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OPINIONS ON THE BOYD CASE

Generally Conceded That Political Questions Should Be Cast Aside.

SATISFACTION EXPRESSED ON ALL SIDES

Peculiar Features of the Controversy Reviewed—Comments of Leading Statesmen of Both Parties—Press Notes on the Subject.

WASHINGTON, D. C., Feb. 2.—[Special Telegram to THE BEE.]—There is but one opinion in Washington of the Boyd-Thayer decition. The conclusions of the supreme court are satisfactory to every one. Today THE BEE correspondent interviewed about twenty of the leading republicans and democrats in congress from the west, where most interest has been taken in the controversy, and without exception the decision of the supreme court was regarded as just and good law.

Below is appended some of those opinions and comments. It would be repetition to quote more than are given for there is a monotonous similarity in the comments of public men generally. The observations of well known lawyers and statesmen alone are given. Generally speaking it is believed that the Boyd senior completed his citizenship prior to the close of 1854 as alleged by the appellant and therefore the son inherited citizenship. It is the opinion of all legislators who have had to do with the making of new states that the enabling act of Nebraska conferred citizenship upon all white citizens (meaning all but Indians) when the territory became a state and that Boyd had citizenship thrust upon him if he did not have it before. There is appended also the pith of comment from the leading newspapers of the east. It shows also that there is but one view taken by the press of the supreme court's decision.

Comments of Leading Statesmen.

Following are the comments of the leading republicans in congress, as taken stenographically for THE BEE today:

Senator Allison of Iowa—I believe the decision is just and right because the supreme court has said so. There can be no question but that the naturalization of a parent is sufficient to confer citizenship upon the child. Secondly, there can be no question that the enabling act, which specifies that all residents of a territory shall become citizens of the state when the territory is admitted to statehood, will stand the test of law. The decision can have no possible political influence in Iowa or elsewhere, for it is not a political question. It was simply a question whether Mr. Boyd had become a citizen of the state.

Senator Wilson of Iowa—I have not looked the decision over and would not want to make a specific comment until I had carefully read the views of the suprememe court. Certainly the conferring of citizenship upon the father would have vested citizenship in the minor son, and no one would question the right of congress to confer citizenship upon a resident of territory upon admitting the territory to statehood. I don't see how the decision of the supreme court as it stands, or if it had gone the other way, could have any possible influence upon the politics of Nebraska as the real question involved was not partisan and without any political significance.

Sound Principle and Good Law.

Senator Sanders of Montana—I have not read the decision yet, but, if I understand it, one of the grounds upon which the citizenship of Boyd was declared the principle and the law are both sound. It is certainly competent for congress to declare all residents of a territory citizens of the new state in admitting the territory to statehood. Why, we made the residents of California citizens by the simple treaty in which we secured the territory of California.

Senator Carey of Wyoming—The decision was just and right. The republicans can afford to be liberal in matters of citizenship when it relates to one who has so long lived in a state and been regarded by every one as a citizen. Besides, we can afford to let the democrats take the office under such conditions as they get little else.

Senator Dubois of Idaho—I am glad the supreme court took this view. I have had from the first that it is not a question to be quibbled over. The republicans cannot afford to seek technicalities in orkert to secure the offices. Boyd was a citizen and he should have had the office at once.

Never Should Have Been Raised.

Representative Perkins of Sioux City—I think the raising of the question of citizenship against Boyd was ill-advised. It dragged into politics a sacred privilege and should have had no connection with other questions before the people. I believed Boyd was a citizen and have thought so all the time. I think that Governor Thayer should have conceded Boyd's eligibility to the office and vacated the chair promptly. I don't believe that the decision of the supreme court will cut any figure whatever in Nebraska politics because it was not a political question and under the same circumstances would probably have been raised against a republican.

Representative Pickler of South Dakota—I haxe a great deal of faith in the supreme court. I think it is just and bases its conclusions upon good laws. The decision is unquestionably right, viewed from every point. I do not think the decision will have any political influence in the state. The people understand the motives which prompted the contest and have already made up their conclusions.

Representative C. D. Henderson of Iowa—I have not kept run of the case; have not read the decision of the supreme court, and would not, therefore, want to express an opinion. It is a question for the people of Nebraska and for the lawyers of the country to comment upon.

Views of Leading Democrats.

Here are the most important views from democrats in congress. Chairman Springer of the committee on ways and means, the democratic leader of the house, and probably the best posted upon the question, having had much to do with the admission of states into the union during the last quarter of our century—I have only been able to give a casual examination of the decision of the supreme court, but from my reading of the testimony I am satisfied that the court has decided rightly. In the constitution of the states which have come into the union they generally provide that all persons also who were the residents of the state should become citizens thereof. The constitutions of Illinois, Iowa, Indiana and Nebraska so specify, and many of the other states provide that all persons therein residing at the time of admission are to be citizens and therein entitled to vote. In this way Boyd's father became a voter and a citizen of Nebraska. The admission of Nebraska into the union with that provision was a virtual ratification of the citizenship of persons in that territory. Mr. Boyd has held many offices in Nebraska, was a soldier in the late war and to deny his citizenship at this time would be a great injustice and a travesty upon legal methods. The dissenting opinion of Justice Field did not go into the merits of the case, but to the question of jurisdiction. It seems to me, however, that the question of jurisdiction before involved the construction of a law by congress—a law of naturalization—and that being the only point involved the covrt did have jurisdiction.

Opinion of an Ohio Legal Light.

Chairman Outhwaite of the house committee on military affairs and a prominent Ohio lawyer—There will be little criticism of an adverse character upon any part of the decision. To my mind Boyd was a citizen by virtue of his father's steps toward naturalization prior to 1854. He was in fact a citizen of Ohio when he lived there. When Nebraska was admitted to statehood all inhabitants were made citizens of the new state by the enabling act. I am surprised that Governor Thayar raised the question of citizenship at all and insisted upon retaining the office.

Both republican and democratic newspaper here and in New York, Philadelphia and Baltimore take a similar view of the decision as that expressed by men in congress. Here are extracts of press editorials today:

Expressions of Eastern Editors.

The Washington Post (ind) in politics:

All fair minded citizens will be pleased to learn that the decision is in perfect harmony with equality and popular opinion. It is too frequently the case that technicalities are successfully interposed to defeat the will of the people as expressed at the ballot box and it is very seldom the case that such procedure is instituted in the interest of the popular cause. In speaking of the political aspect of the case, it is but just to say that there were very few newspapers to sustain the position of Mr. Thayer. In many instances the republican papers of Nebraska were quick to express their disapproval of the proceedings in and the decision of the Nebraska supreme court. They recognized the injustice involved and were quite ready to point out the strong and almost unanswerable points contained in Governor Boyd's claims to citizenship. The dissenting opinion of Justice Field rests upon the extreme state rights doctrine that the court had nothing to do with the internal administration of a state's affairs. Justice Field need give himself no uneasiness on this point. The interference of the court was asked for, and its decision will not be resented as an invasion of popular rights, but on the contrary be approved as taking an important question out of the field of local controversy and settling it upon principles of justice and equity.

The Washington Star (ind.) says:

If the supreme tribunal has ever been under partisan influences—and its judges are mortals—this does not seem to be one of such occasions. Two of the democratic justices concur in the judgment of the court as to its right of jurisdiction and the only discendent on this point is the oldest democrat, and now the oldest in point of service of any of the justices. The decision makes plainer than ever before the law American citizenship, that it gives to one party an office to which it was entitled in equity, although not under the ruling of the state supreme court, is a mere incident in the case. The isolation of Justice Field in the matter of jurisdiction is due to his states right position—that the matter was one strictly within the competence of the state to settle finally. It will be recalled that this is the only supreme court decision in an important case ever divulged in advance of delivery.

Favored in New York.

New York Recorder (rep.):

It will be regarded as illustrating the superiority of that great tribunal to partisan influences. The only dissenting opinion was that of Justice Field, who would naturally be supposed to sympathize politically with the successful democratic claimant.

New York Tribune (rep.):

The question depended solely upon the further question whether Mr. Boyd was or was not a citizen of the state. He is now entitled to the office to which he was elected. The decision will prove rather expensive to Nebraska, since Mr. Boyd made a large number of appointments at the time he was seeking to secure possession of the governorship, and each of his appointees will probably now demand his salary for the entire period since.

New York Times (dem.):

It is understood that the promulgation of its decision by the court has been delayed in order to investigate the means by which the decision to which the court had arrived became known in advance of its official announcement. Whether the court has made a discovery in this particular does not yet appear. But of course the judgment could not be changed in any event, and the judicial form of it may be read this morning. By this judgment a democrat who was chosen by an undoubted majority comes to his own.

New York Herald (dem.):

Governor Thayer must now give way to Governor Boyd. This simply gives effect to the will of the people, though at a late day.

Bad Features of the Contest.

New York World (dem.):

It is this crying injustice, this stealing of a governorship by republican politicians because they were outvoted in a state they claimed to own that has been remidied in the United States supreme court. The man who was chosen by the people of Nebraska will now be governor.

Philadelphia Ledger (conservative rep.):

A mean advantage was taken of Boyd when he was deposed of the office for he had been recognized as a citizen and a good one for thirty years. But his title to citizenship was clouded until this decision was rendered.

There was more feeling shown by the democrats who expressed views upon the decision while they—all who knew of the local conditions in Nebraska—were prone to exonerate the republican managers of the state from all party action and lay the burden of responsibility of the contest upon Governor Thayer personally. They were inclined to believe that the republican organization in the state should have taken some steps to clear its skirts of the entire responsibility. Neither the republicans nor the democrats thought the decision would have any special political effect as the issue involved was of a legal character.

GOVERNOR THAYER'S ACTIONS.

Many Indications That He Will Shortly Vacate the Gubernatorial Chair.

LINCOLN, Neb., Feb. 2.—[Special to THE BEE.]—The question "What does Governor Thayer propose to do?" has probably been propounded a hundred times this afternoon by as many interested individuals. Up to the present writing it has not been answered, any rumors or reports to the contrary notwithstanding. Something of a sensation developed this afternoon on the strength of a rumor that Governor Thayer and his attorney, General Webster, had held an important consultation. The gossips industriously circulated the story through the corridor of the state house. They had it that General Webster advised the governor to relinquish the office at once but that the governor positively declined to accept the proffered advice. The story gained but little coedence but from the excited manner in which one newspaper correspondent made a frantic rush to the telegraph office it is surmised that at least one newspaper some where not far from Omaha bristled with a sensation to the effect that Governor Thayer had determined to hold on to his office as long as possible. The story was exploded before 2 o'clock in the afternoon.

Webster Offered No Advice.

When questioned in regard to the matter by THE BEE representative, Governor Thayer denied the story most emphatically. He said that it was true that he had met General Webster, at the latter was in town on business connected with the United States courts. The decision of the supreme court came up in their conversation only incidently. Governor Thayer stated that he did not ask any advice of General Webster, that none was proffered, and that, consequently, none was declined. He grew indignant when told that the story was likely to be stated as a fact in public print and requested THE BEE to deny it as a piece of fiction, pure and simple.

Another rumor that gained circulation this afternoon had it that Governor Thayer had decided to write to Governor Boyd tendering him full possession of the office in advance of any mandate from the supreme court, and that such a letter would be mailed tonight. Governor Thayer also denied this story.

Governor Thayer's Action.

It is believed by those nearest Governor Thyyer that he will not be captious in the matter of awaiting mandatory proceedings before relinquishing the office. He will not be precipitate, of course, but every probability suggests the belief that the executive office will be in possession of Governor Boyd within the week. Governor Thayer starts next Monday for Texas, and he will be accompanied by his wife and private secretary, W. Morton Smith, one of his executive clerks, will take a position on the editorial staff of the Daily Fews of this city next Tuesday. The records of the executive office have been brought down to date, and at least one protest has been made against the filing of new business that could not be completed within a few days. Governor Thayer himself says that he is perfectly satisfied that he has done all that the constitution imposed upon him. All of these trifles point to Governor Thayer's early vacation of the office.

May Decide Tomorrow.

A gentleman closely connected with Governor Thayer's administration said this afternoon, while referring to the many rumors in circulation, that the governor was giving the matter the most serious consideration in his own mind and that he believed a determination would be arrived at tomorrow. The same gentleman believed that Governor Thayer would tender possession to Governor Boyd at once. He gave his reason for so thinking by saying: "Governor Thayer has been actuated in this matter by no mean and sordid motives. He believed that Mr. Boyd was not a citizen of the United States, and, believing that, the constitution made it obligatory upon him to see that the executive office was not occupied by an alien. Now that the highest tribunal in the land has decided that Mr. Boyd is now and was at the time of his election a citizen and eligible to the office, Governor Thayer is satisfied. If he takes advantage of a legal technicality now, or insists upon the observance of a mere matter of form, he would be open to the criticism that he is holding on to the office for the mere sake of the salary and the emoluments. I don't believe Governor Thayer is that kind of a man. I still believe and always will believe that he has been actuated by the highest motives all along, and I believe that his action within the next few days will prove this."

Declared Wholly False.

Governor Thayer was seen at his home this evening in reference to the sensational dispatch printed in this afternoon's World-Herald, copies of which were scattered broad cast in Lincoln this evening. After reading the article Governor Thayer denounced it a tissue of falsehoods from beginning to end and said he could find no words strong enough to denounce the maliciousness of the article. "The only conversation he had with General Webster took place in the hotel rotunda in the presences of a crowd with no attempt whatever at concealment or privacy." He reiterrted his statement made to THE BEE representative early in the afternoon to the effect that he had asked no advice of General Webster and that none had been given. His conversation with General Webster lasted no longer than thirty minutes and took place in the presence of several parties and he had no private consultation with Mr. Webster at all.

FOUNDED ON THIN AIR.

No Truth Whatever in the Fake Factory's Latest Output.

Forty-seven lines of double-leaded fake, announcing that ex-Governor John M. Thayer would hang onto the gubernatorial office at all hazards until ejected by a mandate from the court of last resort, were dished up last evening under a Lincoln date and a scare head to test the already distended credulity of the readers of the World-Herald. It was stated that Hon. John L. Webster, General Thayer's attorney, was closeted with the ex-governor for several hours yesterday morning, during which the former labored long and earnestly to convince his client that the best thing for him to do under the circumstances was to step down and out and surrender the office as gracefully as possible to Governor Boyd, but that the present incumbent positively refused to do anything of the kind, insisting that he could hold on for at least a month longer. The extreme reticence of both Mr. Webster and General Thayer was dwelt upon at length and it was declared that both gentlemen finally refused to answer even the simplest questions for fear of divulging something that they wished to keep secret.

Hon. J. L. Webster was found at his home last evening, and his attention was directed to the aforesaid article, of which, up to that time, he had not heard. After reading it, he said that it was without foundation.

"It is not only a fabrication," he said, "but it is absolutely false from beginning to end. I was not closeted with Governor Thayer; I did not urge him to step down and out, neither did he refuse to do so, as the matter was not touched upon, and, lastly, I did not refuse to answer questions, as I was not spoken to by any representative of an Omaha paper while I was in Lincoln."

"What did occur?"

What Really Happened.

"I went to Lincoln this morning to attend to business in the United States court. I did not arrive until 10 o'clock, and went straight to the court room, so I did not get to the Hotel Lincoln until 12 o'clock. I had sent word to Governor Thayer that he could see me there, and he did meet me in the hotel office, where all the conversation that passed between us occurred. The subject discussed by us was what the decision of the supreme court probably was, and the talk all took place in the most public part of the hotel, where there was no attempt whatever to conduct a secret conversation. There was nothing said which anyone could not have heard; in fact, two others did hear a part of it and one man nearly all of it. The question of what would be done or what was best to do was not touched upon at all. It was understood that that would be attended to later, probably in a day or so, as soon as we received definite information regarding the decision. Nothing was said about surrendering the office, nor of retaining possession of it. That story is false, pure and simple, and based upon no facts whatever. What will be done I cannot say, but I can say this—when the time comes to act there will be no boy's play. It will be a manly act, and not that of hangers-on, as is intended in that article."

Fooled Its Friends.

The fake edition created a temporary sensation among the gullible ones whose anxiety concerning the latest news of the gubernatorial situation had led them to purchase the sheet for its alleged news. When the real facts became known the sheet was lavishly abused for its imposition. Said a prominent democratic attorney last night:

"It is absolutely nauseating to notice the extent to which the World-Herald has indulged in fake sensations lately. I have been fooled by the same sheet before, but when I read the headlines of its latest spasm tonight I really believed it. I could not then and cannot yet understand how an editor with a shadow of regard for either truth or decency could print such an outrageous story imposing upon its readers. It has told a lie now and I suppose will try to stick to it. The sheet may make a mistake some day and get an item correct. May be it will but I doubt it."

DEADLY DYNAMITE EXPLOSION.

Three Children Fatally Injured and Their Mother Goes Insane.

MONTREAL, Can., Feb. 2.—An explosion of dynamite in the suburbs of this city shattered a dwelling, fatally injured three children and badly hurt their father. When the mother saw the terrible injuries of her children she became a raving maniac.

KILLED WHILE BEATING HIS WIFE.

A Prominent Georgia Man Shot Dead by His Son.

SAVANNAH, Ga., Feb. 2.—David Porter, deputy collector of the port, an officer in the local post of the Grand Army of the Republic and a prominent Odd Fellow, was shot dead this morning by his son. Porter was beating his wife.

In the Interest of Railroad Men.

HOLDREGE, Neb., Feb. 2.—[Special Telegram to THE BEE.]—Mrs. C. M. Woodward, national superintendent of railroad work, delivered an address in the Methodist Episcopal church Sunday evening on the subject of "The Work of the National Women's Christian Temperance Union as Seen by a Western Woman." The audience showed much interest. The church was crowded to its utmost capacity and many were turned away for want of standing room. On Monday evening she addressed an appreciative audience on the subject of "The Twentieth Century Woman." Mrs. Woodward is an earnest speaker and possesses unswerving faith in the ultimate triumph of the principles she advocates.

Snowing and Cold Up North.

ST. PAUL, Minn., Feb. 2.—Reports from different points in Minnesota and the Dakotas show that snow has been falling since Sunday night, and the weather is growing colder.

The Death Roll.

SAN FRANCISCO, Cal., Feb. 2.—Jacob W. Leese, the first white settler in California, died here yesterday aged 82 years. He came to California in 1833.

Dr. Birney cures catarrh. BEE bldg

ROWING AMONG THEMSELVES

Massachusetts Democrats Indulgee in an Acrimonious Discussion.

YOUNG MR. HOAR ACCUSED OF LYING

Republicans Enjoy a Family Row in Democratic Ranks—Hard Words from a Fellow Partisan—Business in House and Senate Yesterday.

WASHINGTON, D. C., Feb. 2.—The house of representatives is still being treated to the daily reminders of the Hoar-Morse rivalry in the state of Massachusetts. Repretentative Hoar, although a democrat, is the son of the distinguished attorney general of the Grant administration, Hon. E. B. Hoar, and nephew of the present United States senator from Massachusetts, Hon. G. F. Hoar. That a member of such a distinguished republican family should be a democrat is an offence which, Mr. Hoar insists, has never been quite forgiven by the leading republicans, and is the cause of the somewhat frequent political assaults made upon him.

Scarcely had the irritated proceedings of yesterday between the two members from Massachusetts been read from the Congressional Record this morning by the members of the house before the controversy was again revived by Mr. Morse, who arose to a question of privilege immediately after the reading of the journal, and rebuked Mr. Hoar for presuming yesterday to recall from the public printer the record of the manuscript speech previously made by Mr. Morse.

Was Not a Gentleman.

"I claim that that gentleman violated proprieties that should obtain among gentlemen," said Mr. Morse. "By what authority does he carry my manuscript away from the public printing office? Some of the oldest members tell me that this proceeding of the young gentleman from Massachusetts is without precedent in the history of this body. And I deny the right of the gentleman from Massachusetts to remove government property or documents or my manuscript from the public printing office and bring it into this house for exhibition, or to carry it around in his pocket. [Republican applause.] Mr. Hoar's remarks, substantially as delivered, were in manuscript before they were delivered, a very common thing in this house, and I so informed the stenographer before speaking. As I understand that they are not taken down, but only the interruptions of the gentleman from Massachusetts, and changes incident thereto, so when he said he had the stenographer's report of my speech, he uttered a falsehood—there was no report. At a later hour I conferred with the stenographer as to where the interruptions of the gentleman from Massachusetts came in, with additional remarks by me, incident thereto. I also conferred with him as to where the applause came in, that occurred on this side during the delivery of my speech which, of course, was not in my my manuscript, and, as the gentleman says, was afterwards written in with a led pencil. I do not deny having availed myself of the privilege allowed every member of this house, from time immemorial, to revise my speech, make some light unimportant additions thereto. [Derisive laughter on the democratic side.]

Are Not in It.

"Why, Mr. Speaker, if you could believe the accounts which are furnished the Boston globe of my colleague's exploits here, you would suppose that he was to indicate the economic and financial policy of his party on this floor, and that you, Mr. Speaker, and Mr. Holman, Mr. McMillan, Mr. Springer and other distinguished democrats who were in public life before the young man was born, to use a slang expression are not in it. [Great laughter.]

"Why, I have in my hand here a copy of the Boston Globe which contains a half of a column describing, exactly fifteen words by the record, that he uttered on this floor last Friday. [Laughter.] Yesterday's speech will probably take two columns. The Boston Globe says that his interruption of last Friday was followed by prolonged and great applause on both sides of the house. [Great laughter on the republican side.]

"Mr. Speaker, I fear that you do not appreciate the kindergarten democracy of Massachusetts. Only think of it. This young man who was to indicate the economic and financial policy of the democratic party is believed now to be doing so by the readers of the Globe in his district. This young man who wept over the defeat of his candidate for speaker. [Laughter.] But the young gentleman is investurating the sweating system now, and every meeting of the committee is noted in the Boston Globe. He will know more about the system next autumn; he will have his heaviest perspiration when he sees the returns from the old fifth district. [Laughter.] If he has tears to shed, he should prepare to shed them then. I think the presence of this young gentlemen, who, I repeat, has violated the proprieties that obtain among gentlemen, is not likely to occupy again the seat in General Bank's old district." [Great applause on the republican side.]

Ignored the Question.

There was a dead silence for a minute after the applause had died away, as the house awaited the answer which was to be made by Mr. Hoar to his Massachusetts colleague. "I think, Mr. Speaker," said he, "that the gentleman from Massachusetts has been advertised enough." With that Mr. Hoar took his seat and the democrats loudly applauded his brief retort.

"To which gentleman do you refer?" asked Mr. Buchanan, and once more the republican side burst into applause.

Mr. Hoar ignored the query of the gentleman from New Jersey, and thus the controversy ceased for the time only, however, to be probably revived on a future occasion.

The rules again came up for consideration and Burrows' amendment giving the speaker the right to count a quorum was rejected.

An amendment striking out from the list of privileged motions which may be made when any question is under debate, the motions to fix a day to which the house shall adjourn and to take a recess.

After this the amendment was lost: Yeas, 87; nays, 161.

Mr. Burrows of Michigan offered an amendment providing that no dilatory motion shall be entertained by the speaker. Rejected.

Mr. McRae of Arkansas offered an amendment, providing that a senate amendment to a house bill may be considered by the house when laid before it by the speaker. Lost.

Mr. Boatner offered an amendment, striking out all that part of the rule giving permission to legislate in appropriation bills when in the interest of retrenchment in expenditures. He said he did this in order to test the sense of the house.

Mr. Holman of Indiana sustained the provisions, and was replied to by Mr. Dingley of Maine, who predicted that if the proposition was incorporated in the rules October would find the house still in session.

Pending action the house adjourned.

IN THE SENATE.

Mr. Voorhees Rises to a Question of Privilege—Proceedings.

WASHINGTON, D. C., Feb. 2.—Many memorials were presented during the morning hour for the closing of the Columbian exposition on Sunday.

Mitchell, from the committee on privileges and elections, made a report in the case of Clagget against Dubois, a contest for the seat in the senate from Idaho. A resolution was passed declaring Dubois entitled to the seat. Mitchell asked that the report and resolution lie on the table, and gave notice that he would call them up at a very early day.

Vance gave notice of a minority report, which, he stated, would be presented day after tomorrow.

Palmer introduced a joint resolution to amend the constitution so as to have United States senators elected by a popular vote and gave notice that he would at some convenient occasion address the senate on the subject.

Rose to a Question of Privilege.

Mr. Voorhees, rising to a personal question, sent to the clerk's desk and had read a Washington dispatch to the Philadelphia Press, with the heading, "The Senate Wasting Time in Obedience to Senatorial Courtesy—Mr. Voorhees Fails to Sustain His Charges—His Scheme to Defeat Judge Wood's Nomination not Supported by the Republicans He had Counted Upon."

The dispatch went on to state that the senate judiciary committed had wasted another session out of "senatorial courtesy" to Senator Voorhees; that the attempt of Senator Voorhees to form a coalition with the republicans was a flat failure; that some of the republicans like Quay, Cameron and Higgins were opposed to the nomination of George M. Dallas of Pennsylvania, and that Mr. Voorhees had proposed that, "If those disgruntled republicans would induce enough of their party to aid the democrats in defeating Judge Woods' nomination the democrats would reciprocate and aid in defeating Dallas."

The dispatch ends with the statement that that plan would not work, and that it was now reasonably certain that all the nominations would be confirmed next month without a dissenting vote among the republicans.

Branded it a Lie.

Mr. Vorhees said his principal object in having the article read related to the last paragraph, where the statement was made explicitely and unqualifiedly that he had made a proposition to certain senerators that for their assistance in the defeat of Judge Woods' confirmation, he would favor a movement on the democratic side of the chamber to defeat Judge Dallas of Philadelphia. A grosser lie than that it would be hardly possible for his satanic majesty to conceive. Such a wish or thought or suggestion had never entered his mind, or emanated from his lips. On the contrary, bad as he thought the appointment of Judge Woods was as improper and unfit as he conceived and knew that judge to be for a judicial position, he would feel dishonored and disgraced beyond redemption if he received—let alone made—a suggestion to defeat an honest and competent man like Judge Dallas for the sake of getting clear of the appointment of a man like Woods. If any senator could say that a single suggestion or thought of such a corrupt combination had come from him he wanted them to say so. If he (Mr. Voorhees) were capable of making such a suggestion he would be a proper subject for expulsion. He branded the story as the miserable concoction of a dishonest heart and brain.

Senators Cameron, Quay and Higgins said there was no truth in the dispatch and the matter ended.

Bills Passed.

The following bills were passed: Appropriating $100,000 for a public building in Grand Forks, N. D.

To increase the endowment of the Louisiana State University and Agricultural and Mechanical college, and the Sovereign University of Louisiana (granting 92,160 acres of the public lands in Louisiana.)

The bill to prevent the adulteration and misbranding of food and drugs was laid aside until the printing bill was disposed of.

The latter bill was then taken up for consideration. The bill was discussed for over two and a half hours and was amended in some particulars and went over without final action.

On motion of Mr. Teller the house bill to define and punish blackmailing, which was reported from the judiciary committee, Mr. Teller making a remark to the effect that it had been reported through mistake, was reconsidered.

The senate then went into executive session, in which some nominations were referred to committees, and then adjourned until tomorrow.

Western Pensions.

WASHINGTON, D. C., Feb. 2.—[Special Telegram to THE BEE.]—The following list of pensions granted is reported by THE BEE and Examiner Bureau of Claims:

Nebraska: Original—Henry Armann, James Martin, John Wilson, Peter Sharp, Daniel A. Scoville, Perry Ham, Philip Goin, James L. Harper, A. J. Norvel, Andrew J. McConaughy, Friedrich Will, Joseph Fountain, G. W. Blankenship, Stanton P. Lester, Solomon Robinson, Horace W. Simpson, Hugh McCune, Henry C. Reiner, Louis Christensen, Obadiah Miller, Cornelius Watson, James Bennett, John Kramer. Additional—Louis Brucker. Increase—David Mayou.

Iowa: Original—George Mooney, Elias Brechtel, George W. Eylery, Delovan Moore, William H. Mable, Christopher Hudson, Philander S. Farmer, Samuel B. Parrott, John Laird, William H. Cook, Matthew S. Clabaugh, Alex Brown, Samuel E. Peck, Louis Mesenbrink, John Dixon, Oliver P. Nickle, Joseph B. Matlock, George Berger, John C. Drexler, Louis H. Fellwobk, Orris Fox, Frederick Ernest, David W. Wiley, James L. Morse, Joseph McCauley, William Martin, William Carroll, Lyman B. Pierce, David Newlan, James Ashburn, Andrew Wilson, John F. Davis, Albert Naphin, Francis M. Thompson, William S. Rupp, Samuel R. Frazier, Hugh Gasa, Louis Pulleh, Charles Nettleton, Seth Samson, John Wallace, Hiram J. Richards, John D. Billings, John M. M. Roberts, John G. Gibson. Additional—John S. Wilson, Myron Paull. Increase—John W. Mann. Reissue—Frederick Gotsch, William H. Parker, Allen Pettit. Original, widows, etc—Christona Russel, Lizzie Jones, James F. White (father).

CONSTITUTIONAL PROHIBITION.

A Bill in Iowa's Legislature to Resubmit the Matter.

DES MOINES, Ia., Feb. 2.—In the senate this morning petitions were presented favoring a geological survey of the state. Bills were introduced as follows: To regulate charges for sleeping cars; to create a board of school book commissioners and provide for the issue of text boods for use in schools; to amend the law relating to the powers of railroad commissioners; to amend the law relating to the closing of the polls.

A joint resolution calling for a constitutional amendment to prohibit the manufacture and sale of intoxicating liquors was presented.

The joint resolution was presented asking congress to indemnify the Des Moines river land settlers.

After discussion and reference of the direct tax fund resolution, the senate adjourned till tomorrow.

In the house, among the bills presented, were the following: Prohibiting the killing of Chinese pheasants for five years, and providing for the tabulation of statistics on crops and live stock.

A joint resolution was introduced asking congress to indemnify the Des Moines river land settlers by the passage of the Dolliver bill. The house then adjourned till tomorrow.

TORTURED THE MEN.

Awful Tyranny of Noncommissioned Officers of the German Army.

BERLIN, Feb. 2.—The socialist journal, Verwarth, publishes a copy of an order issued to the Twelfth army corps by Prince George of Saxony, calling upon the officers to put a stop to the inhuman treatment of the men by noncommissioned officers, the prince adding that socialism, which is a public danger to Germany, will be strengthened by such treatment. The order mentions nine specific cases of cruelty.

In one case a sergeant named Sewahre exercised his men during meal times and sleeping hours until they were half dead with fatigue. In some drills the men were compelled to present arms 500 times.

In one case a recruit was obliged to raise and lower a can of boiling coffee until he became so exhausted that he allowed the can's contents to stream over his head and shoulders.

In another case a sergeant named Pflug habitually kicked his men and struck them with a belt, wantonly forced them to perform nauseating tasks and tortured them until they screamed with agony.

A sergeant named Weiss thrashed a man with a belt until his arm ached so that he was unable to continue the flogging, and he injured another man internally by kicking and flogging him.

Other cases are instanced where men were paraded and drilled at mid[illegible] the depth of winter—wearing only [illegible]irts—until they fainted. In additi[illegible]y cases of blackmail are mentioned.

The guilty sergeants he[illegible] sentenced to imprisonment for from two to five years each.

The revelation of these crimes has caused much indignation among the public.

Chilians Are Gratified.

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VALPARAISO, Chili (via Galveston, Tex.), Feb. 2.—[By Mexican Cable to the New York Herald—Special to THE BEE.]—After thorough inquiry I am able to state there is extreme gratification both in official and unofficial circles at the message sent by Secretary Blaine to Minister Egan announcing that the reply to the ultimatum was satisfactory. Among officials, principally those of the navy and intelligent civilians generally, there has been a revulsion of feeling in favor of the North American republic. There is not the least doubt now but that the visit of a squadron of United States war ships would be regarded as an additional proof of desire to renew friendly relations with Chili.

Foxhall Keene Injured.

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LONDON, Feb. 2.—[New York Herald Cable—Special to THE BEE.]—Foxhall Keene met with a bad accident on the hunting field at Aushaughlin, County Meath, Ireland. He fell from his horse and struck on his head. He was picked up insensible and it was believed at first that he was fatally hurt, but now he is rapidly recovering and is suffering only from the severe bruises on his head and the loss of a front tooth.

Twenty Killed in the Riots.

BUDA PESTH, Feb. 2.—Twenty persons lost their lives as the result of the election riots last week.

Ousted a Brazilian Governor.

RIO DE JANEIRO, Feb. 2.—The trouble in the state of San Paulo has resulted in the ousting of the governor from office.

READY FOR VIGOROUS WORK.

Real Estate Owners Association Holds Its Annual Election of Directors.

"There are more officers to be elected than we have members to vote," remarked President Boggs last night at the annual election of the Real Estate Owners association. It was a meeting of the stockholders, and there were just twenty-seven of them in attendance, while there were sixty-two members to be selected for the executive and advisory boards.

Before the election took place, however, the secretary read his financial report for the past eight months, during the organization's existence. The report showed the receipts to be $3,448.68; the expenditures, $2,263.68, leaving a balance of $1,184.96. It was also shown that there was in the treasury $3.94 in excess of the stock paid in, or the amount the association has made after its expenses had been paid. The report was referred to the auditing committee.

Mr. Boggs also had the secretary read the expenses of the association in sending delegates to Washington to secure the national republican convention for Omaha. The expense was $215.30 to the association.

Boards Elected.

The election of officers then occurred, the following gentlemen, comprising the board of directors, were elected by a vote of twenty-seven, being cast by the secretary: George H. Boggs, St. A. D. Balcombe, W. S. Poppleton, John T. Cathers, A. L. Reed, C. R. Scott, George P. Bemis, Jeff W. Bedford, E. A. Benson, George N. Hicks, J. H. Dumont, Cadet Taylor.

These directors will meet Thursday and elect a president, vice president, secretary and treasurer of the association.

An advisory board, consisting of fifty members, was also elected. The board is composed of the following gentlemen: Herman Kountze, S. D. Mercer, Max Meyer, O. M. Carter, Samuel E. Rogers, F. E. Bailey, A. J. Simpson, John A. Horbach, Lew W. Hill, A. J. Poppleton, E. Rosewater, C. S. Chase, F. Krug, R. N. Withnell, J. B. Kitchen, Benjamin F. Smith, L. S. Reed, H. Pundt, A. P. Wood, G. W. Linginger, Warren Switzler, Christ Hartman, C. C. George, W. J. Connell, G. M. Hitchcock, Norman A. Kuhn, Joseph Barker, T. C. Bruner, W. W. Lowe, Thomas Rogers, P. L. Perrine, William A. Paxton, Thomas Swobe, John Steele, E. Wakeley, J. N. Cornish, W. V. Morse, A. P. Hopkins, F. P. Kirkendall, R. C. Cushing, M. Donovan, A. Hospe, jr., W. F. Allen, Henry J. Windsor, G. C. Towle, Henry A. Thompson, William H. Craig, S. K. Spalding, Martin Ittner, C. O. Lobeck.

Future Work Mapped Out.

After the election Mr. Boggs stated that it was necessary for the association to take some action in considering amendments in the real estate and mechanics' lien law. He thought realty owners should have something to say regarding the laws enacted for them, and asked for a discussion on that point. He also stated a determined effort should be made by the stockholders to get manufactories in Omaha. He thought that if everybody would go in heart and hand for home industries, and then patronize them it would be a better plan and more profitable than offering bonuses to induce manufactories to come here.

In a general discussion City Attorney Connell spoke of the provisions in the city charter of the eminent domain. He said the provisions should be looked into, and that many amendments should be made to the charter.

"We have a new governor today," said Mr. Connell, "and it may be that he will call a special session of the legislature to remedy many existing evils. We should have the charter so amended to acquire the electric light plant, the water works and the gas works. The franchise for the gas plant expires one year from this month and than the city should own it."

Major Balcombe was of the opinion that the charter should be so changed as to allow all amendments thereto to be made by a majority vote of the people instead of by the legislature. If the amendments were made by the people he thought that the lobbyists at the state capitol would have no opportunity of manipulating things as they saw fit.

The park question was also brought up, and John A. Horbach stated that the voting of the bonds for park purposes was a very foolish piece of business. Two years ago the property near Elmwood park was bought for $250 an acre and now it was proposed to pay $900 an acre for it. Mr. Horbach thought the voters were in ignorance when they voted on the proposition. He believed the property owners now saw the fallacy of the bonds being issued.

Mr. Boggs then spoke of organizing an appraisement board for the city and of a better street car service or the granting of a franchise to another company. He simply brought the questions before the meeting and it was decided that it would be better to have the advisory board meet next Monday night and discuss the matter and make recommendations to the proper authorities.

THAT RACE TRACK.

Joe Garneau Takes Exceptions to the Scheme of Nat Brown.

The new directors of the Omaha Driving and Park association met last evening and took preliminary steps to put the association on its feet. An expert accountant was engaged to go over the old books and accounts and to report at a future meeting the exact condition of affairs.

A discussion was indulged in as to various practicable plans that might be adopted, but no conclusions could be drawn until the stockholders could ascertain just how the ground lay.

Mr. Joseph Garneau, president of the association, was present, and a reporter asked him if he had anything to say about a recent interview with Nat Brown published in THE BEE concerning the proposed driving park in East Omaha.

Mr. Garneau stated that the directors of the Omaha Driving and Park association are working on their report, which is gotten out for the stockholders of that association, and that in a very few days they will be ready with this report, which will be given to the public, together with the suggestions of the directors for the future developments of this enterprise.

PROMOTION BY SENIORITY

Important Change to Be Made in Military Affairs.

CONGRESS WILL PASS THE MEASURE

Artillery, Cavalry and Infantry Service Will Be Affected by the Plan Contemplated—Increased Pay for the Hospital Corps Favored.

WASHINGTON BUREAU OF THE BEE, 513 FOURTEENTH STREET, WASHINGTON, D. C., Feb. 2.

Chairman Outhwaite