news was received that the proclamation opening the Sioux reservation to settlement had been issued. For the past twenty-four hours the boomers and settlers congregated in this city and vicinity had been on the alert for news that the proclamation had been issued, and no sooner was such a report received than began a scene of the wildest excitement. Boomers were seen running in every direction, horses were hurriedly hitched to wagons loaded with lumber and supplies, and soon began an exciting rush for the Missouri river, which divides this city from the reservation. In a few moments the ice on the river was black with the hurrying crowds, some on foot others on horse back, but the larger number in wagons. It took them but a few moments to cross the river and then the wild scramble began for the possession of the choice claims lying on the flat opposite here on the Missouri river. The greatest rush took place between the rival townsite companies which have for days been here awaiting the opening of the reservation. They all have been casting coveteous eyes toward a beautiful flat located opposite the southern portion of this city on the reservation, and during the past few days the representatives of the various companies have been closely watching each other so that none would have any advantage when the land was declared open to settlement. The Chamberlain company early this morning stationed a number of their fellows in a sheltered nook nearly a mile down the river and directly opposite the proposed town site. They had procured a cannon to be used as a signal for those hidden down the river, and as soon as news that the proclamation had been issued was received the cannon was touched off and the concealed party at once made a rush for the reservation, getting a good start of the other townsite boomers. The legal contest over this townsite, however, promises to be a long and bitter one, as all the companies are determined to possess it. During the absence of official notice that the reservation was opened, Indian Agent Anderson was undecided as to allowing the boomers to remain upon the reservation, and left for the west side of the river with the intention of removing them. He has now decided to allow them to remain pending notice from the secretary of the interior that the land is legally opened. Tomorrow there promises to be many new developments, but as yet nothing has been heard as to whether any serious disturbances took place between the settlers and boomers. The land could possibly not have been opened at a better time, as the weather is mild and the ice on the Missouri is firm, making the crossing here quite safe.

A Sioux Falls Townsite Company.

SIOUX FALLS, S. D., Feb. 10.—[Special Telegram to THE BEE.]—A colony of about fifty persons have organized themselves into a townsite company in this city for the purpose of locating on the Sioux reservation and building up a town. Maps and plans have been perfected for the colony, although the exact location of the town has not been determined upon. Among the members of the colony are several saloon keepers, who state that they will open saloons in violation of the law, believing that the rough and ready class that propose going to the reservation will aid them in keeping open their gin shops. The colony has had a man at Pierre for the past two weeks to find out the lay of the land and learn if he could where the boomers were going to locate. The news of the opening was received with enthusiasm today, the members of the colony believing that they have struck a modern Eldorado in the country taken into the public domain today.

The New Land Districts.

WASHINGTON, Feb. 10.—An executive order was issued today fixing the boundary lines of the two land districts in the newly ceded Sioux reservation in South Dakota. The location of the land office for the northern district will be at Pierre and that of the southern district at Chamberlain. Registers and receivers will be appointed at once and two clerks from the land office here will be sent to the new offices with the necessary blanks and papers to carry on public business. All that portion of the newly ceded land south of the forty-third parallel of latitude is added to the O'Neil land district of Nebraska. The lines of the Black Hills and the Huron and Mitchell land districts will be changed to conform to the lines of the new districts. Indian Inspector Armstrong will leave Washington tonight for the Sioux reservation. It will be his special duty to see that none of the settlers who enter the reservation under the president's proclamation intrude upon the diminished Indian reservation lands. The general land office officials are also making preparations to send to the reservation a number of experienced clerks and two special agents to assist the local land officers when they shall have been appointed.

Collapse of the Lottery Bill.

BISMARCK, N. D., Feb. 10.—The great lottery scheme suddenly collapsed today without a single note of warning. The friends of the bill in the house moved its indefinite postponement and carried the motion. They then advised the senate of the death of the measure. The real reason for the breakdown has not developed unless the pressure of President Harrison and others in Washington, as well as the presence of detectives and newspaper correspondents, who were in the confidence of the opposition, were too much for the lottery people. In the senate a committee was appointed to investigate the charges of bribery in connection with the lottery business.

INTERSTATE COMMERCE LAW

Paddock on the Long and Short Haul Clause.

OPPOSITION TO WINDOM'S BILL.

Ex-Congressman Symes of Colorado Asserts That it Would Be Detrimental to Silver Interests—Miscellaneous.

WASHINGTON BUREAU THE OMAHA BEE, 513 FOURTEENTH STREET, WASHINGTON, D. C., Feb. 10.

On Wednesday next the senate committee on commerce intends to try to take definite action upon the long and short haul clause in the interstate commerce law

The belief prevails that a bill may be presented to repeal that section of the law. Senator Paddock of Nebraska, who proposed a resolution of inquiry as to the operation of the long and short haul clause, said today: "The interstate commerce law as a whole was enacted, as was represented, to afford relief to the producers of the west who were suffering from low prices, but it has proven a very expensive experiment. I believe it is susceptible of proof that the operation of the long and short haul clause has cost my state at least $10,000,000 since the law was enacted. The effect of the law was to increase the tariff for the long haul and maintain the rate for the short haul. Thus everyone is compelled to pay higher rates while no one gets lower rates. It is ruinous to those interested in the long haul and to producers, is expensive to consumers everywhere and does not materially help those who have suffered from excessive short haul rates. I am informed that corn is selling at from 36½ to 37 cents a bushel in New York. It costs, I am told, about 25 cents a bushel to ship corn from Lincoln, Neb., to New York city. So you will see there is only about an average of 12 or 13 cents left for the Nebraska producer. This is ruinous not only to our export trade, but to the producer. It takes two and a half bushels of corn to market one bushel in New York. When the interstate commerce law went into effect, as I am informed, the rate from the capital of our state to Chicago was about 16 cents a hundred, or about 9 cents a bushel. Now it is 25 cents a hundred or about 14 cents a bushel. We pay about 45 cents per hundred pounds freight from Lincoln to New York, or an approximation of 25 cents a bushel for corn. You will see that the producer gets very little while the railroad company gets a great deal. I know that the buyers and shippers say we have a declining corn market and that overproduction is the secret of the low prices in the west, but I am constrained to believe the excessive freight rates are mainly chargeable to the low prices. If there had been a short corn and wheat crop throughout the country the farmers of Nebraska and surrounding states would have made more money than they will make from one large crop, so that we have a misfortune in the guise of a blessing. I believe the producers in Nebraska lost at least $2,000,000 by the enforcement of the long haul clause in the interstate commerce law last year. The interstate commerce law has simply moved Nebraska about eight hundred miles further west.

"The alleged settlement of the grievances of the far western shippers at Chicago last week by which the long haul rates were reduced 1½ cents per hundred pounds, will in my opinion, afford small relief and will not prove satisfactory. A reduction of 1½ cents on a 45 cent rate to New York is but a drop in the bucket. There may be some good features in the interstate commerce law, but after an investigation and a thorough test I think the burdens fall upon those who have suffered most and most need relief, and that instead of being a relief it increases the suffering. We cannot procure better markets for our produce by creating a law which will increase the freight rates for taking our produce to either home or foreign markets. We cannot expect the railroad companies to reduce the long haul rates when they must proportionally reduce the short haul rates, as the latter afford the greatest source of revenue and profit, hence they are sure to increase the long haul rate. Certainly the railroad companies and shippers are not as much interested in a modification or repeal of the long and short haul clause as the producers and consumers, for it is apparent that the latter must bear the brunt of the burden."

The senator has received letters and telegrams from various parts of the country indicating that there is great dissatisfaction among producers, consumers and shippers throughout the country with the operation of the long and short haul clauses in the law. Boards of trade and farmers' associations are petitioning congress for a repeal of this section of the law, and there will undoubtedly be some vigorous action taken upon the subject before long, as the excessive long haul rates are so high that produce in the hands of the producers is unprofitably low and coal and other fuel which must be transported a long distance is extremely high. It may be that Senator Paddock will offer an amendment providing that food products shall be exempt from the operation of the long haul clause of the interstate commerce law.

CONSIDERING THE RULES.

The house has undertaken the consideration of the new code of rules prepared by Messrs. Reed, Cannon and McKinley, and although no time has yet been set for a vote upon them it is believed they will be discussed of by Wednesday night and then the house will proceed to take up the question of holding the world's fair, provided the special committee is prepared to report at that time, as it probably will be. Several contested election cases will be acted upon as speedily as possible in order to reach the appropriation bills. The programme of the committee on appropriations is to get their work out of the way as soon as possible, and Mr. Cannon, the chairman, intends to make a record for industry and promptness. So far as the appropriation committee is concerned there may be an adjournment by June 1, although it is customary to continue the first session of a congress as late as the last of July, and sometimes to the middle of August. One of the bills has already been disposed of, that for the support of the District of Columbia. The next to be taken up will be the appropriation bill, which carries $98,000,000, and that will be held in readiness for consideration between the several contested election cases. The question of adjournment, however, depends entirely upon the tariff legislation, the plans for which have not yet been formulated. It is the intention of the republicans, however, to pass a tariff revision bill, and to do so as speedily as possible.

OPPOSES WINDOM'S MEASURE.

Ex-Congressman Symes of Colorado today made an argument before the house committee on coinage, weights and measures in opposition to the Windom siver certificate bill. He contended that the power given by the measure to the secretary of the treasury for a suspension of the purchase of bullion was detrimental to silver interests; that if the bill is adopted the arbitrary power given to the secretary should be stricken out, as it would degenerate silver to a common commodity of trade.

IN THE SENATE.

Favorable reports were today made from the senate committee on public buildings and grounds on the bills appropriating $150,000 for a building at Hastings, Neb., $50,000 at Salt Lake City, $150,000 for Cheyenne, Wyo., and $150,000 at Helena, Mont.

Senator Moody introduced bills today making appropriations to pay Indian depredation claims for South Dakotans as follows: Morris Appel of Pennington county, $8,275; Henry Bradley, Yankton county, $1,030; John Stonace of Yankton county, $1,538.

Senator Wilson introduced a bill appropriating $100,000 for a public building at Muscatine, Ia.

An adverse report was today made upon the bill proposing to increase the clerical force and make a reorganization of the general land office, and a bill reported instead which increases the salary of the commissioner to $5,000 and the assistant commissioner to $4,500 a year. The present law gives the commissioner a salary of $4,000 and the assistant commissioner $3,000.

NOT A LOTTERY MAN.

When Warmouth was appointed collector of the port of New Orleans a short time ago some mugwump and democratic newspapers which wanted to fight President Harrison proclaimed that this was a recognition of the Louisiana Lottery company in return for a large campaign contribution in 1888. They said Warmouth was a lottery man, and that his appointment was arranged during the recent presidential campaign by certain Louisiana republicans. These statements are proven to be false and without any foundation whatever. An agent of the Louisiana Lottery company is here now fighting Warmouth's confirmation, and he has made a protest before the senate committee on commerce. Warmouth proves to be an old enemy of the lottery company.

GETS ONTO THE ROPES.

Notwithstanding the statements that have been made in these dispatches that the Nebraska delegation in congress is taking no part in the naming of census enumerators, persons desiring employment in that work are continually writing here for endorsements in their aspirations to secure these places. The superintendent of the census makes these appointments upon the recommendation of the supervisors, of which there are three in Nebraska.

MISCELLANEOUS.

Alex Kendall was today appointed postmaster at Cleveland, Lucas county, Iowa, vice Eli Nichols removed.

Colonel C. J. Bills of Fairbury, lieutenant colonel of the Second regiment, who has been here a week attending the National Guard meeting, left for New York tonight and will be home by the end of the week. Adjutant General A. V. Cole will remain here a couple of days longer and meet Colonel Bills in Chicago.

John L. Haggard, nominated for marshal of North Dakota, declined the appointment because, so it is said, he was aware that his connection with the lottery scheme in North Dakota is distasteful to the administration. Mr. Haggard had not yet been confirmed.

Ex-Congressman Posey of Council Bluffs is here and says of Speaker Reed: "Tom Reed will make an able speaker. Of course some of these rulings will haunt the republicans for years, but it was about the only thing they could do."

Congressman Laws has selected J. M. Hiatt of Alma, F. S. Brown of McCook, Frank S. Firman of Hastings and A. B. Ward of York to be agents of the census to take the statistics of the recorded indebtedness in the Second district of Nebraska.

The sub-committee of the special house committee on the world's fair has prepared a report which will be presented to the full committee at the next meeting.

Fourth class postmasters have been recommended for appointment by Mr. Dorsey as follows: E. M. Talbott at Seneca, Thomas county; James M. Simpson at Venango.

A new and satisfactory bond is to be filed for Judge Tucker as receiving clerk at Valentine and he will enter upon his duties in a few days.

On motion of Mr. Allison the senate late this afternoon passed bills appropriating $500,000 and $200,000 for public buildings respectively at Sioux City and Cedar Rapids, Iowa.

PERRY S. HEATH.

THE IOWA BANK WON.

A New York Court of Appeals Decision Involving $10,400.

NEW YORK, Feb. 10.—[Special Telegram to THE BEE.]—After five years of litigation between the Citizens' national bank of Davenport, Ia., and the Importers and Traders of this city, the Davenport bank, which was the plaintiff, has won. The suit involved $10,000 and $400 costs. It was confined to the supreme court of this state and the court of appeals. There were two trials of the issues, the first resulting in a victory for the New York bank. This suit only went as far as the general term of the supreme court, and a new trial was ordered, and the new trial was appealed as far as the court of appeals, resulting in the above success for the plaintiff. The litigation was a long and bitter one and it extended over a period of five years.

The suit is the outcome of the series of forgeries practised by a clerk in the employ of a firm in Davenport—Wadsworth & Co. This firm five years ago had occasion to send out a lot of drafts amounting to $10,000 to certain creditors for merchandise. The clerk altered the names and substituted the names of confederates and collected the amount of the drafts, and fled. The drafts passed through a number of different hands until they got to the Fourth National bank of this city, which in turn passed them to the Importers and Traders' bank. Before the last two banks got them the Corn Exchange bank of Chicago was the recipient of them, and it is pretty certain that there were at least two other concerns that honored them. Who the first person or persons were who honored the drafts and who will have to be the real loser, is not known here, but the Importers and Traders' bank tried to make the Iowa bank stand it. The latter, not choosing to do so, brought on the suit.

BROKE THE QUORUM AGAIN.

Senator Becker Spirited Away from Montana by Democrats.

HELENA, Mont., Feb. 10.—The democratic state senator, Mr. Becker, who was brought here by the sheriff Saturday night, was spirited away by the democrats last night on a special train. A dispatch just received says he crossed the Idaho-Montana line this morning. All the democratic senators are now out of the state and the senate is without a quorum. The question is now raised whether the bills passed Saturday night can become laws. The lieutenant governor is required to sign bills in the presence of the senate. The bills are not yet signed. Legal advice will be taken whether the signature of the president must be affixed in the presence of a quorum. If not the appropriation bills will be signed today and sent to the governor.

Lena Was Very Foolish.

ST. JOSEPH, MO., Feb. 10.—[Special Telegram to THE BEE.]—Yesterday Lena Roberts, the fourteen-year-old daughter of Police Officer F. M. Roberts, residing at No. 413 East Franklin street, shot and perhaps fatally wounded herself with a 38-calibre revolver. The bullet entered her right side, passing entirely through her body. There is a pretty, romantic story connected with the shooting. Miss Lena, although young, is sentimental, and all the love of her young heart she has lavished upon one Hen Hestler, a red-cheeked, fair-haired clerk in the county collector's office. Hen is but seventeen, but immensely popular among the short-skirted damsels of the town. Saturday Lena asked Hen to take her to see Corinne, but he refused, and told her that his love for her was on the wane. They parted in anger, and Lena, believing death preferable to a loveless existence, committed the deed which may rob her of her life.

Society of Patriotic Knowledge.

CHICAGO, Feb. 10.—[Special Telegram to THE BEE.]—The leading literary people of Chicago, encouraged by Oliver Wendell Holmes, have organized a society to be known as the "American Society of Patriotic Knowledge." It will be conducted under the direction of the following well known citizens: President, Charles L. Hutchinson; vice-presidents, L. J. Gage, W. J. Onahan, Judge Henry Booth, R. T. Crane, Bishop Fallows, J. L. Withrow, D. D., J. Coleman Adams, D. D., William T. Harris, LL. D.; treasurer E. G. Keith; secretary, Martin L. Williston. The originator is Bishop Fallows, and the aim is the propagation of patriotism among the youth of the country. Dr. Oliver Wendell Holmes gives it hearty approval. A fine magazine to voice the views has been started, entitled "Home, School and Nation." It is devoted to stories of the nation. Similar societies will be started in other cities. On the morning of Washington's birthday a meeting of the school children will be held at the Auditorium.

THE QUEEN'S SPEECH.

An Outline of What Victoria Will Say to Parliament.

[Copyright 1890 by James Gordon Bennett.]

LONDON, Feb. 10.—[New York Herald Cable—Special to THE BEE.]—The following is an authentic outline of the queen's speech, which will be read on the opening of parliament today. Referring to foreign affairs, which are represented to be in a satisfactory state generally, her majesty refers with some particularity to the dispute with Portugal, and states that that power sent an armed force to a part of Africa where British subjects were residing, and that it became necessary in consequence to take measures for the protection of these subjects. Events took place which were incompatible with the dignity of the British flag, but at her majesty's request Portugal has promised to withdraw her forces. The speech, however, does not go on to state that this promise has been kept. Some allusion is made to the conference at Brussels in connection with the slave trade and to a treaty agreed upon between the governments of Germany and the United States for the regulation of Samoa under a native king. Mention is also made of the conclusion of a treaty with the United States government for better regulation of extradition of criminals. With regard to Ireland, her majesty congratulates parliament on the decrease of crime in that part of the country, and states that a measure will be introduced to afford greater facilities for the occupiers of land to purchase their holdings. No allusion is made to the nature of this measure or the amount of money which will be required to carry it into effect. The surprise of the speech will be found contained in a statement to the effect that a measure will be brought forward for improving the local government of Ireland. This measure, it is announced, will be framed upon the same lines as the local government acts already passed for England and Scotland. This announcement has been kept a great secret, even down to the very eve of the opening of parliament. It is also stated that a bill will be introduced to alter the method of recovery and facilitate the redemption of titles. A royal commission will be appointed to inquire into the disaffection which still prevails in the Crofter districts of Scotland. A land transfer bill is also promised as well as bills for the amendment of the limited liability act and for the improvement of the laws relating to friendly societies and trustees savings banks. Nothing whatever is said about free education, which may therefore be regarded as one of the question, not likely to be touched this session. He majesty will refer to Sir Francis De Winton's mission to Switzerland and will announce that negotiations in regard to the future of that country from which a fortunate issue is expected are still going on. The foregoing will be found to comprise an accurate summary of all that is of any importance in her majesty's speech.

The Duke of Orleans Will Be Fired.

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PARIS, Feb. 10.—[New York Herald Cable—Special to THE BEE.]—The cabinet has decided, in reference to the Due d'Orleans, to take the following steps: On Wednesday the prince will appear for trial and will be sentenced to two years imprisonment. President Carnot, to avoid the appearance of clothing the dauphin with the prestige of a martyr, will at once pardon him and he will be escorted to the frontier. This step has been discussed by Prsdent Carnet and the ministry and has been unanimously decided upon as the best solution of the incident.

A CLEAR CASE OF JEALOUSY.

Clara Morris' Husband and Actor De Belleville Have a Row.

ST. PAUL, Minn., Feb. 10.—[Special Telegram to THE BEE.]—Frederick De Belleville, leading man of the Clara Morris company, was discharged by Manager Harriot, Clara's husband, today. The rupture grew out of a little episode at Minneapolis last week at the close of the first act of "The New Magdalen." On Tuesday evening a large bouquet was sent up to Miss Morris. She was called before the curtain with De Belleville, who stooped to pick up the flowers, when suddenly the curtain fell and De Belleville was knocked down. The latter rushed behind the scenes and said he believed Harriot had deliberately precipitated the accident to humiliate the actor. This ruffled Harriot, who a moment later flew into the dressing room of De Belleville and the latter's wife. An altercation ensued, ending by Harriot being led out by the ear, and the discharge follows as the sequel. De Belleville says he has an ironclad contract for twenty-four weeks at $250 a week, and has brought suit through a well known St. Paul attorney for the amount which would be due him at the end of the season.

The Revision Agitation.

CHICAGO, Feb. 10.—The Chicago presbytery, which has been discussing the question of revision two or three weeks, last week answered yes to the question of the general assembly as to whether revision was desired, and today adopted specifications that the full integrity of the system of doctrine as contained in the confession of faith shall be kept inviolate, and that those forms of statement which convey or seem to convey erroneous impressions or complications and which are occasions of stumbling, be modified or eliminated.

PHILADELPHIA, Feb. 10.—The Philadelphia presbytery at an adjourned meeting held today refused to agree to the revision of the confession of faith by a vote of 23 yeas to 42 nays.

SAN FRANCISCO, Feb. 10.—The presbytery here today voted against revision by 27 to 22.

Will Force an Accounting.

NEW YORK, Feb. 10.—The necessary legal preliminaries were taken today by Lawyer Leonard to force an accounting from the banking firm of Henry Clews & Co. Ever since the firm failed in 1873 its affairs have been in the hands of trustees. Many out of town creditors failed to receive a satisfactory explanation as to the disposition of valuable bonds issued by the southern states and in possession of Clews & Co. when the firm went into liquidation. Among these who have retained Lawyer Leonard are Hatch, Davis & Co., Litchfield Ill.; the Schullsberg bank, Lafayette, Wis.; the First National bank, Waterloo, Ia.

The Weather Forecast.

For Omaha and vicinity: Fair weather.

For Nebraska—Local snows in western, fair in eastern portion, colder, northerly winds, cold wave.

For Iowa—Fair, variable winds, colder Wednesday morning, cold wave in western portion.

For South Dakota—Colder, westerly winds, fair, except in southeast portion, local snows, cold wave.

Increased Atchison Earnings.

BOSTON, Mass., Feb. 10.—The Atchison January statement shows an increase of $364,000 in gross earnings.

CONGRESSIONAL PROCEEDINGS

The House Discusses the New Code of Rules.

BUSINESS BEFORE OBSTRUCTION

Republicans Hold That the Affairs of Sixty Millions Are of More Importance Than Freedom to Filibuster.

House.

WASHINGTON, Feb. 10.—In the house the journal of Thursday's proceedings was read, and although the democrats did not demand a detailed reading of that document, they insisted upon a yea and nay vote on its approval. It was approved—yeas, 149; nays, 1, the speaker counting a quorum.

The journal of Friday's proceedings, containing no ruling by the speaker on the point of counting a quorum, was approved.

Mr. Henderson of Illinois presented the conference report on the bill to remove snags, etc., from the Missouri river, and it was agreed to.

Mr. Cannon of Illinois reported from the committee on rules the new code of rules, and the house proceeded to consider it. Mr. Cannon explained the provisions of the code. He criticised the rules that previously governed the house. In the last congress, he said, the business of the people piled up on the calendars, and not 5 per cent of that business had been considered by the house. Almost as much time had been given to the obstruction of the minority as to the consideration of the business of 60,000,000 people. He defended the proposed change prohibiting the speaker from entertaining dilatory motions. He denied that the proposed rule was tyrannical, but if it was, then it was a tyranny sustained by the majority of the house. Discussing the rule permitting the speaker to count a quorum, he said if the democrats wanted to go to the country as against the principle contained in the rule, the republicans were ready to meet them and let the people choose. Mr. Cannon then proceeded to review the other changes in the code, maintaining their correctness and arguing that their effect would be to facilitate the transaction of the business of the people.

Mr. Mills of Texas said the proposed code would reverse legislative action and run back upon the track upon which the government had been running forward for a century. It was founded upon the proposition that the minority had no rights. The great object of the government, as proclaimed by the declaration of independence was to secure the inalienable rights of the citizens. The minority had asked for rules but for rules which, while providing for the procedure of business, would preserve and protect the rights of the minority.

Mr. Bayne of Pennsylvania justified the committee on rules in bringing in the proposed code, arguing that it would facilitate the transaction of business and prevent the minority from nullifying the will of the majority of the representatives of the people.

Mr. Blount of Georgia made an argument in opposition to the proposed rules, dwelling with especial antagonism upon the clause, making 100 members a quorum in committee of the whole. Pending the discussion the house adjourned.

Senate.

WASHINGTON, Feb. 10.—In the senate today the committee on territories directed Chairman Platt to favorably report the bill for the admission of Idaho as a state, and it will be re