THE OMAHA DAILY BEE.

TWENTIETH YEAR. OMAHA, SATURDAY MORNING, APRIL 4, 1891.—TWELVE PAGES. NUMBER 287.

KNOCKED CLEAR OUT

Boyd Vetoes the Newberry Bill and the Senate Sustains Him.

HE GIVES HIS REASONS AT LENGTH.

The Measure Believed to Be Unreasonable and Also Unconstitutional.

IT WOULD BANKRUPT THE ROADS.

The Lower House Overrides the Veto by a Large Vote.

SHORT STRUGGLE IN THE SENATE.

Independents Fail Short on Votes—The Message Itself—What the Members Think—Talk of Adjournment.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—The Newberry bill has been vetoed.

Governor Boyd's message returning the bill without his approval was sent to the house this morning where it was received at 10:10 o'clock.

After the reading of the document the roll was called on the question of sustaining the veto and the motion was defeated, the bill passing over the veto by a vote of 75 to 17, fifteen more than the requisite three-fifths.

Before the veto could be transmitted to the senate, that body adjourned until 2 o'clock this afternoon. Later, a vote to pass the bill over the governor's veto was lost at 3:25 by 18 to 13.

Received in the House.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—The chaplain of the house had hardly said amen this morning when the sergeant-at-arms announced a message from the governor and all eyes were turned to Private Secretary Higgins, standing at the entrance to the floor with a paper packet in his hands.

As the secretary stepped up the aisle to deliver his message there was a general stir and in their eagerness to catch the first intimation of the expected veto of the Newberry maximum rate bill every member rose to his feet, the loungers in the lobby pressed forward to the desk, and the few gallery spectators made a rush for the front row.

Representative White shouted for order. The speaker in a pleading voice asked "the gentlemen to take their seats and keep quiet," and made a frantic effort to pound a hole in the top of his desk.

When order was restored, Secretary Higgins announced a message on the house roll 12, the Newberry bill, and on suggestion of Watson, the clerk was directed to read it.

At its conclusion the speaker made one of his characteristic announcements, stating that the house would vote to pass the bill "over the governor's vteo to the contrary notwithstanding."

Watson objected to the form of the announcement and volunteered to give the proper one. While he was writing it out Moan made a motion to pass the bill over the veto, and the speaker was busy protesting his ignorance of customary forms and rapping for order.

Watson sent up the following form for the speaker: "Will the house on reconsideration agree to pass the bill?"

The clerk then proceeded to call the roll, amid quietness, every member bending over his desk and keeping a record of the vote on a tally sheet.

Moan's motion was ignored. The speaker announced the vote as 75 ayes to 17 nays, and declared the bill "passed over the governor's veto to the contrary nothwithstanding."

This Elderism provoked a burst of laughter and then the friends of the measure broke into one short, sharp, deafening yell.

Mathewson moved to adjourn, alleging that the house was in "no shape to do business."

Howe: "What's the matter with us? We've got all our senses."

The motion got one vote—that of its excited author.

The votes against the bill were as follows: Democrats—Bertrand, Breen, Brennan, Felker, Flamme, Ford, Gardner, Huse, Shryock, Sternsdorf, White. Republicans—Cornish, Gillilan, McKesson, Oakley, Severin, Watson.

Not Voting—Ames, Capek, Decker, Frost Lomax, Rohan, Vandeventer, Williams of Franklin.

All others voted for the bill.

It was in order for the clerk of the house to convey the bill to the senate with the announcement that it was returned to the house with the governor's veto; that it had been passed by that body over the veto and ask the concurrence of the senate in that action.

The proceeding required but a few minutes, but the senate had adjourned before the clerk had prepared his report.

Died in the Senate.

LINCOLN, Neb., April 3.—[Special to THE BEE.]—Long before the senate assembled this afternoon the lobby and gallery of the chamber were filled to overflowing. In the latter were a number of ladies, while in the former were politicians from all parts of the state who had come to watch the last move in the great fight. Inside the rail were a number of members of the house, who persistently buttonholed the doubtful senators to induce them to pass the Newberry bill over the governor's veto.

At 2:25 p. m., President Majors rapped the senate to order. All the members were present except Brown, Shea and Taylor. As soon as the absentees had been announced, Senator Poynter jumped to his feet and said: "Mr. President. Inasmuch as the senate has made a great effort and without avail to find Senator Taylor and bring him back, I move that the senator be excused."

This move was a surprise to many people on the floor but had been anticipated by the opposition.

Senator Wilson moved that Senator Brown also be excused, because he was in attendance upon a very sick brother-in-law.

The chair stated that Senator Brown was excused.

Senator Collins moved the senate go into committee of the whole to consider bills on the general file.

The secretary of the house here made his appearance and announced that that body had received a message from his excellency, the governor, vetoing house roll No. 12, and that the latter had been passed notwithstanding, by a vote of 75 yeas to 17 nays, and respectfully asking the senate to concur in that action.

The message was passed up to Assistant Secretary Edwards who read it. During the reading the large audience paid the greatest attention, even the ladies, who evinced more than ordinary interest in the proceedings. As soon as the reading had been dispensed with Senator Poynter again jumped up and said:

"I move that Senator Brown be not excused."

The chair—I think the senator is out of order. The record shows that the senator has been excused.

Senator Poynter—Was it by the vote of the senate?

The chair—No, sir. It was by a custom which has been practiced almost daily. The senate, however, has power to excuse him or not as it may see fit.

Senator Poynter—I then shall change the wording of my motion and move that the excuse given Senator Brown be revoked.

Senator Schram wanted to know if that would not require a two-thirds vote.

The chair thought not.

The motion was put to the senate and prevailed by 17 to 13.

Senator Poynter moved the senate concur in the message from the house.

The chair stated that the question was whether the senate would pass house roll No. 12, the governor's veto notwithstanding.

Senator Poynter then asked for the call of the house.

This was seconded by Senators Dysart, Randall, Stevens, Smith and Horn.

The call was made and Senators Brown, Shea and Taylor were declared absent. Senator Poynter asked that Senator Brown be sent for. Senator Christofferson asked if Senator Shea had been excused. The chair said Senator Shea had been excused.

The sergeant-at-arms was then ordered to bring Senator Brown before the bar of the house, and in twenty minutes returned with the missing senator, who gave his reason for non-attendance. Senator Poynter moved that Senator Brown be excused, and the motion prevailed.

The chair then announced that the vote would be to pass house roll 12, the governor's veto notwithstanding. The vote resulted as follows:

Yeas—Beck, Coulter, Day, Dysart, Hill, Horn, Keiper, Koontz, Michener, Poynter, Randall, Sanders, Smith, Stevens, Turner, Van Housen, Warner, Williams—18.

Nays—Brown, Christofferson, Collins, Eggleston, Mattes, Moore, Schram, Shumway, Starbuck, Switzler, Thomas, Wilson, Woods—13.

Absent and Not Voting—Shea, Taylor.

Twenty votes not having been secured, the motion was lost, and the senate went into committee of the whole.

The Veto.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—Governor Boyd's veto message accompanying the bill was as follows:

Gentlemen of the House of Representatives: I herewith return without my approval house roll No. 12, entitled "An act to regulate railroads, to classify freights, to fix reasonable maximum rates to be charged for the transportation of freight upon each of the railroads in the state of Nebraska," for the following reasons:

The rate in this bill is supposed to be based on the Iowa rates. In Iowa the rates are fixed by a commission, and are changed from time to time as circumstances and the course of trade seem to require. In that state the various roads are classified so that the rates are higher on the weaker roads and lower on the stronger ones, which have a greater volume of business.

The justice of such a classification is apparent. It is evident that the road doing a large business can afford to carry freight at a less rate than one which has but little traffic. This bill places the same Iowa rate on all roads in the state without regard to the volume of business carried, and the rate fixed by the bill is based upon the lowest classification in Iowa. The latter state has double the acreage under cultivation and almost twice the population of Nebraska, with only about two-thirds its extent of territory.

The volume of freight transported by the railroads in Iowa is more than four times as great as that transported by the railroads of Nebraska. It is manifest injustice to apply to the Nebraska roads the lowest rates in force in Iowa. The tonnage this year in the state of Nebraska is less than the year previous by over forty (40) per cent. This bill reduces the rate, on an average, nearly fifty (50) per cent which, taken together with the reduction in tonnage, would, in my judgment, bankrupt every road in the state.

I have received letters and petitions from all sections of the state and from men of all classes and conditions, and I find that those who represent and control the commercial, manufacturing, financial and industrial interests of the state, and those of all classes who have given the question close study, are nearly unanimous in opposition to this bill; and, I believe, should it become a law it would be inimical to all these interests. It would prevent capital from coming into the state, not only for the construction of railroads that are needed, but for many other enterprises.

There are some provisions in the bill that I admit would be of benefit to the farmer; for instance, the rate on live stock in the eastern part of the state, and which I would gladly sanction and approve.

With the exception of the Union Pacific railway and two or three short lines of road the entire railway system is owned and controlled by corporations that have lines between Nebraska and Chicago, and which, under the interstate commerce law, could increase the through rate on lumber, salt, coal and a few other commodities coming into the state and on grain and live stock and some other commodities going out of the state; and these are the articles in which the farmer is most directly interested.

In my judgment there is not a mile of railroad west of the sixth principal meridian, except the trunk lines, that is paying its running expenses today. The products of our state in some form are almost entirely consumed in the east and must be carried upon interstate rates. These interstate rates upon grain particularly are but very little above the rates from Iowa points. These rates will not be reduced by this proposed law, and may, and can, be very materially advanced by the railroad companies in self-defense and for self-preservation; in fact, they could be advanced more than twenty per cent under this bill.

The railroads could, and no doubt would, raise the interstate rate on grain. This could be done by abolishing the through rates and applying to the state line rates the figures provided in this bill. On the grain that would be shipped out of Nebraska in one season the railroads in this way, under the tariff, could increase their revenue over a million dollars, all of which would come out of the agriculturist. The loss to the railroads would be on the thousands of other articles in which the farmer is only indirectly interested. Our state to prosper and our farmers to live must on these out-bound shipments be placed as nearly as possible on a parity with Iowa. In this the railroads of late have done well by us, and it is not safe to force them to retract by unfair pressure on our part.

From the best evidence to be obtained it would seem that the prevailing impression that the railroads of this state are making a high rate of interest on watered stock, is a mistake. It matters not what amounts are outstanding in stocks and bonds if the railroads are not earning interest thereon. Wiping out all questions of stocks and bonds and admitting, as we must, that the railroads of this state cannot, with their buildings, shops, terminals, 700 miles of side-track and equipment, be duplicated at this time for less than $25,000 per mile of main track, we are confronted with the following facts:

The sworn statement in the auditor's office shows that in 1888 the net profits were about 4 3-10 per cent; 1889 5¼ per cent and in 1890 6 3-10 per cent. This latter period covered an exceptionally prosperous time, when the heavy crop of 1889 was being transported. It is apparent that under existing conditions the freight earnings of our Nebraska railroads this year, must be much less than in 1890. It has been stated to me on good authority, that upon several of the railroads there is a decrease at this time of fully 40 per cent each month as compared with the corresponding months of 1890.

In view of such facts the proposed reduction of 40 to 50 per cent in Nebraska rates could not, in any probability, be upheld in the courts. It is unfair, unwise and suicidal on our part. The railroads pay more than one-seventh of the taxes of this state. Justice to the people's interest demands that they should be encouraged

[Continued on Second Page.]

QUESTION OF STATES RIGHTS.

The New Orleans Affair Likely to Receive Attention from Congress.

UNITED STATES TREATY OBLIGATIONS.

Views of Solicitor General Taft and a Quotation from Justice Harlan in Connection with the Matter

WASHINGTON BUREAU THE BEE, 513 FOURTEENTH STREET, WASHINGTON, D. C., April 3.

The Italian matter is raising an interesting discussion over the old question of states' rights. While authorities on constitutional questions agree that Louisiana has the first right to deal with criminal acts committed within its borders, they couple it with the proviso that it is the "duty" of the state to exercise its authority, and that in some emergencies the federal government is bound by treaty to interfere. The opinion has been advanced that the United States treaty obligations with Italy were so strong that the federal authorities here would be authorized to instruct the United States marshal at New Orleans to arrest Parkinson, Wickliffe and other leaders of the mob in case the local grand jury did not do its "duty."

Solicitor General Taft was asked by your correspondent this afternoon as to the extent of the government's rights. He said: "I do not doubt the authority of congress under the constitution to enact a law which will permit federal authorities to exercise criminal jurisdiction within states whenever it is necessary to carry out the terms of a treaty. We have no such law now, but we ought to have it. Strict advocates of states rights will undoubtedly differ from me, as their contention is that the state is supreme within its borders in all matters of crime. But there must be some means of enforcing the federal government's obligations under a treaty. If the federal government stipulates by treaty to do a certain thing it is my opinion that congress would have the constitutional rights for letting the government enforce the obligations."

In this view of the case it is likely that the next congress will be asked to frame a law permitting the federal government to interfere in criminal matters in a state where it is necessary to uphold the obligations of a treaty. Such a step will undoubtedly raise a hot contest on the floor of congress on the matter of states rights. The south, which is so strongly represented in the ranks of the majority of the next house, would undoubtedly contend for the strict old states rights doctrine.

In this connection the views of Justice Harlan of the United States supreme court, which were given in a dispatch prior to the Fava incident, are now in point. Justice Harlan said: "The power exists with the local government to suppress any broils or family quarrels within the state, and it may say to the United States government, 'keep your hands off.' The power to protect life, liberty and property belongs to the government of Louisiana, and the duty of the government is to protect not only its own people and its own citizens, but everybody in its midst. This power in the first instance is to the local government, but as regards certain treaties and agreements which have been entered into I do not care to discuss."

It will be noted that while Justice Harlan upholds the doctrine of states rights, he puts in the proviso that it is the "duty" of the state to protect persons and property. He is, furthermore, careful in the concluding sentence to say that the doctrine of states rights as he lays it down does not apply when the matter of federal treaty is involved.

Senator Morgan of Alabama, recognized as one of the leading constitutional authorities of the senate foreign relations committee, says: "If every state in its laws or in their administration should discriminate against Italians because of their nationality congress would find a cause to consider if the federal courts could not give redress where indemnity would be deserving, but in such a case Italy would have nothing to do with the question whether the United States would either rebuke or attempt to punish the local authorities."

From this and other expressions which are current here it is evident that the lack of federal authority to enforce upon a state the obligations of a treaty will renew the discussion of states rights and eventually carry it before congress.

MISCELLANEOUS.

Senator Manderson called on the president today and presented the names and urged the appointment of Judge Crounse of Nebraska for assistant secretary of the treasury and Judge Davidson of Nebraska for one of the judges of the new land court. The senator also called on Secretary Foster and urged the appointments. Senator Manderson said he thought both gentlemen had excellent chances for appointment. Judge Crounse, he said, having served three terms in congress and besides on the bench, was fully competent for the assistant secretaryship. Senator Manderson will be here for several days yet, as he soon begins the investigation by the senate committee on printing.

Horace Scudder of Nebraska has resigned his clerkship in the general land office to accept the post of confidential secretary to the commissioner.

Miss Anna Lalor of Iowa has been appointed a tracer at $2 per diem in the pension office.

Joseph R. Tedrow of Iowa has been appointed a copyist in the pension bureau at $900.

Frank Alexander of South Dakota has been appointed chief of division in the Indian office at $2,000 per annum.

PERRY S. HEATH.

WARRIORS ABHOR WALKING.

Efforts to Enlist Indians in the Army Very Discouraging.

WASHINGTON, April 3.—News received at the war department of the result of the efforts being made by western army officers to carry out the provisions of the army appropriation bill authorizing the enlistment of 2,000 Indian recruits is very discouraging. The officers report that the Indians will not enlist in the infantry under any circumstances, as they abhor walking. They will not enlist in the cavalry except as scouts, because they do not care to bind themselves to five years service, nor to be subject to removal to distant parts of the country. Then, too, they want their women with them, and the great majority of the bucks are physically unfit for military service. It is doubted whether a single Indian company can be recruited in the west. But the outlook in the south is more hopeful. At Mount Vernon barracks, Ala., where the Apache Indians who led the Geronimo campaign are placed, it is said that all the Indians—some thirty-five or forty—are about to enlist. These Indians are said to be progressing rapidly in the path of civilization, and the almost incredible fact is reported that the renowned warrior, Geronimo, who was for years the terror of the west, is now a prominent teacher in the local Sunday school.

Nebraska and Iowa Pensions.

WASHINGTON, April 3.—[Special Telegram to THE BEE.]—Pensions were granted today to the following Nebraskans: Original invalid—Robert P. Faris, Jene R. Hill, Daniel Burdick, Landis R. Young, William Philips, William W. Slade, Edward Smith. Increase—John W. Shellbarger, Joseph Graves, Joseph H. Free. Original widows, etc.—Susan, mother of William A. Keener; Agnes, widow of Alexander R. Haining.

Iowa: Original—Harvey Keith, Joseph Q. Satchell, John Van Allen, Benjamin F. Floyd, George M. Boymer, Henry Kick, Samuel C. Hosworth, William M. Miller, William Ward, Abram Dusenberry, William Benbridge, H. J. Barster, Robert M. Huntington, William Tarlton, Milo D. Watkins, John A. Harland, William A. Sheldon, Henry J. Scovill, Paul Helverson, Fred A. Slaughter, James W. Glendenning, Stewart Davos, John S. L. Runkle, Tjerm Nelson, John W. Booge. Additional—James M. Claybourn, George W. Lyman. Renewal—Joseph Brown. Increase—George H. Dunn, William Padbett, David H. Gault, George W. Barr, David N. Carter. Original widow—Elizabeth, mother of George Converse.

A Presidential Proclamation.

WASHINGTON, April 3.—The president today issued a proclamation based on the act to repeal the timber culture laws, etc., proclaiming that "there has been and is hereby reserved from entry or settlement and set apart for a public forest reservation all that tract of land situated in the state of Wyoming contained within the following boundaries: Beginning at a point on a parallel of 40 degrees and 50 minutes, where said parallel is intersected by the meridian of 110 degrees west longitude, thence due east along said parallel to the meridian of 109 degrees and 30 minutes west longitude, thence due south along said meridian to the 54th parallel of north latitude, thence due west along said parallel to its point of intersection with the west boundary of the state, thence due north along said boundary line to intersection with the south boundary of Yellowstone national park. Warning is expressly given to all persons not to enter or make settlement upon the tract of land reserved by this proclamation."

Architect Windrim Resigns.

WASHINGTON, April 3.—Supervising Architect Windrim has resigned and will assume the duties of superintendent of public works at Philadelphia Monday.

Two Kincaid Jurors Ill.

WASHINGTON, April 3.—Two jurors in the Kincaid trial were ill this morning and a recess was taken till this afternoon.

AN EXPERT FORGER.

Arrested, but the Jail Was Not Strong Enough to Hold Him.

DENVER, Colo., April 3.—[Special Telegram to THE BEE.]—George Goodwin, who ranks among the most expert forgers in the world, escaped from the county jail some time this morning. He made his exit through the window of his cell by cutting a portion of the iron bars between him and liberty and then dropping fifteen feet to the ground. There is no clue to his whereabouts although a large force of deputy sheriffs and a number of government officers have been searching for him since 6 o'clock this morning. Goodwin was a United States prisoner and was awaiting trial on a charge of raising the denomination of bank notes without the governments sanction. He had evidently been preparing for this escape for several days, for the neat manner in which the bar on his cell window was cut shows that he was in possession of some of the finest kind of saws.

Goodwin is a remarkable criminal. He was without education until after he had served a three years' term in the Canon City penitentiary for thieving. He educated himself while in jail and when released in 1888 immediately journeyed to Portland, Ore., where he took a course in penmanship in a business college and graduated as one of the finest living penmen. Immediately after he left college he raised United States bank notes and the product of his handiwork began to appear throughout the west. His forte was raising $1 bills to $10, and $5 bills to $20. He did this work with a pen and ink and in such a skillful manner that it was almost impossible to detect the fraud. Secret Service Agent Wall has a record of over 100 raised bills that Goodwin passed, but it is not known how many have been passed and are still in circulation.

Goodwin has been known as George G. Holm and Charles J. Love. He was arrested recently for passing a raised $5 for a $20 bill and was soon to be tried. How he secured the implements by which he made his escape is a mystery. A thorough investigation will be made by the United States officials.

Clifton Bell Dead.

DENVER, Colo., April 3.—[Special Telegram to THE BEE.]—Clifton Bell, for many years one of the leading horsemen of the west, died in this city today.

To Regulate Building.

NEW YORK, April 3.—Representatives of the American institute of architects, national association of builders, national association of building inspectors, national board of underwriters and national association of fire engineers convened in this city today to jointly frame a model building ordinance. The sub-committee appointed deemed it impracticable at present to draw up a detailed building law. Some of the recommendations are: That the legislatures of the various states should establish state building laws governing the construction of buildings; that in all incorporated cities there should be a separate department for the inspection of buildings, whose officers should be appointed for long terms by the local executive; that aside from especial local codes the general law of application of rules should contain rules that all buildings over seventy feet high must be built of incombustible material. Further recommendations are made for the safety of human life in buildings.

A Big Cattle Deal.

CHICAGO, April 3.—A special dispatch from Kansas City says: A colossal cattle deal has just been completed by wealthy stockmen of the west and Chicago packers. It involves the outlay of $2,500,000 and 80,000 head of cattle have been purchased in Texas to be shipped to the Chicago market. Half of these were purchased for W. P. Herring of this city, P. D. Armour of Chicago and E. M. Hewins, president of the Cherokee Strip Live Stock association. An equal number was purchased for Nelson Morris of Chicago by Colonel Suggs, a well known stockman.

Alliance Convention.

MISSOURI VALLEY, Ia., April 3.—[Special Telegram to THE BEE.]—The farmers' alliance of this county met in convention here today, with about seventy-five delegates present. The question of active political work was discussed. The alliance will probably nominate a full ticket this fall. State Lecturer Griffith was present and spoke to a fair sized audience.

Wisconsin Democrats Banquet.

MILWAUKEE, Wis., April 3.—The banquet of the Juneau democratic club took place at the Plankinton house tonight and was attended by 300 leading democrats of this city and state. Senator-elect Palmer of Illinois and Governor Peck, who were to have responded to toasts, were unable to be present. General Black of Illinois, William G. Ewing of Illinois, and others spoke.

Monetary Commission Closes.

NEW YORK, April 3.—The international American monetary commission closed its sessions today by the adoption of a preamble reciting that the fixing of a ratio between gold and silver and the adoption of a common monetary unit does not seem at present probable. A resolution was passed ending the work of the commission.

Commander Veazey Banquetted.

CHICAGO, April 3.—Commander-in-Chief Veazey of the Grand Army, who was in the city today on his way to Decatur, Ill., to attend the annual state encampment and silver anniversary of the society, was tendered a reception and banquet tonight by a large number of local Grand Army men.

Killed His Mother and Himself.

BLOOMINGTON, Ind., April 3.—This afternoon Ward Demare, aged twenty-five, murdered his mother by cutting her throat and then cut his own throat, dying instantly. Demare was of a melancholy disposition and regarded as slightly unbalanced mentally.

SERIOUS SHOOTING SCRAPE.

Row Between Lincoln Toughs in a Den of Infamy.

A SENSATION IN A KEARNEY COURT.

Witnesses in the Railroad Bond Injunction Case Confess to Selling Their Votes—Arrested for Perjury.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—E. S. Weir and Peter Johnson had a row tonight in a den of infamy at Seventh and N street which terminated in Weir pulling a revolver and shooting Johnson twice. One bullet lodged in the groin and the other penetrated the left breast. It is feared that the latter wound is serious. Weir is under arrest. He is a notorious character.

A Sensation in Court.

KEARNEY, Neb., April 3.—[Special Telegram to THE BEE.]—The Kearney & Black Hills bond injunction case still goes merrily on and the court room was crowded today with an interested audience. Highly sensational evidence was introduced this morning by the plaintiffs, who put on a number of witnesses who testified in substance that W. C. Tillson, cashier of the Kearney National bank and treasurer of the Black Hills railway company, bought their votes on the day of the bond election for $2 a piece. On cross-examination the witnesses gave up information which cast a cloud of suspicion over their veracity. They each testified to having made affidavits about six weeks ago substantially the same as their sworn testimony today for which they received $2 apiece also. The grand jury which is in session immediately sifted the story and indicted five of the witnesses for perjury, and in default of bail they are in jail awaiting trial. The greatest of excitement has prevailed in court all day among lawyers and spectators. The names of those indicted are Joe Baltzer, J. B. McWeithy, George A. Royce and James D. Birdsall. These men are laboring men who are not well known here, and it has been intimated that their backers will be drawn into a legal net which will be difficult to untangle. The case continued to a late hour tonight.

A Serious Charge.

HENDERSON, Neb., April 3.—[Special Telegram to THE BEE.]—About 8 o'clock last night the drug store belonging to C. N. Ray was found to be on fire. The door was broken open and men rushed in to find boxes of hay saturated with coal oil, sitting behind the prescription case, burning. It caused quite a commotion. A number of men with buckets of water soon got the flames under control.

A. C. Neufeld swore out a complaint and had C. N. Ray arrested on suspicion of having set fire to the boxes. Ray swore the case away from Squire Fay and took it before Judge Montgomery at York where he will have a hearing April 9.

The building and stock had been insured in the Omaha fire insurance company for $1,700, but the policy later was cancelled. They were recently insured in the Phœnix for $1,100.

Meeting of Teachers.

PERU, Neb., April 3.—[Special to THE BEE.]—The sixth annual session of the Teachers' Association of southeastern Nebraska met and held its opening session here Thursday evening at 8 o'clock with over two hundred in attendance. George L. Farnham, principal of the Nebraska state normal, delivered the address of welcome in behalf of the school. In the absence of Lieutenant Governor Majors, Rev. Presson of Peru gave an address of welcome for the citizens, and was answered by Superintendent F. D. McClusky of Lincoln and Superintendent Pierce of Beatrice.

The principal address of the evening was delivered by President W. E. Taylor of the state normal school, who took as his subject "Our Educational Status Stated."

At 10 o'clock the audience adjourned its business session to meet again at 9 o'clock Friday morning and a reception was held in the parlors of the school building till a late hour.

Death of a Veteran.

SPRINGFIELD, Neb., April 3.—[Special to THE BEE.]—John F. Swain, one of the oldest residents of this county, died at the residence of W. C. Rogers, in this village, Wednesday night at 11 o'clock. He was here on a visit to his son and was stricken with paralysis some two weeks ago, from which he never recovered. Mr. Swain was born in Reading, Vt., May 2, 1813, and came to Sarpy county in 1857, remaining here to the time of his death. During the late war he was captain of a state militia company then stationed at Belleune, Neb. He leaves a wife and seven children, all grown. Mr. Swain recently fell heir to some $30,000 by the death of a nephew, Byron Felton, who resided at Jacksonville, Ill.

A Nebraska Postoffice Burglarized.

DAVY, Neb., April 3.—[Special Telegram to THE BEE.]—The postoffice and general merchandise store of H. Harkson were burglarized last night. The safe was broken and $165 in stamps, $25 in cash and a check for $34 were secured. The mail in the boxes was all rifled and scattered over the floor. The thieves also took a lot of groceries, dry goods and cheap jewelry. It is supposed they left here on a hand car, as the car was taken during the night and found within about a mile of Lincoln this morning. The key to the mail pouch is also missing, so the morning mail has not been distributed.

Mandamus Proceedings.

BEATRICE, Neb., April 3.—[Special Telegram to THE BEE.]—W. F. Duffett, a contractor, has brought suit in mandamus against the city, asking the district court to issue an order to compel the city to rescind its action in awarding the contract for paving district No. 6 to J. S. Rutherford. Mr. Duffett claims that his bid was the lowest by $1,900.

New Postoffice.

ASHLAND, Neb., April 3.—[Special to THE BEE.]—Yesterday afternoon the boxes and other material for our new postoffice were received and are today being put up in the Opera House block. Alex Laverty, the republican appointee, who succeeded the democratic incumbent April 1, purchased the entire outfit of a Seward factory.

A Burglar Shot.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—Mr. Tilden of 1627 South Fourteenth street was awakened shortly before midnight by burglars who were carrying off his silverware. He shot at the thieves and hit one of them. The burglar fled leaving a trail of blood behind him.

Surveying for Irrigation.

INDIANOLA, Neb., April 3.—[Special Telegram to THE BEE.]—C. J. Jones and N. L. Yekering of Garden City, Kan., and of the Culbertson canal proposition, have been today making preliminary surveys to putting in an irrigation canal in Indianola precinct. Indianola means irrigation.

A New Judge Appointed.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—Governor Boyd has appointed Hon. Matt Miller of David City as a judge of his district.

A Town in Danger.

LIMA, O., April 3.—The heavy rains of the last three days has raised the water to a dangerous height in St. Mary's reservoir, and the town of Celina, with 4,000 inhabitants, is in imminent danger of being swept out of existence. The tracks of the Lake Erie & Western are submerged for a distance of twelve miles. Dozens of small boats owned by fishermen have been swept away and twenty oil wells along the banks submerged. It is estimated that the total loss by the flood will reach $100,000. It is still rising.

GRANTED A NEW TRIAL.

Evidence That May Acquit William Diamond of Manslaughter.

SALT LAKE, Utah, April 3.—[Special Telegram to THE BEE.]—New evidence has been developed in the case of William Diamond, the Denver man convicted of manslaughter a day or two ago, and a new trial will be granted. A policeman divulged some facts that if they had been known at the time would have resulted in an acquittal. He says the authorities forbade his testifying in the case when it was on trial.

A Mining Exhibit.

SALT LAKE, Utah, April 3.—[Special Telegram to THE BEE.]—A meeting of mining men was held in this city tonight to discuss plans for a mining exhibit at the world's fair which shall be participated in by Utah, Colorado, California, Montana, Idaho, Nevada, New Mexico and Arizona. The plan is to have subterranean mines of all kinds in connection with reduction works and smelter in actual operation. The cost of the same is not yet decided but will foot up in the seven figures row.

Wouldn't Be Dead in Kansas.

SALT LAKE, Utah, April 3.—[Special Telegram to THE BEE.]—Albert Steinberger, bookkeeper for G. L. Chamberlain & Co., formerly of Denver, died here today of consumption contracted while in Kansas four or five years ago. His last words were: "You may bury me here or in Indiana, but for God's sake don't plant me in Kansas."

Calling Oleo Butter.

SALT LAKE, Utah, April 3.—[Special Telegram to THE BEE.]—There is a merry war going on between the authorities and certain merchants who have been selling oleomargarine for butter. Ten thousand pounds of the stuff have been confiscated and more is expected to be seized. Some of the leading dealers of the city are implicated.

A Mining Deal.

SALT LAKE, Utah, April 3.—[Special Telegram to THE BEE.]—P. A. P. Franklin purchased the Alameda mining claim at Bingham yesterday for $80,000. As yet it is undeveloped and the price indicated that the prospect must be an unusually good one.

WESTERN PASSENGER AGENTS.

They Settle the Scalping of Unlimited Tickets from Omaha.

CHICAGO, April 3.—The general passenger agents of the western roads today settled the scalping of unlimited tickets from Omaha to Illinois and Wisconsin points via Chicago, by instructing agents at Omaha and Council Bluffs to limit all such tickets to one day.

The Monon litigation instigated by W. S. Alley of New York came to a sudden end today. While a motion to docket the case in the federal court was being argued, Attorney Reed received a telegram from Alley that the matter had been settled and to discontinue all proceedings. The attorney for Monon received similar advice. Neither of the lawyers had any details, but the recent charges of the management is supposed to explain the matter.

Suit for Brokerage.

NEW YORK, April 3.—[Special Telegram to THE BEE.]—Lamotte, Potter & Co. have brought action in the supreme court for $30,000 brokerage against George Washington Hunt as president of the Oregon & Washington territory railroad company for their work in a deal that was not completed. They claim to have procured a loan of $1,000,000 from the Oregon & Transcontinental company through its president, Henry Villard, in bonds of the Oregon & Washington territory railroad company at the request of the defendant, who then declined to accept the loan.

HEAVY STORM IN NEW YORK.

A Foot of Snow Falls and Demoralizes Wires.

NEW YORK, April 3.—A heavy storm which swept this section last night did considerable damage particularly to the east of New York. The storm was accompanied in many places by heavy wet snow and this, aided by a high wind, demoralized telegraph wires to a great extent.

A dispatch from Poughkeepsie says: A heavy snowstorm raged in the Hudson river valley all night. About a foot of snow fell, but only six inches laid for any length of time. Telegraph, telephone and electric light wires are crossed and down in every direction, and it will take a week or ten days to get the wires in good working order again. The weather is now clearing, and the snow is rapidly disappearing.

Cold Day in Iowa.

BURLINGTON, Ia., April 3.—The thermometer dropped twenty degrees here today, and it has been snowing for twenty-four hours.

Chicago Live Stock Exchange Inquiry.

SPRINGFIELD, Ill., April 3.—In the live stock exchange investigation today Richard Nash, a member of the Chicago exchange, did not know of any rule preventing any person from selling stock at the yards, and did not think there was a boycott. Witness knew something of the American commission company, but did not know why the members of the exchange refused to buy of the company.

M. P. Buel, also a member of the exchange, when asked if he knew of any rule by which members were prohibited from buying from outside parties, said that from the evidence he had heard he would infer there was such a rule. In reply to a question as to the effect it would have on the exchange if the American commission company had continued to do business and flourish on the plan on which it started, Buel said: "The effect would be to destroy the business of all other commission men."

No Cause for Apprehension.

NEW YORK, April 3.—[Special Telegram to THE BEE.]—The Commercial Bulletin says editorially on Italian affairs: "There need be no disturbance in Wall street and there is no occasion for a depression in stocks or apprehension in produce or other markets. This country is not going to seek a controversy with any other power and there is not the slightest probability that any other power on earth will want to seek a controversy with the United States. What the beginning of such controversy might be it could hardly end to the advantage of any other nation. But as respects Italy there is the strongest reason for the belief that a wiser and more judicious feeling will presently be manifested than has been shown thus far, either in official documents or in the utterances of the Italian press."

THE WEATHER FORECAST.

For Omaha and Vicinity—Fair; slightly warmer.

For Nebraska—Warmer; fair on Saturday and Sunday; variable winds.

For Iowa—Fair; stationary temperature; northerly winds; warmer and fair on Sunday.

For South Dakota—Warmer; fair on Saturday and Sunday; variable winds.

Important Labor Conference.

PITTSBURG, Pa., April 3.—A most important conference will be held this afternoon in this city of all the miners' officials with the other national officers of labor organizations and the future course of organized labor in this country will be decided upon.

RECREANT SENATOR TAYLOR.

An Interesting Exposition of His Legislative Methods.

NOT AT LINCOLN FOR HIS HEALTH.

Made All He Could Out of His Position—How a Ticket to Washington Was Paid For.

CHICAGO OFFICE OF THE BEE, CHICAGO, April 3.

Senator William Martin Taylor of the Fifteenth district of Nebraska, alias William Martin, likes the climate of Virginia better than that of his own state at the present time and is now visiting friends there. Taylor is a southerner and carries a union bullet, which he received during the late unpleasantness. He will probably remain in Virginia until the adjournment of the Nebraska legislature and then go to the state of Washington. Mr. Taylor says he intends to make some speeches to his constituents after the legislature is over telling them why he took the course he did during his legislative career. He will then move to some part of the country where he is not known so well. He thinks there is a better field for his sort of talent among strangers than among acquaintances. But Mr. Taylor is a sensitive man withal and don't want his former friends to think too hardly of him after he is gone. He has already paid for a ticket to Washington and return and will get the ticket as soon as the legislature is over. He paid for the ticket on March 11. It happened in this way:

Very soon after the session began Farmer Taylor hung out in a conspicuous place the sign "for sale."

"I am not in this thing for my health," said he to a man who was lobbying against a bill to regulate certain charges. The lobbyist asked him how he stood on the bill. He said he didn't care which way it went.

"If you can see your way clear to vote against it," said the lobbyist, "we will make it an object to you."

"How much is there in it?" inquired Taylor.

Taylor went to the legislature for the express purpose of making all he could out of his position and knowing that his old home would not be a pleasant place to live in he afterward decided to take a trip to Washington. He said he didn't think he was cut out for a farmer anyhow and intended to go out there and engage in some other business.

He had unbosomed his plans to the lobbyist and so it was agreed that he was to have transportation to Washington and return for his vote against the bill. But Taylor was as cowardly as he was venal and dared not vote openly against a class of legislation which he had pledged himself to support. So he tried, much to the gratification of the men who bought him.

Taylor has a good deal of low cunning. When Senator Poynter sent him the bouquet decked with black crepe after he had wilfully absented himself from the vote on the resolution to recognize Boyd as governor, he appreciated the significance of the funeral symbol from the independents standpoint and sent Albert Nixon, a farmer whom he had secured an appointment as bill clerk, to find out how his constituents felt. Nixon went down and after a few days came back and reported to Taylor in his room at 116 South Twelfth street in Lincoln. Taylor laughed nervously when Nixon told him that the farmers were pretty sore at him.

GETTING TIRED OF THE FARCE.

The business men of the National world's fair commission—and there are a few business men in it—are getting tired of the farce of meeting in Chicago, session after session, and adjourning without accomplishing anything. Euclid Martin of Nebraska said this morning:

"I never saw a national body spend such a profitless day as the commission did yesterday. What we ought to do is to abolish the executive committee, the board of control, discharge the officers holding positions under those bodies and go home and remain there until the Illinois corporation sends for us. There really is no need for the commission to come together again before the opening of the fair, but should something unexpected happen which would require our attention we could meet on short notice and at little expense. The thing I object to is the senseless purpose of meeting without having a single thing in view."

WESTERN PEOPLE IN CHICAGO.

The following western people are in the city:

At the Sherman—W. L. Stannard Salt Lake, Utah; S