THE OMAHA DAILY BEE.

TWENTY-SECOND YEAR. OMAHA, TUESDAY MORNING, APRIL 4, 1893. NUMBER 289.

SENATORS STUMPED

Face to Face with the Maximum Freight Rate Bill at Last.

NINE BILLS PASSED IN AN HOUR

Rapid Work Which Preceded the Biggest Deadlock of the Session.

BOTH SIDES DETERMINED AND FIRM

Friends and Foes of Rate Regulation Engaged in a Final Struggle.

EFFORTS TO SAVE THE IMPEACHED

Plans Proposed by the Friends of the Officials to Break Down the Action of the Joint Session by Substituting Defective Articles.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—Practical demonstration was given this afternoon of the fact that the senate can transact business with neatness and dispatch when its members are so disposed. It went through the regular order of business almost as fast as Dorgan went through the cell house appropriation, and struck bills on third reading with a force that nothing could withstand. Nine bills were passed within an hour, and at 5 o'clock the railroad maximum rate bill, house roll 33, stared the body squarely in the eye. It didn't remain so very long, as the railroad contingent concluded that affairs were progressing altogether too swimmingly for the opposition, and when the all-important measure was announced a call of the house was demanded. Senators Teff and McDonald were absent and this gave the railroad side of the house an excuse for calling a halt. The supporters of the bill at once announced that they were ready to stay there just as long as anybody on the other side and the two elements settled down to the tedious task of wearing each other out.

Were Put Under Parole.

For the first time during the session the parole system was called into play, and senators were excused to come and go just about as they pleased, with the understanding that they would remain within easy reach of a call from the body proper. It thus happened that while several of the independents were at supper the republicans raised the call and attempted to place the bill on its passage without final reading. The independents who remained in the chamber as a guard to prevent surprise promptly objected and again placed the senate under call of the house. Once more the senators settied back to await the result of the test of physical endurance. At 9 o'clock propositions for a settlement were entertained, but no agreement could be reached, and the situation did not change.

Knocked Out Solidly.

A motion was made to go into committee of the whole to reconsider the special order, but the motion was defeated by a vote of the solid 18 to 12. The president pro tem held that a majority had voted against the motion and that it was lost.

He was asked if the special order was passed by that vote, as the motion was to go into committee of the whole and not a motion to pass the special order. He held the action was tantamount to that suggested, and Senator Mattes at once raised the point of order that the special order could not be passed without a two-thirds vote, such as would be required to suspend the regular order. The chair held that it certainly took a two-thirds vote to advance a measure by suspending the regular order, but that after it was advanced it was subject to the same action as any other measure, and therefore subject to any disposition the majority might wish to make of it.

Correll Wouldn't Take it Back.

Railroad senators at once rushed up to the chair and persistently mutilated his ear for several minutes. The members of the railroad contingent remaining on the floor apparently had not the slightest doubt in the world that the chair would correct himself, when it was shown him that his ruling would prove disastrous to the further staving off of the bill, as was shown by the renewal of the same point of order. The president pro tem however, had the courage of his convictions, and refused to be bulldozed into reversing, even if his refusal to do so meant death to further successful opposition to the bill, under which he had persistently recorded his vote. It was rough on the North side of the house, but it was the making of the bill, and the railroad senators could no nothing but grimly acquiesce. It was a bitter pill, but they swallowed it bravely.

Will Stave Off the Joint Session.

It is stated at a late hour tonight that the deadlock in the senate will be worked in the morning to prevent the holding of the joint convention in accordance with the terms of the recess. The air is full of rumors, but the situation is indeed a momentous one.

Senator McDonald arrived in the city this evening from Omaha, and the only absentee is Senator Tefft. It was reported at 10 o'clock that he was also here, but a search failed to verify it. He was seen on the streets of Omaha this evening and it was supposed that he was coming at once to the capitol. There is a rumor afloat to the effect that he has gone to Chicago, but this is given very little credence, as the senator from Cass county stands so highly with his constituents and the people of the state that it is not believed he would consent to the rough shattering of the public confidence in him by lending himself as the tool to prevent in such a manner the passage of the maximum rate bill.

Taking in the City.

Notwithstanding the call of the upper house the senators enjoyed unparalleled freedom this evening. Several of them lounged about the rotunda of the Lincoln until a late hour, while Senator Correll attended the theater and remained until the close. He said that the only restriction imposed upon him was that he should be back in the senate chamber by midnight, so as to relieve the lieutenant governor.

The sergeant-at-arms appeared at the Lincoln shortly after midnight, rounding up the absentees.

Not So Anxious Now.

From the actions of the impeached officers and their attorneys tonight it does not appear that they are so anxious for a fair and full investigation of all the charges against them as one might suppose from reading the letter submitted by them to the joint convention last Friday afternoon. Rumors are to the effect that the session of the joint convention tomorrow morning will not be altogether harmonious, and that a vigorous fight will be made by the friends of the impeached officials to either amend the articles of impeachment prepared by the attorneys employed for the purpose, or to reject them altogether and substitute others prepared by parties opposed to the impeachment.

It is known that for the past two or three days articles have been carried around in the pockets of some of the members of the legislators, and the impression seems to prevail that they are not as carefully drafted as would be the case if it was desired to have them stand the test of objections of the attorneys for the defendants before the court of impeachment. That there is a strong disposition on the part of certain members to adopt such articles as would give the defendants a chance to demur their cases out of court is generally accepted to be the fact. One move in which the defendants and their attorneys were engaged this evening was a wild chase to get hold of a copy of the articles of impeachment, and the story was current that they desired to prepare an answer and submit it to the joint convention tomorrow.

This suggestion called forth some vigorous talk from many of the members who declared that they would tolerate nothing of the kind. They asserted that such a thing was unheard of in the history of impeachments of criminal prosecutions, and that the impeached parties have no right to present their answers to the joint convention.

House Members Ready.

Nearly all the members of the house have returned, and are anxiously awaiting the session of the joint convention tomorrow. Harman is back again, having left several members of his family sick with scarlet fever, and expects to be called away again at any time. Gerdes went home, hoping that he wouldn't be called back, but left word that he would come in response to a telegram that his presence was absolutely necessary. Ruggles left tonight in response to a telegram notifying him of the dangerous illness of his wife. Smith of Holt has also been called away by sickness in his family.

Articles Ready for Action.

The drafting of the articles of impeachment has been completed and the committee of the joint convention that was appointed to prepare them will hold a meeting in the morning to pass upon them before they are submitted to the joint convention. It is expected that the committee will unanimously agree to accept them as they were prepared. It is understood that there are three articles and that the specifications number twenty-one. It is reported that the specifications of the first article relate to the frauds in connection with the erection of the cell house, the second to the general fraud in connection with the auditing of the asylum accounts, and the third to the coal deals with various firms for asylum fuel.

HIPPOLYTE IN THE FIELD.

Hayti's President Prepares to Meet the Army of the Revolutionists.

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CAPE HAYTIEN, Hayti, (via Galveston, Tex.) April 3.—[By Mexican Cable to the New York Herald—Special to THE BEE.]—President Hippolyte and his cabinet have determined to meet an uprising of revolutionists. With his cabinet the president has encamped at Port de Paix, near this place. The government troops have also been ordered in camp here. They will be sufficiently strong to repel any force the revolutionary party can muster. President Hippolyte has sent a protest to President Penreaux of Santo Domingo against the action of that republic in aiding the revolutionists.

SOMETHING TO KICK ABOUT.

English Papers Finding Fault with Testimony in the Bering Sea Cases.

LONDON, April 3.—The newspapers generally comment upon the introduction before the court of arbitration regarding the Bering sea cases of the British counter case, exposing the use made of the mistranslation of the Russian documents in the case presented by the United States. The London Standard says that sometimes the translator seems to have blundered out of sheer carelessness, and in other places to have been mistaken, while some members of the commission show a deliberate falsification in favor of the United States. As the agent of the United States had put in amended versions of the mistranslated documents, most people, the Standard continues, suppose that no more attention need be paid to it, but it is surprising after examining some documents, to find them to be no more reliable than the Mormon scriptures. The United States government has refrained from modifying or withdrawing the arguments. The British contention, the Standard adds, is that when such passages are expunged there does not remain an atom of evidence supporting the chief American allegations. In closing the Standard remarks that it would perhaps be futile to ask whether any responsible politician at Washington really thought that the device could be forced on the representatives of Great Britain.

The St. James's Gazette says that it does not suspect the United States government of conniving in the concocted passages, and is sure that the American people will repudiate a trick so silly. Yet, adds the Gazette, the arguments founded on the forgeries are uncanceled.

BALFOUR AT BELFAST.

Enthusiastic Reception Given the Conservative Leader by the People of Ulster.

BELFAST, April 3.—[Special Cablegram to THE BEE.]—Rt. Hon. A. J. Balfour, conservative leader of the House of Commons, formerly chief secretary of Ireland, arrived at Belfast today to deliver addresses in support of the opposition of Ulster unionists to home rule. A vast concourse greeted Balfour. The multitude was so enthusiastic that people took the horses out of the carriage and eagerly sought the honor of drawing the vehicle through the streets. Numerous deputations presented greetings, dwelling upon the loyalty of Ulster and extolling the services of Balfour. Balfour replied with an earnest declaration of the resolution of the conservatives to resist home rule to the utmost.

At Larne Balfour also had an enthusiastic greeting and listened to an address on behalf of the unionists, to which he delivered a reply appropriate from a conservative standpoint.

Dupuy's New Ministry.

PARIS, April 4.—M. Dupuy, who was asked to form a new ministry, was in consultation with President Carnot until midnight. He submitted this list as the new ministry: Charles Dupuy, premiership and interior; Raymond Poincarre, education; Admiral Rieunier, marine; Jules Develle, foreign affairs; Francois Viette, public works; Albert Viger, agriculture; General Loizillon, war. The ministry of finance has been offered to Paul Louis Peytral and the ministry of commerce to Edward Lockroy.

Awful Slaughter.

RIO JANEIRO, April 3.—Details have been received of the battle at Alegrete on March 27, in the state of Rio Grande do Sul. The slaughter was frightful; 1,500 troops were engaged on both sides. Two hundred were killed, and a large number wounded. The state troops were defeated and the revolutionists have full sway there. It is said that the state forces will be reinforced and another attempt made to dislodge the insurgents.

Movements of Ocean Steamers April 3.

At Rio Janerio—Arrived—Catania, from Philadelphia.

At Boston—Arrived—Pavonia, from Liverpool.

At Bremen—Arrived—Weimar, from Baltimore.

At Glasgow—Arrived—State of California, from New York.

At Southampton—Arrived—Ems, from New York.

At New York—Arrived—Kaiser Wilheim, from Bremen; Servia, from Liverpool.

IT WENT AGAINST THEM

Judge Ricks' Decision in the Case of the Ann Arbor Strikers.

MUCH INTEREST TAKEN IN THE AFFAIR

What the Men Think of the Court's Findings—An Appeal Will Be Taken—How the Situation Looks at Present.

TOLEDO, O., April 3.—Judge Ricks, of the federal court, this morning delivered his decision on the application of the Toledo, Ann Arbor & North Michigan railroad to make permanent his temporary injunction issued against the Lake Shore & Michigan Southern and other connecting lines on March 11, restraining them from refusing to accept from or deliver freight to the Ann Arbor road on account of the boycott issued against the Ann Arbor by Chiefs Arthur and Sargent of the Brotherhoods of Locomotive Engineers and Firemen, who were on a strike on that road. The decision turned on the arraignment for contempt of eight Lake Shore engineers and firemen who struck in preference to hauling Ann Arbor cars turned over to the Lake Shore road.

Crowded the Court Room.

The court room was crowded. The decision was not as radical as the men feared and does not assume to compel men to work against their will. Notice of appeal was at once filed on behalf of the men. Judge Ricks began by quoting the provisions of the interstate commerce law forbidding discrimination by any common carrier against any person or corporation in interstate commerce. He asserted the jurisdiction of the court, though a federal question was not involved, and quoted Chief Justice Marshall to show that a federal judge has jurisdiction on such cases, even though other questions not of a federal character are involved. Judge Ricks then proceeded to recite the fact that when the application for an injunction was made to him in chambers in Cleveland, March 11, an emergency existed. He had issued a similar order in 1891 on application of the Wheeling & Lake Erie railroad, and it was enforced with beneficient results against the striking engineers, firemen and trainmen. The judge held that the roads connecting with the Ann Arbor road were clearly compelled under the insterstate commerce act to receive from and deliver freight to that road, and as corporations can only act through agents, it was evident that the mandatory provisions of the law applied with equal force to all officers and employes of connecting roads. He said the authority of the court to issue such an order had been questioned, but it rested on well established principles, and he quoted in support of his statement from British equity proceedings.

The Court was Lenient.

The court then reviewed the terms on which the engineers were employed by the Lake Shore road. They were, he said, paid $3.75 for a run of 100 miles and extra for over-work. The time of compensation began when they were called to take engines from the yard and ended when they gave up their engines in the yard, whether they actually moved a wheel or not. Their services were due the company from the hour when compensation began. The period of service continued during the time usually consumed in making the run. During that period they were constantly subject to the orders of the company and the relation of employer and employe was in force from that time. This was the most limited time that could be claimed for their term of service. The court then reviewed how the engineers and firemen at the bar of the court, one after another, quit the service of the company when they learned they had been called on to have loads designed for the Ann Arbor road. The court held they had a right to quit the service of the road as they did, and discharged them from contempt, except Engineer Lennon, whom the court found did not quit the road's service in good faith, but that he pretended to do so in order to evade the order of the court. In view of the fact, however, that he declared under oath he had no intention of violating the laws and did not think he was doing so, the court would be lenient with him, merely inflicting a fine of $50 and costs.

The opinion closes with the warning, now that the matter is well understood, that in future engineers violating the orders of the court would be dealt with summarily.

After Judge Ricks' decision had been rendered he proceeded to read the decision of the circuit court, consisting of himself and Judge Taft, on the motion of the Ann Arbor company asking a temporary injunction against Chief Arthur restraining him from issuing any boycott order against that road. The decision, which was written by Judge Taft, grants the injunction prayed for, and declares that if members of the brotherhood, in obedience to rule 12 of that body, boycott Ann Arbor freight, they become guilty of a criminal conspiracy against their country.

What the Men Think.

Ask a Lake Shore or an Ann Arbor striker tonight what he thinks of the decisions and he will probably reply: "Oh, I dunno." These words just about express the general situation here at the present time. The majory of the strikers seem utterly beside themselves, whether or not they have gained a point in the controversy, and the intelligent public is in about the same fix. A great many seem of the opinion that the railroads have got the best of the deal, as much of the injunction against Arthur has been made perpetual and the spirit of the new law promulgated by the court carried out in the conviction of the defendant, Lennon. On the other hand, those few strikers who do pretend to understand the situation claim that the injunction against Arthur does not affect them in the least, inasmuch as he has no power to call a strike or order a boycott, and that the discharge of the seven other strikers is an evidence that it will be almost impossible to enforce the new law compelling all employes, while still in the service of the railroad, to handle the freight of any other road on which there may exist a boycott.

The attorneys for the brotherhood assert that there was no more reason for the conviction of Lennon than there was for the conviction of the other strikers. All the objections made by the court to the charges of the prosecution against the other strikers apply, they say, just as well to Lennon's case. The only possible difference, they claim, is that Lennon was on the road and in the performance of a contract when he quit work. They admit that he might be held responsible for violating that contract, but say that in that case the United States court would have no jurisdiction in the matter, and that if he were to be held on the charge he would have to be tried in criminal court and be dealt with accordingly. The case, their attorneys claim, has not been finally and completely considered. The matter has resolved itself down to the old original question of whether or not the employes of a road shall have a right to quit work when they feel so disposed. In spite of all claims to the contrary, the attorneys claim that this is the real vital question, and they say that if the courts of last resort decide that employes shall not have the right to so quit, the entire system of labor unionism in this country would be wrecked, and that governmental control of the railroads will not be far off.

Important Points.

No evidence has been produced, it is claimed, tending to show that either Mr. Arthur or any of his men entered into a criminal conspiracy. The act of quitting was not, they say, done with the intention of producing disastrous results upon the property or business of the railroads. If workmen are not to be allowed to work in concert for the purpose of securing higher wages, without being held liable for criminal conspiracy, then the strike system is done away with forever. These points are all dwelt upon by Judge Ricks in that most important part of his decision where he says that an act when done by an individual in the exercise of a right which may be lawful, but when done by a number conspiring to injure or improperly influence another, may be unlawful. One or more employes may lawfully quit their employers' services at will, but a combination of a number to do so for the purpose of injuring the public and oppressing the employers by unjustly subjecting them to the power of confederation for extortion, or for mischief, is criminal.

Of Judge Taft's decision the attorneys say that it will practically have no effect upon the boycott action, inasmuch as the grand chief has no power to order a boycott and compel the members to go out on a strike. The part of Judge Taft's decision that is looked upon as most important, is, of course, that which he refers to in the carrying out of rule 12 of the brotherhood constitution and of which he says: "All persons combining to carry out rule 12 of the brotherhood against the complainant company, if any of them does an act in furtherance of the combination, are punishable under the law. This is true, because, as already shown, the object of the conspiracy is to induce, procure and compel the defendant companies and their employes to refuse equal facilities to the complainant company for the interchange of interstate freight, which, as we have seen, is an offense against the United States by virtue of section 10 above quoted.

For Arthur to send word to the committee chairman to direct the men to refuse to handle interstate freight and for the men in furtherance of rule 12, either to refuse to handle the freight or threaten to quit or actually to quit, in order to procure or induce the defendant companies to violate the penal section of the interstate commerce law, would constitute acts in furtherance of the conspiracy, which would render them also liable to the penalty of the same section.

Rights of Labor.

But it is said that it cannot be unlawful for an employe either to threaten to quit or actually to quit the service, when not in violation of his contract, because a man has the inalienable right to bestow his labor where he will and to withhold his labor as he will. Generally speaking, this is true, but not absolutely. If he uses the benefit which his labor is or will be to another by threatening to withhold it, or agreeing to bestow it for the purpose of inducing, procuring or compelling that other men commit an unlawful act, the withholding or bestowing of his labor for such a purpose is itself an unlawful and criminal act. The same thing is true with regard to the exercise of the right of property. A man has the right to give or sell his property where he will, but if he give or sell it, or refuse to give it or sell it as a means of inducing or compelling another to commit an unlawful act, his giving or selling it or refusal to do so is itself unlawful. Herein is found the difference between the act of the employes of the complainant companies in combining to withhold the benefit of their labor from it, and the act of the employes of the defendant companies in combining to withhold their labor from them, that is, the difference between a strike and a boycott. The one combination, so far as its character is shown in the evidence, was lawful because it was for the lawful purpose of selling the labor of those engaged in it for the highest price obtainable and on the best terms. The probable inconvenience or loss which employes might impose on the complainant company by witholding their labor would, under ordinary circumstances, be a legitimate means available to them for inducing a compliance with their demands. But the employes of defendant companies are not dissatisfied with the terms of their employment. So far as appears those terms work a mutual benefit to employes and employer. What the employes propose to do is to deprive the defendant companies of the benefit thus accruing from their labor unless the companies will consent to a criminal and unlawful injury to the complainant. Neither law nor morals can give a man the right to labor or withhold his labor for such a purpose.

Ample Grounds for Restraining Them.

We finally reach the question whether, in view of the foregoing, this court can enjoin Arthur from inciting, inducing or procuring the members of the brotherhood in the employ of defendant companies, to carry out rule 12 and refuse to handle complainant's freight. We have no doubt of it. For him to do so will be to use an unlawful, irreparable injury to complainants and will be to induce on the part of the employes a violation of the mandatory order of this court. Either of these grounds is ample for the exercise upon him of the restraining power of a writ of injunction. Reason, and the authorities hereafter cited, would warrant us in going further if necessary.

While it is true the engineers in the employ of the defendant companies may not be enjoined from quitting the service of those companies, there is no rule of equity which prevents the court from enjoining Arthur from advising and inducing and procuring such employes, in pursuance of rule 12, to quit the service of defendant companies for the purpose of causing a wrongful criminal and irreparable injury to the complainants. The effect would be not to compel the employes to remain in the service of the defendant companies against their will, but it would be to keep from them a wrongful influence which, if exerted, would be likely to cause such an injury. It is immaterial whether the step to be taken by Arthur is merely ministerial, as said, or whether it involves discretion on his part. The operation of the rule as against compiainant is unlawful, will do it irreparable injury and, therefore, with the exception already noted, every step in its enforcement may be enjoined.

Will Be Appealed at Once.

Both cases will be appealed at once to the courts of last resort. The contempt case will be taken to the supreme court on the ground that the defendant was not properly notified; that he was not subpœnaed according to law, and that he had not seen the order of the court or understood its importance; that the court has no jurisdiction in the matter, the plaintiffs both being corporations organized under the laws of Michigan and there being no federal question involved.

The case against Chief Arthur will be appealed to the circuit court of appeals on the ground that no evidence has been produced to show that the defendant was in any way guilty of conspiracy, or that he incited any of his men to engage in a conspiracy against the road in question.

Chief Arthur Talks.

CLEVELAND, O., April 3.—P. M. Arthur, grand chief of the Brotherhood of Locomotive Engineers, was asked this afternoon what he intended to do in view of the fact that the decision had been against the men he represented. Mr. Arthur smiled when told about the decision and said: "All right; I don't know what we will do now. I have not given the matter a moment's thought. But the engineers will be all right in any event. The court does not seem to understand what my duties are. I have not got such jurisdiction over the men as the court may think. I have no authority to order a strike. The men settle all these matters by vote, and I merely give my consent, if I see fit to do so. In this case I presume the court is under the impression that I had authority to order a strike."

"What will be the effect of this decision in the injunction suit against you?"

"I suppose that will enjoin me from issuing certain notices to the men."

"What will you do about that?"

"Can't tell just yet; I will not say any more about the matter until I see the decision in full."

"Will the brotherhood fight the contempt case any further?"

"I cannot tell you anything about it."

"The judge has held one of the men for contempt?"

"Yes, so I notice, but the dispatch does not say what they are going to do with the men. Just wait until we hear further particulars and we may know more about what can be done in the matter."

Got Away with Fifty Thousand.

BATH, Me., April 3.—W. R. Shaw, cashier of the Lincoln National bank, is a defaulter for $50,000.

CAUSED BY CARELESSNESS

Four Men Killed and Many Wounded in a Railroad Accident.

ORDERS DISREGARDED BY A CONDUCTOR

Thought He Could Make a Station Before the Other Train Arrived—They Met with an Awful Crash in a Deep Ravine.

EDWARDSVILLE, Ill., April 3.—A terrible railroad accident occurred at 6:15 o'clock tonight on the Jacksonville Southeastern railroad about three miles south of Edwardsville, near Glen Carbon, a mining village, a local freight going south and an accommodation going north collided, completely wrecking the freight train, both engines and one passenger car. Four men were killed and a number of others seriously injured. The killed are:

CARL AHSPAUGH, passenger engineer.
JIM HAMBLEY, passenger fireman.
HUGH WOODS, freight fireman.
SCOTTY WELSH, a miner.

Among the injured were:

J. F. VANDEVENTER, baggageman, seriously.

WALTER MCGARRIGAN, engineer of the local, badly injured, back and head.

TOM MCKEENAN, a miner, both legs smashed; they were amputated and it is thought he cannot live.

Many others whose names could not be ascertained were injured slightly.

The cause of the accident is attributed to negligence on the part of the local trainmen. A change of time was made on the passenger, making it fifteen minutes earlier than heretofore. The local trainmen have been in the habit of side-tracking their train at Glen Carbon. Tonight the local conductor received orders to side track here and wait for the passenger train to pass. He, however, probably thought he could reach Glen Carbon in time, and pulled out.

The scene of the accident is in a deep ravine near a sharp curve in the road.

All the physicians and surgeons of Edwardsville were soon on the scene and rendered attention to the injured. The dead were brought to this city. A wrecking train is at work clearing away the debris, but the track cannot be cleared before tomorrow night.

Blown Into Eternity.

MCALESTER, I. T., April 3.—By the explosion of an engine on the tracks of the Choctaw Coal & Railway company at Wilberton, late this afternoon, four men were instantly killed and their bodies blown to atoms.

The engine was standing on the track awaiting orders, when without a moment's warning a terrible explosion occurred, and the men and debris were hurled in every direction. The dead are:

ENGINEER L. P. LOWENDELL.
FIREMAN FRED FREDERICKS.
CONDUCTOR GEORGE W. MARKAM.
BRAKEMAN HENRY LANDIS.

None of the passengers were injured, though several of the cars were badly wrecked. The cause of the accident is unknown.

FATAL HOTEL FIRE.

Two Men Jump From Windows at Point Arena, Cal., and Are Killed.

POINT ARENA, Cal., April 3.—The Grand hotel and a dozen other buildings, comprising most of the business portion of town, burned this morning. Gus Greaves and another man jumped from the hotel window and were killed.

FORT DODGE, Ia., April 3.—Crawford & Co.'s wholesale drug store was set on fire by an explosion this morning and destroyed. Loss, $50,000; insurance, $30,000.

NEWARK, N. J., April 3.—The car house of the Newark & Orange electric railway at Rossville burned this morning. Loss, $100,000.

BEATRICE, Neb., April 3.—[Special Telegram to THE BEE.]—Fire this morning damaged a store building on Court street, owned by S. J. Parker of Rochelle, Ill., and occupied as a harness store by J. B. Parker. The total loss is $2,000; fully insured in the London and Lancashire, State of Pennsylvania, Capital of Concordia and the Niagara companies. The supposed cause was an electric wire.

FLORENCE, S. C., April 3.—Fire broke out early this morning in the grocery store of D. S. Parker, caused by the explosion of a kerosene lamp. It spread rapidly. At least a score of buildings were destroyed, including the Central hotel, bank, city hall, Knights of Pythias hall and Derrick machinery building. Several firemen were injured by falling walls. Loss, $250,000.

SMALL POX IN CHICAGO.

Three New Cases Have Developed at the Pest House.

CHICAGO, Ill., April 3.—[Special Telegram to THE BEE.]—There are three new cases of small pox at the pest house. Late Saturday evening they were located on the West side by Chief Medical Inspector R. E. Garrott, but not until yesterday were their names made public. They are:

Mrs. Mary Underlish, 49 Hastings street, 60 years of age, condition critical.

Sophia Underlish, her daughter, 21 years of age, mild form of disease.

Albert Underlish, son, 21 years of age, small pox in advanced form.

The premises have been thoroughly fumigated and the building placarded.

"It is barely possible that Mrs. Underlish, the mother, may recover," said Dr. Garrott. "She has the disease in the confluent form, which is the worst stage of small pox. The case of her daughter is not so virulent. Her chances of recovery are by far the best. She and her brother are twins. When the patients went to the pest house the children were sent to the quarantine station. Since the discovery we have vaccinated more than 300 people in the neighborhood. I will arrest the disease if energetic efforts will do it."

Desperado Comes Into a Fortune.

CHEYENNE, Wyo., April 3.—By the death of an aunt in Brokylyn, a prisoner in the Sheridan county jail here is heir to a fortune of $100,000. The man is Jim Swisher, a regular desperado. He is now under conviction for deadly assault and is awaiting the action of the supreme court.

Commander Scoville in Charge.

GRAND ISLAND, Neb., April 3.—[Special Telegram to THE BEE.]—Daniel Scoville of Aurora, now commander of the Soldier's home was in the city today and took possession. The visiting and examining board of the home met at the institution today and permanently organized. M. H. Barber of Fullerton was elected president and Mrs. L. A. Bates of Aurora secretary. The home was found by Commander Scoville to be in need of many repairs and changes.

May Provoke Litigation.

TABLE ROCK, Neb., April 3.—[Special Telegram to THE BEE.]—The residence of Mr. M. M. Stover, recently purchased, on the Haywood farm was entirely consumed by fire yesterday. The insurance of $1,600 in the Home Fire of Omaha had not been transferred because Mr. Stover did not want any insurance. What the outcome will be is hard to determine. The policy is held by the Lombard Investment company. Mrs. Stover was in the house and came near perishing in the flames.

Result of a Prairie Fire.

BEAVER CITY, Neb., April 3.—[Special Telegram to THE BEE.]—A terrific gale has been prevailing from the northwest all day. At noon the smoke came rolling into the city from the northwest. It was evident that a prairie fire was raging with awful fury. Many business men and others left for the scene of the conflagration. The flames, driven before the gale, spread over a large territory and several farmers are tonight homeless as a result. The fire passed to the southwest of the city and continued its course toward Kansas.

FOUGHT LIKE DEMONS.

Railroad Employes and Iowa Farmers Engage in a Fatal Fracas.

WEST UNION, Ia., April 3.—A terrific battle took place at Jackson Junction, twenty miles from here, this afternoon, between employes of the Chicago, Milwaukee & St. Paul railroad and mechanics and farmers.

Miles McGovern and Peter Myers determined to build a warehouse in spite of orders from the railroad company to the contrary. This noon the company sent seventy-five men to lay rails on the building spot to prevent the building. McGovern and Myers and a band of farmers resisted, and a bloody battle took place, resulting in seven or eight men being terribly injured, one of whom will die. The men became wild and fought like demons, using crowbars, hammers, rocks and clubs. The company did not want to make a shipping point at the junction. Railroad employes are now in possession of the field.

Ended His Misery in Death.

MARSHALLTOWN, Ia., April 3.—[Special Telegram to THE BEE.]—A week ago Lewis E. Davis, an employe of the glucose factory, had his right foot badly crushed in the machinery. The doctors told him yesterday the limb must be amputated to save his life. Early this morning Davis sent his attendant after the doctor and while he was gone procured a revolver and shot himself twice in the body and once in the head, dying instantly. He leaves a wife and several children from whom he was separated a month ago owing to domestic troubles.

Fatal Runaway at Ottumwa.

OTTUMWA, Ia., April 3.—[Special Telegram to THE BEE.]—Luther Brown, a member of the undertaking firm of Crisp Bros., was the victim of a fearful runaway today. His injuries will probably prove fatal. The team of horses, which commanded a standing fancy price, had their legs broken and were shot.

Dead in a Chair.

SIOUX CITY, Ia., April 3.—[Special Telegram to THE BEE.]—Colonel E. W. Foster, Indian agent at the Yankton agency, returned to his home Friday and found his wife sitting in a chair dead. The remains will be taken to Bloomington, Ill., to be buried.

Killed by Falling Slate.

OTTUMWA, Ia., April 3.—[Special Telegram to THE BEE.]—At Douds a miner named Michael McNarus was instantly killed by falling slate and a score of others barely escaped being entombed alive. McNarus leaves a family.

CONFIDENCE MEN FAILED.

Western Grangers Prove Too Much for Chicago Swindlers.

CHICAGO, Ill., April 3.—[Special Telegram to THE BEE.]—George Terry was sent to the Bridewell yesterday by Judge Kerstel on a fine of $100. Early yesterday morning Terry and an accomplice attempted to victimize J. W. Mason of Taylor county, Iowa, and Carl Doman of South Dakota, farmers who came to the city together Saturday to buy machinery and supplies.

Terry approached Mason with a pitiful tale of 1,000 head of cattle belonging to him starving at the stock yards. He said that he came from Kansas City and had no friends here, and that if he had $500 he could sell the cattle to great advantage and repay the money at once. At this point Terry's confederate appeared and offered the farmers a certified check for $500 as security for their money. They promised to go to the bank and draw their money. Meanwhile the confidence men would wait for them at Canal and Adams streets. The two grangers rushed to police headquarters, where warrants were issued for the arrest of the men. When the officers went to serve their warrants they found Terry still waiting. They placed him under arrest. His accomplice had fled.

TROUBLE IN THE CABINET.

Carlisle and Gresham Object to Being Treated Like Common Clerks.

CHICAGO, Ill., April 3.—The Tribune has the following special from Washington this morning: "It is a little early for cabinet dissensions, but the story is already afloat. A good many keen politicians, when Mr. Cleveland's cabinet was made up, predicted that he would have to change his ideas that its members were merely clerks to the president, or he would have trouble at some stage with two members of it. These were Carlisle and Gresham. Now it is claimed that the trouble has begun. Mr. Cleveland has not changed his notions and he will not let his cabinet officers make the appointments in their own departments without first submitting the names to him. Probably the stories afloat are exaggerated, yet the politicians say that their predictions are in a way to be verified."

Judge Edgerton's Misfortune.

SIOUX FALLS, S. D., April 3.—[Special Telegram to THE BEE.]—United States District Judge A. J. Edgerton, who was some time ago afflicted with a paralytic stroke, has been visited by a second attack and is not expected to live.

Yankton's Municipal Election.

YANKTON, S. D., April 3.—[Special Telegram to THE BEE.]—City election here today. Every republican candidate, save one for alderman, was elected. William M. Powers was returned for a third term to the mayorship.

WEATHER FORECASTS.

Westerly Winds Will Blow and It Will Be Colder Today in Nebraska.

WASHINGTON, D. C., April 3.—For Nebraska and Iowa—Fair; westerly winds; colder.

South Dakota—Generally fair, winds becoming variable; colder.

Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, April 3.—Omaha record of temperature and rainfall, compared with corresponding day of past four years:

	1893.	1892.	1891.	1890.
Maximum temperature	82°	57°	34°	56°
Minimum temperature	59°	44°	17°	42°
Average temperature	70°	50°	26°	49°
Precipitation	.00	1.31	.01	1.06

Statement showing the condition of temperature and precipitation at Omaha for the day and since March 1, 1893:

Normal temperature	45°
Excess for the day	25°
Deficiency since March 1	46°
Normal precipitation	.09 inch
Deficiency for the day	.09 inch
Deficiency March 1	.45 inch

Reports from Other Points at 8 p. m.

STATIONS.	Temperature at 8 p. m.	Max. Temperature of day	Precipitation.	State of weather.
Omaha	79	82	.00	Clear.
North Platte	64	74	.00	Clear.
Kearney	70	80	T	Clear.
Chicago	61	68	T	Part Cloudy
St. Louis	70	72	.00	Cloudy.
St. Paul	58	72	.00	Clear.
Davenport	64	76	.00	Cloudy.
Kansas City	72	78	.01	Part Cloudy
Denver	66	72	.00	Clear.
Salt Lake City	64	68	.00	Cloudy.
Rapid City	56	68	.00	Clear.
Helena	48	48	.00	Part Cloudy
Bismarck	45	62	.00	Clear.
St. Vincent	42	44	.00	Clear.
Cheyenne	56	62	.00	Clear.
Miles City	54	58	.00	Clear.
Galveston	70	74	.00	Clear.

"T" indicates trace.

G. E. HUNT,
Local Forecast Official.

IN A TUG OF WAR

Nebraska's Senators Engaged in Settling a Question of Endurance.

DEADLOCKED ON THE MAXIMUM RATE BILL

Consideration Blocked Under a Call of the House by the Opposition.

TEFFT AND McDONALD WERE ABSENT

Warrants Sent After Them and the Senators Sleep in the Chamber.

PROPOSITIONS FOR A SETTLEMENT

Each Side Submits an Offer Which the Other Side Promptly Rejects—Rate Bill Now Before the Senate for Passage.

LINCOLN, Neb., April 3.—[Special Telegram to THE BEE.]—Thirty-one senators were present when President Pro Tempore Correll called the senate to order at 2:30 this afternoon. Inasmuch as the senate took a recess Saturday, the proceedings commenced this afternoon where they left off—at reports from standing committees. Several bills were reported, after which an animated discussion took place over a motion to dispense with the special order, which included all bills relating to the depositing of state funds in state or national banks.

Senator Graham moved that the senate go into committee of the whole to consider bills included in the special order. The motion was voted down, Senators Clarke, Everett, Hale and Thomsen voting with the independents against it.

Senator Mattes raised the point of order that it would require a two-thirds majority to dispense with the special order, but President Correll held that the point of order was not well taken.

The senate then proceeded to bills on third reading and passed:

House roll No. 362, providing that the allowance and payment to county treasurers in counties under township organization, upon the taxes collected by township collectors and paid over to the county treasurer, the same fees thereon as are allowed by law to county treasurers in counties not under township organization on taxes collected by them.

World's Fair Bill.

House roll No. 268, appropriating $35,000 to complete the Nebraska exhibit at the World's fair.

Senate file No. 246, to compel the use of safety valves on all cylinders, drums or other vessels or receptacles for carbonic acid gas and like aeriform substances.

House roll No. 278, for the relief of Scotts Bluff county. The purpose of the bill is to reimburse that county for expenses incurred in trying a man for a murder not committed in the county.

House roll No. 85, for the relief of George Maurer, one of the members of company E of the First regiment of Nebraska National Guards, who contracted permanent illness while on the Pine Ridge campaign two years ago. The bill gives him $2,000.

House roll No. 91, to provide for the security and payment of rebate vouchers or certificates issued by incorporated companies, trusts, associations, firms and individuals.

Plunged Into Deadlock.

At a few minutes before 5 o'clock house roll No. 33 was reached on the calendar. Senator Mattes moved that the senate take a recess until 10 o'clock tomorrow. The independents demanded the ayes and nays, and on roll call the motion was lost; but before the result could be announced Eggleston moved a call of the house.

Senator Dysart raised the point of order that inasmuch as the members are not under pay the senate cannot compel their attendance.

The chair ruled that the point of order was not well taken.

Senator Dysart appealed from the decision of the chair, but President Correll declined to entertain his appeal.

Senator Dale insisted that the chair, having entertained Dysart's point of order, was in duty bound to entertain the appeals, but the chair still declined to recognize the appeals.

The absentees were Senators McDonald and Tefft, and the sergeant-at-arms was sent to bring them in. This was at 5 o'clock. The doors were closed and everybody made themselves comfortable, all expecting a long, if not all night, siege. Once in a while some one would move that further proceedings under the call be dispensed with. Senators Eggleston, Lowley, Hahn, Mattes, Miller and Scott were always on hand with their objections, and the doors remained closed.

Couldn't Break It.

At 6:15 Senator Mattes moved that further proceedings under the call be dispensed with. This time there was no objection and the doors were opened.

Senator Mattes then moved that the rules be suspended and house roll 33 be placed on its final passage.

Senator Dale objected to the consideration of the motion for the reason that the senate went into a call of the house on a roll call on the motion to take a recess until 10 o'clock tomorrow. The roll call on that motion was completed but before the result was announced Dale demanded a call of the house.

The doors were again locked and the deadlock continued.

After this little incident nothing occurred to break or vary the monotony of the deadlock until 8:30, when the independents drew up and signed the following proposed agreement:

Protocols Submitted.

It is hereby agreed by and between the undersigned to raise the present call of the house on the following conditions, viz: That immediately on adjournment or recess of the joint convention that convenes on April 4, 1893, that the senate shall immediately, without recess or adjournment, proceed to the third reading of house roll 33, and we further agree that there shall be no dilatory motions or parliamentary interference with said reading nor motion made to recommit said bill, but that the said bill shall be read through and placed upon its passage and go to vote forthwith with all possible speed and no unnecessary delay.

The opponents of the maximum rate bill refused to sign the agreement, for the reason that it contained the provision that no motion to recommit should be made. Not to be outdone in the agreement business, the opponents of the bill submitted the following to the independents:

We, the members of the Nebraska state senate who are opposed to house roll 33, agree that if further proceedings under call of the senate be dispensed with that we will agree to take a recess until 10 o'clock tomorrow morning, and that as soon as the joint session is over tomorrow we will with common consent agree to proceed with third reading of house roll 33, or, if desired by the advocates of the bill, we agree to proceed with the reading of the same immediately after the journal is read in the morning and before we go into joint session with the house of representatives.

The independents rejected the proposition and the same old deadlock continued.

Brought in Their Beds.

Up to 11 o'clock nothing had occurred to vary the monotony of the deadlock. Long before that hour a number of the independent senators had sent out for bedding, and then proceeded to settle themselves for the night.

Most of the opponents of the railroad bill availed themselves of the permission of the lieutenant governor to go home, but at no time did they leave less than six of their