# THE OMAHA DAILY BEE.

## TWENTY-SECOND YEAR.

## OMAHA, TUESDAY MORNING, APRIL 25, 1893.

# AN THEY BE IMPEACHED?

ability of Ex-Officials Under Charge of Misdemeanors in Office.

RGUMENTS IN HILL'S CASE COMMENCED

udge Broady Supports His Contention that the Court Has No Jurisdiction-Judge Pound Responds - Preparing to Fush the Other Cases.

IASCOLS, Neb., April 24.-[Special Tele am to Tur Bre 1-There was an imposing ray of legal talent at the suprome court oms this afternoon to listen to the arguent of the question as to whether or not an -state official can be impeached under the nstitution of Nebraska: Judges Doane and ound, Hon. G. M. Lambertson and Hon. W. . Greene were there on behalf of the manzers of impeachment. The interested detais and ex-officials were represented by ie following: Ex-State Treasurer Hill by idge J. H. Broady of Lincoln; ex-Attorney eneral Leese by J. M. Stewart of Lincoln; -Auditor Benton by R. D. Stearns and J. Ames of Lincoln: Attorney General Hastigs by J. R. Webster of Lincoln: Commisoner of Public Lands and Buildings Humphrey by Judge M. L. Hayward of Nebraska ity: Secretary of State Allen by John L. Webster of Omnha.

#### Objects to Jurisdiction.

In his plea to the jurisdiction of the sureme court, sitting as a court of impeachent, Judge Broady, as the attorney for exreasurer Hill, sets forth that the court mid take no further comisance of the articles of impeachment because at the time the articles were adopted, as well as at the ne of the institution of the investigation which led up to the impeachment, J. E. Hill as not an officer of the state of Nebraska, at a private citizen. In their replication the managers of im-

achiment say that the matters alleged in It's plea to the jurisduction of the court i not sufficient to exempt Hill from anering the said articles of impeachment rause at the time all the acts charged e articles of impeachment were committee alle Hill was state treasurer and by virtue his office a member of the Board of Public If his office a member of the Board of Public Land and Buildings, and therefore under the constitution and the laws of the state the legislature has power to prefer the arti-des of impeachment and the supreme court all and sole power to try the same. To this replication Hill entered a de-nurrer on the ground that it does not that facts to show jurisdiction of the court when the case.

er the case It is upon the above basis that the case mes before the supreme court for argu-

ant this afternoon.

#### Settling a Matter of Precedent.

It was lifteen minutes of 8 o'clock when the three judges emerged from the consultation room and when Chief Justice Maxwell called the cases Judge Pound on behalf of the managers of the impeachment, stated that a question had arisen, the court would be called upon to decide which side of the case bould have the opening and closing of the

Judge Doane claimed that the state had the right of opening the argument for the reason that their replication to the plea in jurisdiction was practically a domurrer, and that according to all precedent the state should be entitled to the opening because of hat fact.

WILL DEFEAT PROHIBITION a the history of impeachments in England

in the history of impeachments in England harsh and excessive panishments had been imposed there should be no impeachments in the present age. He was of the opinion, however, that if some of the respondents in the cases now pending were not amenable to impeachment, it would be wise to have the question determined by a decision of the court before proceeding with the trial. Turning to the history of impeachments in this country Judge Pound asserted that the English principle had been adopted by many of the original states of the union, many of these states naving made constitutional pro-vision for the impeachment of ex-officers. In the Helkmap case the United States was amen-able to impeachment, and that decision had never been reversed by any court. Constitutional Provisions Considered.

Constitutional Provisions Considered. Referring to section 4 of the constitution of the United States, which provides that the president and other civil officers shall be the president and other civil officers shall be removed. Judge Pound contented that the Nebraska constitution was not embarrassed by a similar provision. The Nebraska con-stitution provides that Impeached officials may be removed from office and disqualified from holding office. He referred to the law and the state of the same and from holding office. He referred to the law relating to the punishment of jurors and sheriffs for corrupt acts and chaimed that if the constitution was to be construed accord-ing to the interpretation of the defendants in this case the entire code would be nulli-fied. No one expected, he said, that a juror should be punished while in the jury box. He was no longer a juror after leaving the pay, but it was not denies that he could be box, but it was not denied that he could 1 punished. Impeachment, he claimed, was against the person and not against the office He maintained the proper meaning of the law was that a person who had held office and who had committed impeachable acts while in office could be impeached, notwith-standing his term of office had expired.

#### Preparing the Cases.

At the conclusion of Judge Pound's argu-ment Chief Justice Maxwell announced that the court of impeachment would take a re-cess until 4 o'clock tomorrow afternoon. Judge Doane will speak then for the state and J. H. Ames will close for the respond-ents, each being allowed an hoar. The managers of the impeachment filed

their replication in the plea to jurisdiction made by the atterneys for ex-Auditor Ben-ton. It is very brief and simply recites that Benton's plea does not state facts sufficient to release him from answering to the artiles of impeachment.

cles of impendment. Judge Donne stated to the court that the state desired to file amended articles against ex-Attorney General Losse. He was in-formed by the chief justice that he would have an opportunity to file the amended articles next Monday. The changes are but few, and with the exception of the addi-tional specifications consist of changes in hereselow. phraseology.

# OHIO COAL COMPANIES ASSIGN.

#### Liabilities of One Concern, \$900,000, In debtedness of Other Unknown.

Columnus, O., April 24.—Receivers were provinted today for two coal companies, the Ohio Exchange Coal company of Chicago, and the Crescent Coal company. The liabilities of the Ohlo Coal Exchange ompany are given at \$900,000. Of this sum

company are given at \$00,000. Of this sum \$450,000 is an indirect liability, caused by endersing and having disconted notes re-ceived in payment for coal sold. The bal-ance of \$450,000 is a direct liability. L. R. Doty of Chicago is president of this com-pany, James D. Hurd of Chicago vice presi-dent, and C. Cohenour of Chicago secretary and treasurer. This company had a paid-up capital stock of \$500,000. The company did not own mining property, but were heavy coal brokers for the northwest. The Cressent Coal company owns a fine

The Crescent Coal company owns a fine mine at Jacksonville, having a capacity of sixty cars per day. This company was thrown into a receivership by the Ohio Coal Exchange of Columbus not the Ohio Coal hat fact. Judge Broady replied to this by claiming hat the replication of the state was not in he nature of a demurrer. He had not filed laim of \$110,000, the owner of the land hav ng seized the mining machinery under the conditions of his lease. Doty is the president and Mauck is the secretary-treasurer of the company. The assets and liabilities o this company were not disclosed, but Mr Mauck says the failure will be a complete

Iowa Republicans Determined to Repeal the Present Liquor Law.

# HUW THE CAMPAIGN WILL BE FOUGHT

#### Indications that the State Convention Will Be Controlled by the Liberal Element -One of the Features of the Approaching Contest.

Drs Mornes, In., April 24.- Special to THE BEE.]-The death knell of the prohibitory liquor law has been sounded, and its repeal by the next legislature is almost a foregone conclusion. This result has been brought about by a variety of causes, but chiefly by the failure to enforce the law in the large cities and the intemperate and ill-advised action of the so-called third party prohibitionists.

Whether repeal will be carried by the active assistance or mere passive assent of the republican party is an interesting question and one which threatens, unless wise

Counsels provail, to split the party. The radical prohibition element in the re-publican party is fast crystalizing around the resubmission idea and will only agree to a modification of the present law along the line of local option and high license after a new vote is taken on the question of engraft ing a prohibitory liquor clause in the or-ganic law of the state, being identically the sume question that was voted on in 1882 and adopted at that time by about 30,000 major

institution.

What Boles' Election Signifies. Should the party adopt this polley at its coming convention and make a winning fight on this platform, a vote on the question-which would nave to first be ratified by the succeeding legislatures—could not be reached for three years, and no change could be flected in the present law until 1898. The liberal element bitterly oppose this plan as being an indirect way of fastening prohibi-bition upon the state for the half of another decade. They insist that the election of decade. They insist that the election of Boles twice in succession by increasing na-jorities, while making a tight squarely on this one issile, is ample proof that the peo-ple are tired of prohibition and are demand-ing a change to some other method of regu-lating the liquor traffic. They insist that this change in the law must either be made by the resultients or

nust either be made by the republicans or ise that party must give way to the demorats, who would speedily proceed to legalize the saloon in every county of the state. They further say that by recognizing the situation as it is and anticipating the inevitable result of the coming election, prohibition can be saved to every community and county where it is sustained by public sentiment. These are the views, torsely stated, that ire contending for the mastery of the re-

sublican party, and upon which a battle oyal may be expected in the coming party primaries. It is generally conceded that the advantages in a political sense are largely with the liberals at the present writing. Favored by the Press.

The state central committee, with a single exception, is in favor of this plan and all of the large and influential daily papers, with two exceptions, have fallen in line. It is also conceded that the liberals will come into the state convention with solid delegations from nearly all the large and populous river counties, comprising fully one-third of the countries, comprising fully one-tone of the voting strength of the convention. These it is confidently expected, will be re-enforced by the delegations from interior counties like Bremer, Benton, Cedar, Crawford, Carroll, Chickasaw, Fayette, Iowa, Johnson, Grundy, Jones, Plymouth and Shelby, where the re-unbilitying have been bosetessity hurled from

and correct instruction of the great body of the people upon economic questions and the grave duties of citizenship must be apparent to all In view of the gravity of the situation I "In view of the gravity of the situation I make the following proposition: There shall be established at Dos Moines, Ia, an inde-pendent school of political science, with a five months term extending through the months of November, December, January, February and March In each year, commenc-ing November 1, 1893. In which shall be es-tablished professorships with the following institution. I and multicate the following the Iron MUCH Yeste

tablished professorships with the following curriculum: Land, public utilities and in-ventions, finance: bransportation, constitu-tional law and legislation, suffrage, applied Christianity and public detates. "This school shall be open to every citizen, both men and women, without regard to pre-vious training or education. Once in two weeks discussions will be held open to the public, when any one of proper stand who is at variance with our economic theories can, at the expense of the school, have an oppor-

had been satisfactorily settled and that tunity under established rules to meet an antagonist in open, courteous debate before the public and can thus publicly compare his after one week of idleness and anxiety the men would go back to their forges and with those regularly taught in the lathes this morning. The exact details of the agreement will not be made public until after they have been officially approved by Assaulted a Young Lady. President Clark, but there is no question

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was going on.

BEATRICE, Neb., April 24.-[Special Tele-gram to THE BEE ]-This evening about 9 but that the action of his representatives clock Jim Jones, a negro employed as third will receive his sanction. ook at the Paddock house, insulted Jennie Sunday the executive committee of the Williams, a dining room girl employed in Federation of Machinery Constructors, rep-Williams, a during room girl employed in the same house. Miss Williams resented the insult whereupon Johes struck her a terrible blow in the face, knocking her down, breaking her nose and otherwise seri-ously injuring her. Upon the affair being made public a large crowd gathered and threats of severe punishment were made. Officers Randall and Spahn arrested Jones and surgended in getting him to the add and succeeded in getting him to the jail without interference. He will have a hearing in the morning.

### Were Weary of Life.

LENOX, IA., April 24.-[Special Telegram to THE BEE.]-C. Wooster, a prominent farmer, who lived near here, committed today by cutting his throat. He had been ill for some time and had suffered some financial losses recently and was despondent. LE CLARD, IA. April 24.—[Special Tele-gram to THE BER.]—Nathan B. Culbert, aged 27, took Strychnine Sunday morning and died. Hereditary Insanity is assigned as the cause

Storx Cirr, Ia., April 24.—[Special Tele-gram to THE BEE.]—Alexander Nickerson, a real estate dealer who for several days has been drawing money on checks when he had no money in bank, today blew his brains out with a revolver.

#### Reynolds' Musderer Not Captured.

Cueston, Ia., April 24.- [Special Telegram to THE BRE. -In the preliminary examination of James Pease, charged with being an ccessory to the murder of Thomas Reynolds, witnesses testified that Pease threatened the life of Jessie Morrison, at whose resi-dence the tragedy occurred. The testimony will consume most of tomorrow. It is gen-erally conceded that Pease is innocent. The murderer, Dave Ferris, has not been cap

R. Weiss, a wholesale dealer in beer and whisky, was arrested today for selling liquor to those connected with the murder.

#### Last Claims Satisfied.

Stoux Curr, Ia., April 24.- [Special Telegram to THE BEE.]-The last of the claims to five on against the Leeds company were satisfied today and this afternoon, T. A. Black. receiver for the company, was discharged and the affairs of the company put back in the hands of the directors and officers. The company has already **at anged** to take up its old bonds with a new issue, which will be the last step in the clearing away of the \$1,500,000 indebtedness.

#### Will Not Remove the Boycott.

FORT DODGE, In., April 24. - [Special Tele-gram to Tug Ben.]-The publication of the

Workers Will Go Back to Work This Morning.	not extend to the auxiliary lines, and the agreement effected this evening at Topeka ends the strike at all points where it existed. The strikers concede to the company all es- sential points in issue, returning to work under the old contract and abundoning the claim for a new one. The question of wages was not involved. A proposition from the committee of strikers was submitted to Gen-
H GRATIFIED AT THEIR SUCCESS	eral Manager Frey Saturday, but as it em- bodied negotiations for a new contract and for opening the subject of wages it was per- emptorily declined. Yesterday another prop-
erday's Conference Resulted in a Com- romise, the Details of Which Are Withheld Until Approved by	osition was submitted, offering to return to work under the old contract and at the wages as agreed to prior to the strike. This was accepted by the company upon the condition

President Cluck.

While Waiting for News.

Manager Frey Saturday, but as it em-d negotiations for a new contract and wring the subject of wages it was per-orily declined. Yesterday another prop-m was submitted, offering to return to under the old contract and at the wages reed to prior to the strike. This was ded by the company upon the condition the new men who have been employed that the new men who have been employed should be fully projected and retain their employment. At 6 obclock this evening the strikers committee accepted the terms. The best of feeling seemed to prevail at the meeting and all parties appear satisfied with At 7 o'clock last evening it was announced that the Union Pacific iron workers' strike the outcome

## MAY CUT THE BATE.

#### Denver & Rio Grande Threaten Action that Muy Precipitate a Fight.

Chicago, Ill., April 24.—The statement made by President E. L. Jeffrey of the Denver & Rio Grande that before long his company would announce a \$45 rate between Chicago and Colorado common points was re-

ceived with some uneasiness by passenger agents here, and the focing is general that if the Denver & Rio Grande attempts any Such rate it will be promptly souched. The rate announced by Mr. Jeffrey is a reresenting the men, heid a meeting with General Manager Dickinson, Superintendent McConnell and Judge Kelly, spending Sunduction of about 10 per cent from the estab-lished fare, and as the Burlington and Rock Island are the backers of the Denver & Rio day at their homes. The conference was of short duration and the committee adjourned. Island are the backers of the Denver & Kio Grande in the Western Passenger associa-tion any cuts in rates made by the Denver & Rio Grande will be promptly laid at their doors. The Atchison, if the \$45 rate be made, will promptly make a reduction in the rate between Kansas City and Chicago and then there will be no stopping the facts. until 2 o'clock yesterday, when they went nto conference again with General Manager Dicainson, Superintendent J. H. McConnell and Assistant General Attorney W. R. Kelly, The session began at 2:30 at Union Pacific headquarters, and at 5:30 they were still in session. The meeting was conducted pri-vately, not even the clerks and employes of the general manager's office knowing what Chairman Caldwell of the Western Pas-

Chairman Caldwell of the Western Pas-senger association got matters into shape and announced the official rates of the as-sociation. They are as previously announced, 80 per cent of the double local rates. The majority of the roads seem to think that the rates as announced will not be molested. They certainly will not if the Denver & Klo Grande can be silenced. At the shops at 5 o'clock it was announced that nothing important had taken place dur-ing the day. Three or four men had called for their time, two of whom were bosses and

#### Chicago Carpenters Strike a Fizzle.

one of whom had been in the employ of the company for ten years. They had been asked to return to work and had preferred rather to quit than to do so. A rumor had gone the rounds that Presi-dent Clark had refused longer to consider a Chicago, Ill., April 24 .- The strike of carpenters ordered yesterday turned out a dent Clark had refused longer to consider a compromise and that all conference was at an end. At that very time the conference was in progress. Another runior was cur-rent that the management had concluded to allow the men on May 1 to work nine hours a day and that the mon knew of this arrange-ment before they left. This theory was like-wise considered improbable. At Gate City hall, the headquarters of the strikers, the usual crowd loiterest about anxious to receive some word from the con-ference. At 6 o'clock nearly 100 men were izle. Not one-tenth of the men expected to go out left work, and many of these went back to work before the day was over. At the World's fair, where the walking dele-gates claimed at least 2,000 men would go out, the strike was not felt in the slightest degree. The men, as a rule, declared they were making too much money to quit on the order of the walking delegates. The strike was practically over by evening and there will be no trace of it tomorrow.

anxious to receive some word from the con-ference. At 6 o'clock nearly 100 men were congregated upon the payement at the foot of the stairs and the hall itself was well filled. One of the strikers said he didn't care how long the men staid out. They needed a good rest, and as far as he was per-sonally concerned he could stand it a menth longer. He was not at all discouraged and thought every last one of them should stay out until the peor laboring men in the shops could make something more than \$40 a month to live on. Santa Fe Gats Fiys Days Start, DENVER, Colo., April 24 - The Santa Fe rail-oad has announced that its round-trip rate from Colorado points to Chicaro on and after tomorrow, April 25, will be \$49 firstclass passage and St. Louis \$41, tickets good until November 15. It was at first decided to put these rates into effect on May 1, and the change has caused some excitement among the Santa Fe's competitors. None of them has yet decided on what plan to pursue to meet the Santa Fe's movement.

### No Need to Enjoin Them Now

At 6:30 p. m. the conference at headquar ters broke up and the members of the execu-tive board proceeded up town. Superintend-ent McConnell and Harry Easton went to the Millard to see President Clark, but found him temporarily out, and the board proceeded to Gate City hall. As President PUEBLO, Colo., April 24.-Churles E. Gast, attorney of the Santa Fe railroad, made application in the district court this afternoon for an injunction against fifty striking bailer makers at La Junta, restraining them from attempting to persuade nonunion men from Broderick ascended the stairs a large crowd followed and so soon as he announced the re-sult of the conference a mighty shout arose working.

Boston Boiler Makers Satisfied,

Boston, Mass., April 24.-The boiler makers

NUMBER 210.

# ABOUT THAT GOLD RESERVE

Democratic Senators Differ on the Plan to Be Pursued.

ALL THE FAULT OF THE OTHER FELLOWS

#### Speculation Regarding the Course to Be Pursued by the Administration-Sherman Law Blamed for Present Compile eations and its Repeal Urged.

WASSUNGTON, D. C., April 21-[Special Telegarm to Tan Ban]-If the present demands for gold abroad continue the point will probably be reached where the banks will no longer give up gold nuloss they get bonds in return for it. Before issuing bonds Secretary Carible will probably make quite a hole in the reserve. How low ho will let the amount of gold in the treasury fall before he akes steps to replenish it by the sale of onds is not known, but his reluctance to ssue bonds is is a well understood that it would not be surprising it he allowed tally half of the reserve, or even more, to be exmusted before reserting to the sale of bonds,

The president, on the other hand, is underood to favor an earlier issue of bonds, The matter will be one of the principal The matter will be one of the principal topics of discussion at the cabinet meeting Tuesday. It is understood that certain democratic senators have advised against the issue of boads for political reasons, thinking the administration would lay itself open to the accusation of unaccessarily increasing the boads for political reasons, thinking the administration would lay itself open to the accusation of unaccessarily increasing the boads for political reasons, thinking the boads for political reasons, thinking the administration would lay itself open to the accusation of unaccessarily increasing the boads! debt of the country. On the other that the carly issue of bonds would be a good stroke of policy politically, on the argument that the country of bonds would be a good stroke of policy politically, on the argument that the country of bonds would be a good stroke of policy politically, on the argument that the country of bonds would be a good stroke of policy politically, on the argument that the country of bonds would be a good stroke of policy politically, on the argument, especially during the floed congress when they find both houses of congress and the presidence, and passed the Sherman silter purchase law, which, it is alleged, has caused all the present difficulties. Shortly before the passage of the Sherman has the treasury heid in reand numbers \$17,400, \$7,d00000 more than the reasering began to be reliaced until January 31, 189, the failen to \$141,000,000, annury 31, 180, the failen to \$141,000,000, annury 31, 180, the failen to \$141,000,000, annury 31, 180, the failen opics of discussion at the cabinet meeting

The present condition of the treasury has led to a revival of the taik of an extra ses-sion of congress to act on the Sherman law. The presedent has not had anything to say on the subject to any of his congressional callers as yet. However, it is probable there will not be an extra session be-fore the 1st of September, when it is understood congress will be called together to consider the administra-tion plan for the revision of the tarift. The president will doubtless at the same time take occasion in his message to urge im-mediate action on the monetary question and will, it is said, advise the immediate repeal of the Sherman set.

of the Sherman set. Secretary Carlisle left the Treasury de-partment early this afternoon and could not be seen in regard to the report from New York that at a conference with New York bankers Subtreasurer Jordan had received \$20,000,000 in gold from the bankers in ex-change for greenbacks. The older treasury officials, who served under Me, Jordan while he was United States treasurer, believe he

will be successful in his undertaking to re-

POSITION OF NEW YORK BANKERS.

Don't Want Greenbacks, but Might Give

Gold for Legal Tender Paper.

the United States subtreasurer, took pos-

ession of the office this morning. He held

a conference with the bankers this after-

noon. The only information vouchsafed after the conference was that no gold had

been offered to the government and none had

been asked for. Secretary Carlisle, it is affirmed, sent to

Mr. Jordan a communication which Mr. Jor-

dan was instructed to lay before the New

dan was instructed to lay before the New York bankers, and Mr. Bordan summoned the latter. The proposition is said to be as to how the rules from \$25,000,000 to \$50,000,000 g dd. Among the plans discussed were an issue of bonds and a tem-porary loan. Each of these plans had some advocates. Mr. Cardisle wishes to obtain the wide sumb by availating for error blacks

the gold supply by exchange for greenbacks, but the bankers do not wish to give it in that way. While the conference was going on, it was reported that a number of bankers,

who were locked up with Mr. lordan, favored a plan for turning over to the gov-

ernment \$25,000,000 in gold in exchange for egal tender notes, and that an aunounce-nent would be made after the closing of

business. According to Saturday's bank statement, the associated banks of New York hold \$72,-250,000 in specie. Probably more than \$50,-000,000 of this is in gold. If the secretary of

the treasury could obtain a portion of this it would undoubtedly help him out in his policy of keeping the gold reserve in the treasury as near to \$100,000,000 as possible.

The bankers' views hencefore have been hat, while they were willing to subscribe

o an issue of bonds to tide over the interval before legislation can be accomplished, they were unwilling to give up their gold in order

the export to Europe might be facili-

A very striking event in today's business

was the break in domestic exchange. The interchange bank gold taken by the treasury

interchange bank rold taken by the treasury last week in exchange for currency had been rejected a few weeks before, because the bankers stipulated that the government should pay exchange. Last Friday the treasury withdrew its objections and offered the notes at New York City in exchange for gold at Chicago. The necessary result of the transaction was to create in this city heavy balances to the credit of Chicago banks. Chicago domestic exchange market, instantly supplied with bills from New York, broke from S0 cents memium to 3 flavare below par. The movement of the

figure below par. The movement of the currency into New York, which last week

carbon to upwards of \$1.000,000, ceased ab once and the practical result is a transfer of money from New York to Chicago in pre-cisely the amount represented by this week's anticipated shipments from the west. Along

with this curious incident comes the news of the gold tender in Boston, where the bauks have decided to part with one-half of their

\$9,000,000 gold. If the gold resources of the intervated banks were unlimited there can be little doubt that these double transfers would force the hand of the New York banks, and in defense of their own reserves, if for no other reason, they would open their own gold heardings to the government. But the national banks outside of this city have little more gold to offer, and as the lower ex-change on New York fails under transfers already made the less is the inducement for

already made the less is the inducement for its tender. Chicago banks which surren-dered gold last week have made a bundsome

dered gold last week have made a hundbome tarn in the market. Nevertheless there are evidences of change of sentiment among the New York basis, which may lead to an offer to the treasury. That the banks will not be treasury and the banks will not be treasury and the banks will not be treasury and sense the banks will not be the treasury and sense the banks will not to the treasury and sense the banks will not be the treasury and sense the banks will not the treasury and sense the banks will not the treasury well known in financial circles; besides which, there is reason to believe that the proposi-tion informally made by the treasury officials has not been generally satisfactory.

has not been generally satisfactory. The expects of gold to Europe tamorrow will aggregate \$1,200,000 Of this amount \$1,200,000 will be withdrawn from the sub-trensury, of which \$1,000,000 was paid for in

treasury notes and the remainder in green-

ousiness.

inted.

\$9,000,000 gold.

NEW YORK, April 24 .- Conrad N. Jordan,

plenish the gold in the treasury.

demutre of a demutrer. He had not need demutrer in reply to the articles of im-eachment for the reason that to do so would be to, constructively, at least, recog-ize the charges of criminality made in the rticles. He had filed a plea to jurisdiction. to this the state made replication. Then he led a demurrer, which, according to the ales of the court, entitled him to the openof the argument. He read from the im-chment trial of Belknap to sustain his

Jadge Doane replied at some length, sun ing up his argument by reasserting that he replication of the state was the first ormal demurrer filed and therefore entitled he state to precedence.

#### Judge Broady Opens.

After a brief consultation with his asso-ates Chief Justice Maxwell announced that a respondents, Hill and Benton, would be owed, by their attorneys, to open the gument, and stated further that each side

aid be allowed an hour and a half. Judge Broady commenced his argument 3 o'clock by saying that the matter under resent consideration was a question which ad never been decided by any court in the nited States. There was absolutely no seedent in this country to guide the court deciding whether or not an ex-officer Id be impeached.

Taking up the thread of his argument dge Broady claimed that under the constition of Nebraska the only object of im-achment was to remove an official con-sted of misdemeanors. There was nothing the constitution or the statues to warran impeachment of an ex-officer and th reference to ex-officers contained in er he maintained could only be inter ted to mean the trial of a state office alist whem articles of impeachment had en adopted and who had been removed m office pending his trial. He claimed at under the assumption of the counsel fo e state, the only construction of the contution possible was that "all state officer d all private citizens who had ever held dee should be liable to impeachment." uch a construction he maintained could not

#### Dipping Into History.

Judge Broady then stated that in the total becaue of procedent he would be compelled a consider the matter from a historical andpoint. The impeachment of officials, a said, had its origin and was imported to als country from England. In that country private citizen could always and can today impeached. Impeachments grew out of omnipotence of Parliament and were al ys resorted to by kings who used them weapons against personal or public The earliest case of impeach actimics. The carriest case of imponentiation veorded in English annals was that of Lord attimicr in 1226, one of the most notable the mpeachment of Warren Hastings in 1795, and the latest that of Lord Melville in 1805. ige Broady then read from reported trials penchment in the earlier history of nd, showing the cruel and excessive ishments imposed and the slightness o pretext upon which a public official or ate citizen could be impeached at the stance of a malignant monarch and by a mpliant Parliament. All these facts he oted to show the danger, the failacy and

absurdity of imposing judicial power a legislative bodies oming down to the history of impeachat in the United States Judge Broady kup the case of the impeachment of lige Chase, early in the history of the or that constitution and quoted or Martin, one of the framers of the itution as well as one of the attorneys sected with the trial of Judge Chuse, as ing that the constitution only contemthe inteachment of officers during

term of office, and that its provisions i not follow an official into private life, then quoted a formitable array of one from eminent attorneys and jurists, f when took the ground that a man o has held public office and retired to pri-te life could not be impeached for misde-anots committed during his term of office.

#### Judge Pound's Reply.

Judge Found, on behalf of the managers of pendument, considered his argument in by to Judge Broady at 4 50. In opening ment he referred to evils which ave acisen under the law of impeachent, and rouinded his opponent that all ranches of the law had advanced. He alled to understand his friend, Judge Broady, when the latter argued that because | recover from his present attack.

#### Other Business Troubles.

one.

New Yong, April 24 -Judgments agers Any YORK, ADTH 23 --Jungments aggre-gating \$19,000 have been entered arainst Russell Bros., one of the oldest printing houses of this city. Debts, about \$36,000, Cause of trouble, financial stringency. New YORK, April 24 -- Attachments for \$20,000 have been placed in the sheriff's hands against the New York branch of Ben amin McLean & Co., wholesale dealers in hides, Kansas City, Mo. MONTULAL, April 24.—E. Goher & Co., general store, at St. Laureat, have failed.

iabilities, \$55,000. TWEED, Ont. April 24 --- William Campbell

meral merchant, assigned today. Llabil-Lies, \$30,000.

#### NARROWLY ESCIPED DESTRUCTION. Union Pacific Depot at Cheyenne Consider

ably Scorched. CHEVENNE, Wyo., April 24.- [Special Tele

gram to THE BEE. |-The \$100,000 depot of the Inion Pacific at this place narrowly escaped destruction today from fire. A blaze started in the baggage room from some unknown cause and the city fire department bad a harp fight to get it under control. The loss was slight.

#### Shivering Samoans Encoute to the Fair.

CHEYENSE, Wyo., April 24. - The eastbound Inion Pacific passenger this afternoon had in board nineteen natives of Samoa, bound for Chicago, in charge of W. S. Moors, A Samonn city will be built in Chicago. On a flat car was a boat fifty-four feet long by eight feet wide, mane without a piece of metal. The hull is of hard pine, that with rope fastened to wooden pins. The boat is water and air tight and will hold forty men. The natives were shivering with cold and inwardly objecting to the trip.

#### Reported Kelled by Navajok

SANTA PR. N. M., April 24-Governor Thornton today received a disputch from Sheriff Dustin in San Joaquin county calling for assistance and reporting that a promi-nent citizen had been killed by the Navajo Indians. The governor homediately offered a reward of \$100 for the arrest of the murbrers and wired Lioutenant Plummer, agent of the Navajos, calling on him to keep the Navajos on the reservation and to investigate the case.

CHEFENNE, Wyo., April 34.-[Special Tele gram to Tug Bug ]-In the case of Johnson county against W. S. Metz, hudge of the Fourth judicial district, the supreme court today decided in favor of the defendant. The suit was brought to test the constitutionality of the act creating a new judicial district, of which Johnson county formed a part, and the right of Mr. Metz to act as judge.

## Old Liberty Bell on Its Jannt.

PHILADELPHIA, Pa., April 24 .- The old lib-

New York, April 24. - Edwin Booth was better this afternoon. His physician, after a call, appeared more cheerful than before. "Booth is doing well," he said. "He has recovered the use of his right arm and leg. The muscles of his face have relaxed somewhat and his eyes are clearer i think the immediate danger of his death bas passed. of course, there are still grave fears. Midnight-At this hour the physician states it to be his belief that Mr. Booth will

publicans have been hopelessly hurled from power since the party accepted the dogma f prohibition; also by scattering delegates from uninstructed counties sufficient to give them a clear working majority of the con entior On the other hand the prohibitionists go

into the fight heavily handleapped. into the next heavily handlcapped. The state temperance alliance, which has here-tofore been the invisible force—the power behind the throne—which has held the party squarely to prohibition, and which ramified through every county in the state, will hardly be a factor in the coming struggle. The Its membership has dwindled away till it is only a shadow of its former self, and many f its active leaders have withdrawn

#### he party and will no longer be permitted to left up their voices in its councils. How the Legislature Will Stind.

Even if the prohibition banner should still wave at the head of the republican column in the coming campaign a glance at the probable make-up of the legislature shows that its overthrow is conclusive and certain. Of the fifty senators, ningteen anti-prohibit

ionist hold over, and nine districts are mor-illy certain to send back men of the same stamp, which will give them a clear work-ing majority in the upper branch of the assembly. The lower house stood 54 to 46 in assembly. The lower house stood 54 to 46 in favor of prohibition, but Audubon county has gone over to the minority since that that time by a substantial majority and Cass will likely follow by the next election. The republicans of Decatur have since declared in open convention in favor of the Gatch bill and will doubtless return a representative with "liberal views" on this question. This

## rould throw the final decision on the antiprohibition republicans in the close countles of Mills, Monroe, VanBuren and Union, democratic success in any two of which would be fatal to prohibition.

The situation is somewhat complicated by the fact that a United States semitor to suc-ceed James T. Wilson is to be cleared. Many epublicans, much as they may dislike pro-obition, would hesitate long before givin the democrats a vote for a member legislature, it being in effect a vote for Boles for the United States senate. People's Party Not. Considered.

TO EDUCATE THE MASSES.

General Weaver's Plan to Establish an In-

dependent School of Political Science.

DES MOISES, Ia., April 24.- |Special Tele-

gram to THE BEE |-General J. B. Weaver,

late candidate of the people's party for pres-

ident, has issued a circular, in which he says

in part: "Every patriotic citizen whose

mind is awake to the necessity of economic

reform in the United States is painfully

aware of the great lick of means through

which to reach the minds of the people.

No consideration has been given in this article to the so-called people's party, as it will not likely carry more than the one dis-trict-Monoma and 1da-and this only by fusion with the democrats, with whom the nember always votes on important ques From the above it may be seen that pro hibition in Iowa will only be saved, if saved at all, by a combinatian of lucky political accidents that do not happen more than once

in a lifetime. The liberals lacked only a single vote three years ago of repealing the odious statute, and this might have been se-Judge Metz May Serve. cared had the democrats "toted fair" in the matter and been willing to divide the credit. Prohibition may still be saved by the execu-tive yets should the republicans nominate and elect a prohibitionist to succeed Boles. but the liberal republicans, who hold the balance of power, will hardly permit any one to be chosen governor who will not pledge himself to sign any bill on the subject that may be passed by the legislature. What ever may be the result, lowa will afford some exceedingly interesting political by play during the coming campaign.

erty bell was placed on a specially constructed truck this morning and escorted by the Philadelphia contingent of the National guard of Pennsylvaria to the Pennsylvania depot, whence, under a guard which will watch it night and day until its return six months hence, it will leave for Chicago and the World's fair tomorrow morning. The patriotic objects was greated with demon-strations as great as if it had been a living hera. Other like demonstrations will occur en route. At Indianapolis ex-President Har-rison will deliver au address.

#### Edwin Boulk Better.

They realize that the adversaries of human liberty-those who would rob and enslave the world-are full handed and have the attention and control of the masses of the people. They control the best transd intel-lects and most of the colleges and universi-ties of the country. So great is the power tics of the (oun'ry, 'so great is the power of this state craft that a half dozen of them thrust into power can baffle a majority of a legislative body which is really bent on hon-estly serving the people. Hence the over-shadowing necessity for general, thorough

illegality of the boycott has broken the back of the movement to bring the Illinois Central to terms here. The paper is no longer circulated openly and merchants do not appear anxious to take part in the affair. It is pretty well understood, however, that the boycott will remain in force subrosa until the Illinois Central makes improvements isked.

#### Arrest of a Student and His Sweetheart. SIOUX CITY, Ia., April 24.-[Special Telegram to Tur Brg. j-Joseph H. Rouse, a student at the University of the Northwest, and Carrie Rouse, his sweetheart, are lodged in jail on the charge of larceny. Carrie worked as nurse girl for a family living in a fashionable boarding house, and admits stealing a great many articles which she gave to Joseph. Property of considerable

value was found in Joseph's possession.

#### Closing Sioux City Dance Halls.

Stoux Cirry, Ia., April 24.- Special Telegram to THE BEE. ]-The police started a erusade last night to stop all Sunday night dances outside of recognized clubs or society halls, such as the German turners, at which liquors are sold, and as a result twenty-six persons were up in police court this morn-ing for keeping such places and all were fined for unlawful assembly. Much liquor was confiscated and destroyed.

#### Death of Lieutenant Lynch.

MARSHALLTOWN, IA., April 24.-[Special Telegram to THE BRE.]-Miss Lalu Lynch. licutenant of the Salvation army here, who was frightfully burned by a gasoline explosion April 5, died yesterday, after a period of indescribable and patient suffering. The re-mains were shipped to relatives in Colorado today. A jurse of nearly \$100 was quickly raised among the citizens to defrav the expenses.

#### Dismantied a Court House,

SIOUX CITY, Ia., April 24.-[Special Tele gram to Tiff BEE.]-Wodny John Emery disposed of twenty doors and a number of windows here. Later it was found that last night he stole them from the new Dakota county court house at South Sioux City, aking them off the hinges and casings.

#### Run Down by a Switch Engine.

CEDAN RAPHDS, IA., April 24.-[Special Telegram to THE BER.] Christ Kraft, a oung Norwegian in the employ of a milk tairy, while crossing the railroad track at A avenue at noon today, was run down by i witch engine making a flying switch and cut to pieces.

#### Dr. Bistine Dying.

CEDAR RAPIDS, Ia., April 24 .- Special Celegram to THE BEE.] -Word was received here today that Doctor Henry Ristine, one of the most prominent physicians of this city, was dying at Pass Christian, Miss. He has been in a critical condition for months.

## CALVIN, MURDERER AND SCOUNDREL.

Minister of Troy, N. Y., So Characterizes the Great Reformer.

TROY, N. Y., April 24 .- A meeting of the Troy Presbyterians held today discussed the overtures handed in by the general assembly. During the discussion Rev. T. P. Swain said he did not wish to be known as a Calvinist, and said: "I do not like the idea of Calvanism. Calvan was a murderer and a scoundrel. He said many good things and those i will accept, but the church should be the exponent of the gospel and not of Cal-

The presbytery adopted overtures to the general assumbly to prepare a new, short creed, clear, concise and scriptural in its wording, to be used by the church in harwith the doctrines expressed by the Westminster confession of faith.

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Movements of Ocean Steamers April 24. At Light -Sighted -Veendam, from New ork; Pennsylvania, from Antwerp.

At New York-Arrived-Circassia, from Glasgow At Glasgow-Arrived-State of Nebraska.

from New York. At Southampton-Arrived-Berlin, from

New York | Saale, from New York.

and gathering about in little groups, shook each others hands long and often and laughed and chatted as if they had never known a care. The members of the executive board were the heroes of the hour and had such an impromptu reception as they are not likely soon to forget. The men had all been told that an agreement had been reached, that everything was harmonious, and that they should all go to work

Received with Happy Shouts.

that shook the building to its foundations. The men came pouring forth in happy mood.

nons, and comming. I the morning. Harry Easton said: "Everything is all right. We have adjusted our difference har-moniously and satisfactorily, but prefer to moniously and satisfactorily, but prefer to have adjusted to form and they have say nothing about the terms until they have passed through the proper channels and have been properly endorsed. But you can say that the strike is ended and that every deaths: you cau

#### body will return to work in the morning." Discussing the Committee.

Replying to a question of the representative of THE BEE as to the personnel of the committee representing the striking boiler makers, machinists, blacksmiths and pattern nakers a prominent official of the Union Pacific said: "The members of the omnittee so far as intelligence Pacific committee so far as intelligence and ability are concerned, is far above the average. They impress me as honest, conscientious men, believing that they have grievances to right. The committee, while largely made up of syoung men is undoubtedly representative in its character. They undoubtedly want to be fair and con-servative and we have treated with them on that basis. The grievances which the commit-tee allege occurred at Kansas City, Pocatelle and Omaha regarding the employment of new men when the force was being reduced, turn aut to be very minor matters when the rolls of the company are placed before them for their examination. In fact, the committee allege that they did not so understand the

situation." The assertion made by a morning paper that Mr. McConnell was a believer in eight hours work is hardly consistent with the course of the superintendent of machinery and motive power when he gave notice to all master mechanics on the system four days before the inauguration of the walkout to resume nine hours work on May I. Mr. McConneil undoubtedly believes that thirty-eight mco working eight hours can do more work of a certain class than thirty-two men working aine hours, but as a principle he believes in a standard

of man working nine hours through out the year. TO CONSIDER REDRESS.

#### Railroad Representatives Will Discuss the Rate Bill at Chicago.

A meeting will be held at Chicago today at which all railroads interested in the operation of the maximum rate bill recently passed by the Nebraska legislature will be

enresented. Freight agents of all the lines affected by the bill have decided to hold a conference and ascertain just how far the bill goes in cutting down tariffs on their systems, and also decide upon some concerted action in testing the constitutionality of the bill This meeting has been called at the instance of the general managers, and will undoubt

of the general managers, and will undoubt-edly be far reaching in its character. Freight Traffie Manager Munroe of the Union Pacific endeavored to have the meet-ing held in Omaha, but a majority of the freight agents wanted to go to Chicago to see the "White City," and Mr. Munroe's wish was overruled. Among those who will be in attendance are K. C. Morehouse of the Elkhorn, J. O. Phillippi of the Union Pa-cific, George Crosby of the Burlington, Elmer H. Wood of the Union Pacific, H. A. Sayder of the Rock Island, R. R. Ritchie of the the Rock Island, R. R. Ritchie of the rthwestern.

## STRIKERS CONCEDE ALL POINTS.

# Santa Fe Mechanics Return to Work Ender

the Old Contract. TOPEKA, Kan., April 24 - The Santa Fe nochanics strike; which has been in Loree since Saturday, April 8, was declared off at ) o'clock tonight, after a half-day's confermee between the mon and their employers. The company retains the new men employed recently, but will give the strikers, for

whom there are no places, the proference in hiring new men hereafter. The strike extended over the Atchison, Topeka & Santa Fe railroad proper, but did

strike is practically ended. This afternoor the Atlantic works and two other large con eerns conceded to the strikers' demands for a nine-hour day with ten hours pay. The men will return to work tomorrow

# TORN UP BY A TWISTER.

#### Missouri Mowed by a Cyclone-Details Mea ger-Nobody Reported Killed.

KANSAS CITY, Mo., April 24.- A regular wister swooped down on Independence, Mo. at 4 o'clock this afternoon, doing lots of minor damage, but miraculously causing no

A green, ominous looking cloud had been hovering over the city and the people, fearful that a deadly cyclone was to sweep over them, sought places of safety.

Great consternation was caused at the Missouri Pacific yards. The operator and station agents hurried off to a nearby gully for safety, while the yard men piled into a train standing on the tracks and pulled into a quarry a short distance up the road. They were none too soon in getting away. The twister descended upon the southwest part of the city. Rushing along for a con siderable distance it tore up large trees. scattered sidewalks and signs, etc., sweep ing its spoils before it. Ere it reached the more densely populated part of the city the ugiy visitor rose as quickly as it came, and passing over the city again lighted on the outskirts. Here the damage caused a min-

ute before was repeated. As all had considerable time to escape, no body was killed, and whether any were in-jured cannot at present be learned. The country on either side of the city where the velone strick is topographically the same ming considerably lower than the city proper, and the freak of the cyclone striking both these spots and leaving untouched the higher ground is wondered at. Soon after striking the second time the cyclone again mose and disappeared to the northeast

Whether or not any more damage was done it is unknown storm was general over both Kansas and Missouri tonight, and more destruction coms likely.

#### Hail Stones Large as Watnuts.

#### BELTON, Mo., April 24 .- A funnel shaped doud appeared this afternoon about 6 o'clock. From both east and west of this city reports. are coming in of damages to buildings, and on the Martin ranch near Newington, Kan. ouses are blown down and forest trees de troyed:

The cyclone seems to have jumped over this town and reappeared to the castward, wisting everything to pieces in its way. The dwellings and barns of Dan Funk in Raymore township were ground to pieces, but none of the family were injured and no casualties are yet reported. Considerable damage is reported about Greenwood and other points in Jackson county. Hail, large as walnuts, is plentiful.

#### Boston Bankers Offer Gold.

BOSTON, Mass., April 24.-The clearing house directory met today and decided to turn over to the government half its gold reserve in exchange for legal tender notes. it is said, will amount to between \$5,000,000 and \$5,000,000. Assistant Socretary of the Treasury Ham-

In, who has been in Hoston a day or so. has officially assured the Boston banking interest that the government is determined to redeem everything in gold. The banks here informed Mr. Hamila that in their opinion a bond issue to be sold abroad was inex pedient.

Five Fatally Injured.

CINCINNAIL, O., April 24-By a falling wall today fourteen bricklayers and helpers were precipitated from the fourth story to the ground. George Pull Frank Winemuth, Ed Winemuth, A. Shumas and Elliah John-son were fatally injured. Several others

# were seriously hurs.

Elgin Butter Market. ELGIN, III., April 24 -BUTTER-Active; sales, 13,140 lbs. at 33 cents.