

DEATH OF ADMIRAL PORTER.

He Passes Away Suddenly at His Home in Washington.

DISEASE OF THE HEART THE CAUSE.

General Sherman Has Fourteen Hours of Undisturbed Rest and His Prospects of Recovery Are Thought to Be Excellent.

WASHINGTON, Feb. 13.—Admiral David D. Porter died this morning. His death was very sudden. It occurred at his residence here and was the result of fatty degeneration of the heart, with which he had been affected since last summer. His death was calm and peaceful.

When Dr. Wales left him at 11 o'clock last night his condition was about the same as it had been for several weeks past and there were no indications that medical services would be needed before the time for the doctor's regular visit this morning. The nature of the admiral's disease made it dangerous for him to lie on his back, so that he was accustomed to resting upon a large sofa with his back and head supported by pillows.

The admiral awoke at 6:45 this morning as usual. He afterwards went into a light sleep and gave no indication whatever that the end was near at hand. At 8 o'clock the admiral's son, Richard, who slept by his side, noticed a change in his condition. He was breathing with difficulty and seemed to be choking.

The household was at once aroused and Dr. Wales was called. The patient's pulse grew fainter and fainter, and at 8:15 o'clock it ceased to beat. At that hour he grasped convulsively and several minutes later he died. Dr. Wales reached the house almost immediately after being notified and applied all the restoratives known to science, but to no effect.

Word was at once sent to the president and secretary of the navy, and the flags on the white house and on all the other public buildings were lowered to half mast.

Secretary Tracy promptly visited the family and conferred with them in regard to the funeral arrangements. It was settled that the funeral should take place at the highest military honors and internment should be made at Arlington national cemetery.

A large number of people in official life called at the house this morning and left messages of sympathy for the family. Telegrams of condolence were also received from all the principal cities of the world.

The time of the funeral has not been fixed. The funeral order was issued by the navy department this afternoon.

The president ordered of Admiral Porter's death, and sent a message of sympathy to the family. He subsequently sent a message to congress notifying that body of the death and the circumstances of the case.

The executive order closing the executive departments on the day of the funeral and directing the flags on all public buildings to be placed at half mast on that occasion.

The following is President Harrison's message to congress announcing the death of Admiral Porter:

Executive Order. The House of Representatives: The admiral of the navy, David Dixon Porter, died at his residence in the city of Washington on the 13th inst. at the age of seventy-eight years. He entered the navy in 1827, and distinguished himself in the Mexican war, and in the operations of the navy against Mexico. When the civil war broke out, Porter, then a commander, was sent to the relief of Fort Pickens. He also fought a battle for the reduction of the forts guarding New Orleans.

After the fall of New Orleans the fleetilla did some excellent work at Vicksburg, and in 1862 Porter was placed in command of all the naval forces on the western coast above New Orleans. In 1864 he was transferred to the Atlantic coast, to destroy the defenses of Wilmington, N. C., and on January 15, 1865, the fall of Fort Fisher was consummated. Porter, who made vice admiral and superintendent of the naval academy. On the death of Farragut he became admiral of the navy.

GENERAL SHERMAN BETTER.

He Now Has More Than Fair Prospects of Recovery.

New York, Feb. 13.—General Sherman passed a quiet night and gained strength. His condition today is more favorable and the physicians announce that he has more than a fair chance of recovery.

At 10:30 this morning P. T. Sherman, the general's son, when spoken to in regard to the publication of a statement to the effect that General Sherman recovered extreme weakness, emphatically denied that such was the case. The general, he said, was not a Catholic and never had been one.

The family this morning was quite cheerful, as they now entertain a hope for the general's recovery. Some trouble was experienced in connection with the general in bed.

At 1:30 p. m. General Edwin said: "I think General Sherman has passed the crisis of his disease. He had fourteen hours of undisturbed rest, and his condition is now entirely better and the doctor is partially filled with mucus. There is no indication of pneumonia, and the action of the heart and stomach, and the general is weak and is still in a critical condition, but the chances for his recovery are good."

The family of General Sherman was greatly annoyed today at the publication in the Times of an article referring to the administration of the general's case. The article in question referred to the fact that the general is not a Catholic, and that the sacrament of extreme unction was administered while he was in an unconscious state, leaving the inference to be drawn that it was given by his permission.

Many other inferences might have been drawn from the article disagreeable to the family. The general's son, P. T. Sherman, in conversation with other reporters today, was indignant at the insinuations in the article. He said a priest was called at the request of the family and extreme unction was administered at their request. It was true that the general might not have been conscious of what was going on, but there had been no secrecy about it whatever.

Tonight Senator John Sherman has sent the Times this letter: "A paragraph in your paper this morning gives a very erroneous view of an incident in General Sherman's sick chamber

CONGRESSIONAL PROCEEDINGS.

Passage of the Legislative Appropriation Bill by the House.

THE CIVIL SERVICE COMMISSION'S FORCE.

Considerable Debate Indulged in as to the Amount to be Allowed for Clerical Assistance—Senate Doings.

WASHINGTON, Feb. 13.—The house went into committee of the whole on the legislative appropriation bill.

Mr. McComas offered an amendment making appropriations for the clerical force in the civil service commission.

Mr. Grosvenor of Ohio raised a point of order against the amendment and the chair sustained the point.

An appeal by Mr. Buttworth was defeated.

Mr. Cannon moved an amendment providing for a secretary and stenographer at \$1,600 a year each. This, he said, would comply with the terms of the organic law.

Mr. Buttworth said this appropriation was worse than mockery. It was a hypocritical pretense of responding to the promises of the republican party.

He did not know whether the gentlemen's constituents had so declared, but every national convention had declared to the people that it was in favor of enforcing the law.

Mr. Cannon replied that Mr. Buttworth and other gentlemen, not satisfied with the law, wanted to give the commission a force of clerks and examiners independent of the department, independent of everybody.

This was not a wise thing to do. The gentleman had no right to uphold him, with opposition to the civil service commission.

He was not in love with the civil service law, but he was willing to try the experiment until it ripened into success or was demonstrated to be a delusion.

Mr. Buttworth said the house should not, while pretending to protect an institution, strike it down from behind.

The reform should be raised to the highest possible development. The system as at present carried on was an unpropitious one.

The government should have a commission under the control of heads of departments. He looked forward to the time when the people would crush down this amount of clerical force.

Mr. Grosvenor said he was not opposed to the civil service reform contemplated in the Chicago platform. He was in favor of the principle of merit.

Mr. Cannon moved to amend Mr. McComas' amendment by inserting a provision appropriating \$30,000 to the commission to execute the provisions of the act.

After debate the amendment was agreed to. Messrs. Cannon's amendment, as amended, was adopted.

The committee rose and reported the bill to the house. The first question was on the amendment providing for clerks to members of committees. It was defeated.

SENATE.

WASHINGTON, Feb. 13.—The senate today resumed consideration of the copyright bill, the pending question being on Mr. Sherman's amendment to strike out the word "prohibited" and insert "subject to the duties provided by law," so that foreign editions of books, etc., copyrighted in the United States may be admitted on payment of the regular tariff duties.

The debate on it lasted all afternoon. The amendment was finally agreed to—25 to 24—and the bill was laid aside.

The president's message, announcing the death of Admiral Porter, was read and referred to the committee on naval affairs and the house adjourned.

ARMY BILL CONFERES AGREE.

WASHINGTON, Feb. 13.—The conferees on the army appropriation bill reached an agreement this afternoon. In the matter of transportation for the army over land grant railroads a compromise of the dispute between the two houses is effected, the rate which shall be paid by the government being fixed at 75 percent of the rates charged private persons for similar service.

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A NEW CLAIM ASSOCIATION.

It Will Make Radical Changes in Railway Legal Departments.

ANOTHER IMPORTANT IOWA DECISION.

It Deals With Discriminations in Oil Rates—A Commissioner's Victory—The Mason City & Fort Dodge Heading Westward.

CHICAGO, Feb. 13.—[Special Telegram to THE BEE.]—The railroads of the United States are on the point of making a most radical departure in a legal way. In brief, the plan is to turn over every claim or suit for damages against every road to an association organized for the purpose of settling such claims on their merits or fighting them to the court of last resort.

The association will admit of the advisability of a number of the claim and legal departments of the members of the organization. Railroad officials think the claim feature will be an especially valuable one.

Under the present system many prominent shippers compel immediate settlement of claims without the least foundation, threatening the loss of patronage in the event of refusal.

Under the new system the claim department of the railroads will be abandoned and every claim will be referred to the association. The same course will be taken regarding all suits for damages, the association being organized for that purpose.

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WHO PAYS FOR THE CONTEST?

The Question Excites Considerable Speculation at the State Capital.

THE ALLIANCE MAY SETTLE PART.

Rather a Dreary Outlook for the Various Attorneys and Stenographers—The Union Pacific Mortgage Matter.

LINCOLN, Neb., Feb. 13.—[Special to THE BEE.]—This afternoon a member of the alliance party was to have introduced a bill in the house insisting that the contestants in the state election should give bonds in the sum of \$50,000 to protect the state in the event of its being sued by the stenographers and attorneys who have been working assiduously in the contest as far as it has progressed.

The discovery of this fact was amusing to only the contestant who had feared that the bill would never get beyond the house as the state could not be sued.

Mr. Edgerton, the defeated candidate for attorney general, was asked how the bills already incurred in the contest would be liquidated.

He replied that he had no doubt that the expenses would be defrayed by the alliance. He did not know how much the stenographers would charge for their services, but expected to hear from them before long.

This liquidation, he further stated, would be only the first of the contestant's bills, and the others would have to look out for themselves.

This latter reference was directed to the contestees, all of whom were compelled to employ attorneys and shorthand men for their services.

Mr. Hastings, the present attorney general, says that he has already paid out nearly \$5,000 to defend his title to the office, but several hundred thousand associates on the ticket were compelled to pay.

The determination of the alliance people to pay for their contestants raises a doubt in the minds of some of the contestees as to whether they (the contestees) should be compelled to bear the weight of the expense they have incurred to defend their rights against charges which were based upon the most flimsy of pretenses.

THE U. P. MORTGAGE.

A Joint Resolution Introduced by Senator Switzler.

LINCOLN, Neb., Feb. 13.—[Special to THE BEE.]—In the senate a few days ago the committee of the whole, after considering the joint resolution regarding the foreclosure of the mortgage of the Union Pacific road, held by the mortgagee, introduced a bill to consider the measure, and the permission was given. It was evident that very many of the senators favored the adoption of the resolution, notwithstanding that it was shown by Senator Switzler and others that the proposed action would be at variance with the wishes and antagonistic to the interest of the government.

It looked as if those who favored the adoption of the resolution doubted the expediency of adopting the views of their opponents, and out of courtesy deferred final action on the matter. As if to assure the anti-railroad opposition, Senator Switzler today introduced the following resolution:

Resolved, That the legislature of the state of Nebraska is of the opinion that the subsidy granted to the Union Pacific railroad company in compliance with the conditions of their contracts with the government and approved by the legislature of this state, and that the people's rights be protected, the legislature of this state will not pass any law which would adequate measure directed by congress to this end, be it a foreclosure of the mortgages held by the mortgagee, or any other measure.

Resolved, That the house of representatives of this state be requested to approve these resolutions, and that when so approved they be sent to our representatives in congress, with requests to have them presented in the form of a memorial.

These resolutions emphasize the stand of the conservative element of the senate, and hold that that body would justify itself if it should now urge congress to foreclose the mortgage in question. It has a long road to travel, however, before it can be approved by our representatives in congress, with requests to have them presented in the form of a memorial.

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BOUND TO REFRESH.

Estimates for State Institutions Cut Down Materially.

LINCOLN, Neb., Feb. 13.—[Special to THE BEE.]—The house committee on finance, ways and means, is now at work. The committee has begun a merciless lopping off in the estimates submitted by the various state institutions. It will allow \$5,000 for some necessary additions to the soldiers' home at Grand Island, and with this exception no new buildings will be erected, unless it may possibly be a refuge school for girls.

The insane asylum at Norfolk suffers very material reduction in several important items. The committee cuts down the allowance for board and clothing from \$34,000 to \$28,000; for fuel from \$10,000 to \$12,000; carpets, from \$2,000 to \$1,000; books and stationery, from \$1,000 to \$500. The items of \$10,000 for grading, \$5,000 for a new wing, \$2,000 for furnishing the same and several smaller appropriations were stricken out entirely. It is the avowed intention of the committee to apply the same rule rigorously to all other state institutions and, if possible, keep the total appropriations within the estimated revenue receipts for the coming biennial period.

NO SESSION OF THE HOUSE.

The Members Go on an Excursion to the Fish Hatcheries.

LINCOLN, Neb., Feb. 13.—[Special to THE BEE.]—The house held no session today. The roll call had hardly been finished, showing sixty-six members present, when a motion to adjourn was made and carried by a close vote. Several chairmen of committees were anxious to continue their work, but the greater number of members were anxious to go on an excursion to the fish and game committee to the fish hatchery at South Bend.

Mechanics' Lien Amendment.

LINCOLN, Neb., Feb. 13.—[Special to THE BEE.]—There seems to be a great deal of interest displayed in Omaha regarding the mechanics' lien law which has been introduced into the senate by Mr. Switzler. That gentleman has just offered the following amendment thereto, it is thought, will be appreciated by parties interested:

Provided, however, that any material man who desires to secure a lien for material, fixtures or machinery furnished for any of the purposes mentioned in this act, shall before delivering said material, notify in writing the owner of the premises on which the lien is to be filed, that he expects to furnish material for an improvement on said owner's property, and shall advise the owner of the amount and aggregate amount for which the material man expects to claim a lien; and the material man may from time to time give additional notices as here provided. It is the duty of the owner to obtain a lien for more material than is mentioned in previous notice or notices. Notices may be served by delivering to the owner personally or leaving at his residence with any member of his family over eighteen years old, or with his architect, and in case the owner is a resident or proprietor of the premises, in this state, the notice may be mailed a reasonable time before the date when the lien is to be filed, or given to his architect. Provided, however, that mechanics and laborers shall not be re-

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