THE OMAHA DAILY BEE.

TWENTY-SECOND YEAR. OMAHA, WEDNESDAY MORNING, MAY 10, 1893. NUMBER 225.

ONEY TO COMMAND

nagers of the Impeachment Have Plenty of Cash to Their Credit.

GALITY OF THE APPROPRIATION SETTLED

cision of the Supreme Court Commissioners on the Objections Set Up.

TTLING WHERE THE COAL CARS WENT

uch Time Given Up to the Examination of the Freight Office Records.

ERKS OF VARIOUS QUALITIES TESTIFY

uch Evidence Taken to Show that Cars Were Charged and Never Delivered—John Dorgan Escapes Under a Technicality for a Day.

LINCOLN, Neb., May 9.—[Special Telegram to THE BEE.]—The state officials who appear the impeachment trial now being heard in e supreme court, their hired strikers, eir friends and lawyers are all sulking in eir tents together; they have painted their ces black, so to speak, and their hearts re bad. This condition of affairs is brought bout by the fact that late this afternoon e supreme court commission filed its opin- n, holding that the appropriation of $15,000 ade by the legislature was legal, and that uditor Moore had full authority to draw arrants against the fund to defray the ex- enses of the present trial.

For days and weeks the camp followers f the accused officials have been making he auditor's life a burden, as they have ounded him on the streets, in his office, at is home; their stock-in-trade cry being that e had no authority for the disbursement of the fund. Not only did they do this, but ome of them went so far as to make threats as to what would happen if they were drawn nd the money paid. Even Tom Benton, the ex-auditor, took enough interest in the matter to go before Auditor Moore, advising him that the appropriation was illegal, and that he might get into trouble if he drew warrants ordering the payment of the money. The auditor, thinking that valor's best part was discretion, and in order to be on the safe side, called the facts concerning the passage of the appropriation bill to the attention of the members of the supreme court, and that body turned it over to the supreme court commission.

Argued and Submitted.

At an early hour this morning a score of lawyers and the members of the supreme court commission wended their way to the state house, where for two hours the latter gentlemen listened to arguments on the question. The opposition to the appropriation was opened by Assistant Attorney General Summers who urged that the donference committee had not acted in accordance with the provisions of the statutes; that the report of the committee submitted to the legislature was not adopted by a yea and nay vote. He also insisted that the bill as amended should have had three readings in each house on three separate and distinct days. This had not been done, and besides the amendments were not printed before the bill was put upon its final passage.

Mr. Lambertson, for the managers, argued that if the same rule were applied it would overthrow any appropriation bill that was ever passed, as there were many items in the bill that were put in by one or the other branches of the legislature and not named in the title. It was the intention to make the appropriation bill broad enough in its scope to include a great many things. He insisted that there was no merit in Mr. Summers' argument, and that it could not be considered in the case at the bar. The adoption of the amendments did not require a yes and nay vote, as the record showed that upon its passage the bill had the required number of votes. As originally passed the bill provided for the expenditure of $25,000 to defray the expenses of the impeachment, and when it was cut to $15,000 it was certainly good for this sum. He did not claim that the bill was good for any larger amount, but for the expenditure of $15,000 it was as valid and legal as any law upon the statute books.

Judge Doane, in arguing for the managers, urged that the commission must take the law as the members found it and as interpreted by the supreme courts. The facts would have to be considered as they existed. With these remarks the hearing was closed, Judge Doane citing the law governing such cases.

Decision of the Court.

This evening the commission handed down the following opinion:

State of Nebraska ex rel C. D. Casper et al vs Eugene Moore.

1. Where a general appropriation bill, carrying an item of $15,000 for a specific purpose was duly passed by both houses of the legislature, but by a clerical error of an enrolling clerk the $15,000 was afterward changed to $25,000, and the bill was in this condition presented to and signed by the presiding officers of the two houses, and approved by the governor, held: That the bill appropriated $15,000 for the purpose specified therein.

2. Where a bill has been attested by the signature of the presiding officers of both branches of the legislature, and signed by the governor, it will not be declared invalid because of irregularities in the proceedings of the legislature where no express provision of the constitution has been violated.

3. When the journals of the two houses of the legislature and the acts of the governor clearly manifest the intention of the law-making branches of the government, the courts will not permit the will of the people so manifested to be thwarted by the error or dishonesty of an enrolling clerk. It follows therefore that house roll No. 207, as the same is now on file in the office of the secretary of state, appropriated $15,000 for impeachment expenses.

Satisfactory to the People.

The findings of the commission are wholly satisfactory to the people, who declare that the opposition to the appropriation came entirely from men who had made it their business to throttle the investigation and prevent the facts concerning the cell-house stone and the asylum coal deals from ever coming before the public. In addition to this, they unhesitatingly say that it was the method adopted to prevent the light of day from shining upon the official acts of the accused officials.

The managers of the impeachment and their attorneys are pleased with the decision, though they claim that it is no surprise to them, as all along they have stated that they had the law on their side. While they are not boasting they firmly declare that they have scored a victory, at the same time knocking out one of the strongest props upon which the respondents' cases have rested.

Rewick on the Stand.

The first witness before the court of impeachment was E. C. Rewick, a lawyer who had resided in the city for twelve years. He was examined by Mr. Lambertson.

"Did you enter upon an investigation of the affairs of the asylum?"

"Yes, sir; in 1891. I was at work investigating some matters when my attention was called to the coal vouchers."

"Did you converse with the respondents about what you discovered?"

Yes, sir; in February, 1892, I came to the state house, and was introduced to Attorney General Hastings; met Land Commissioner Humphrey; we went to the private office of the attorney general, when they said they understood that I had some affidavits which reflected upon the acts of the Board of Public Lands and Buildings. I said that I had affidavits showing that J. Dan Lauer, steward at the hospital, had been allowed $1,960 for house rent, which was contrary to law. I also had affidavits showing that the members of the board had not visited the state institutions, when the law compelled them to make those visits once every three months, inspecting the books and vouchers. Attorney General Hastings pressed me to give him the affidavits, but he did not get them, as I told him if he wanted them he could go to the courts for them."

Rewick's Cross-Examination.

John L. Webster on cross-examination asked: "Did you tell Mr. Hastings that these affidavits showed the allowance of improper claims?"

"Yes, sir."

"Did he ask you for the names of the parties making the affidavits?"

"No; he wanted the affidavits, which I refused to turn over to him."

"While this pressure was made to deliver these affidavits was Mr. Humphrey present?"

"Yes, sir."

"After you refused to disclose the facts contained in those affidavits did you not make some disclosures to the public?"

"Yes, sir; in September, 1892, I told the public some things."

"Was not that for political purposes?"

"No, sir; it was not."

"During the 1892 campaign did you not hire a hall, pay for it out of your own money, and there make the disclosures?"

"I did."

"Did you not make a proposition to the democratic central committee, offering to furnish your information to the members?"

"No, sir; I did not."

"After that, did you not make the same proposition to the independent party?"

"No, sir; I did nothing of the kind."

"Did you not go around the country seeking to be interviewed?"

"No, sir."

"Did you not propose to Mr. Hathaway of this city that you would suppress what you knew, if he would get you a position on the committee?"

"No, sir."

"Was you not called before the board and examined, touching what you knew?"

"Yes, sir."

"Did you not refuse to let the affidavits go out of your possession?"

"No, sir; I told Hastings that he could take them for the purpose of copying, but I did refuse to surrender them to him to be kept."

His Speech Was Printed.

"Was your speech which you made on September 27, 1892, published?"

"The Journal of this city did not publish it, but THE OMAHA BEE published it in full, I think."

"In that speech did you disclose all that you knew?"

"Not all; I did not touch upon the cell house matter."

"Did you disclose all that you knew about the flour and coal at the asylum?"

"All that I knew at that time."

"Did you appear before the legislative committee for the purpose of examining witnesses?"

"No, sir."

"Was you paid for your services, and, if so, by whom?"

"I was paid by the state legislature."

"Did you not say to Mr. Hathaway about the last of September, 1892, that you would suppress your information if he would get you a position on the republican central committee?"

"No, sir; I have not spoken to H. D. Hathaway, except to pass the time of day, since about the 1st of April, 1892."

"Did you state to him about the 1st of April, 1892, that you would suppress such information as you had regarding the asylum if he would secure you a place on the republican state central committee?"

Mr. Lambertson objected on the ground that the question was for the purpose of impeaching the testimony of the witness, and for the further reason that that matter was not touched upon in the direct examination.

Mr. Webster withdrew the question, stating that he was mistaken as to the fact.

"Did not you say about the last of March, 1892, that you would suppress the information you had if he would assist you in obtaining a political position?"

Mr. Lambertson objected.

By the court: "We will allow the witness to answer."

"No, sir; I never had any such conversation with him."

Another Estimate of Cost.

Architect Fisk of this city testified to a six years residence. Witness gave a detailed statement of a number of large buildings that he had superintended.

"Have you examined the cell house and made measurements and figured on the cost?"

"I have."

"You may state what they are in detail."

"South wall: Excavating 174 yards, c$69.60; excavating over whole surface, $103.69; concreting 100 yards, $600; 235 perch stone, $705, below water table; above the water table to top of wall, $4,165; superficial feet in south wall, 8,780 feet, $965.80.

"North wall: 15,395 feet, $847; superficial feet, 3,447.

"East wall: 205 per. h, $717; superficial feet $444.

"Ceiling joists, 12,600 feet, $327; roof joists, 12,000 feet, $324; two long perlions, $66; 12,000 feet sheeting, $300; iron roof, 100 squares, $425; ten valleys, $80; corrugated ceiling, $600; grating windows, $1,800; bridging, $72; window frames, $372; round windows, $175; ventilator, $125; iron door, $27; trusses, $715; painting, $250; making a total for the building of $21,270.50."

"Would that be the building as it stands, or when completed?"

"Completed."

What He Figured On.

"Did you observe the stone in the building?"

"Yes, sir."

"In the spring of 1891 did you know the value of Cedar Creek and Nemaha county stone?"

"Yes, sir."

"What was the value of the stone?"

"Dimension stone, delivered here, freight paid, was worth from 18 to 20 cents, freight paid and plugged to size; dimension stone as it came from the quarry was 6 cents less; rubble stone, delivered, freight paid, was worth from 7 to 8 cents per foot."

"Did you observe of what the south wall was built?"

"Yes, sir; of Cedar Creek rubble."

"Did you figure on the taking down of the old wall?"

"Yes, sir; I counted that, laid up as one-third the price of new work, as there was about that much wasted in taking down the old wall."

"On what basis did you figure regarding labor?"

"Skilled free labor and at the prices paid masons, stone men and helpers during the year when the improvements were made."

"What do you estimate the cost of the three walls taken separately?"

"North wall, $7,482.50; east wall, $1,157; south wall, $6,609; a total of $15,248. The roof would cost $6,022."

With this the witness was turned over to Mr. Webster for cross-examination. He asked:

"Who was with you when you made these measurements?"

"Mr. Gray."

"Did you take into account other things that might have been bought and used in the construction of the cell house?"

"No, sir; I did not."

"Does your estimate include the cost of superintendent, tools, etc?" asked Judge Pound on redirect examination.

"All but the wages of the superintendent."

Asylum Coal Comes Up.

Here the cell house matter was dropped for a time and W. L. Pickett, a clerk in the Burlington freight offices, testified.

"Did you make these copies of way bills?" handing the witness a bunch of yellow paper.

"Some of them," answered the witness.

The sheets were admitted in evidence, to be kept for future reference.

"When did you make these copies?"

"Last fall."

"Are they true and correct copies of the books that were in the office at that time?"

"Yes, sir; they are and were made at the request of the agent."

"What do the freight books indicate?"

"The number of cars, when shipped

[CONTINUED ON SECOND PAGE.]

ENTIRE FAMILY INJURED

Terrible Discovery by a Des Moines Man at His Home.

WIFE AND CHILDREN FOUND DYING

Iowa Board of Medical Examiners May Use Its Discretion in Issuing Certificates to Practitioners—Sioux City Companies Recovering from the Failures.

DES MOINES, Ia., May 9.—[Special Telegram to THE BEE.]—A terrible discovery was made this evening in the eastern suburbs of the city near the State fair grounds. Webb Moon returned from work to find his wife and two young children dying and a young man named Ed Stewart dead on the floor of his dwelling. Stewart was a horse trainer and had boarded in the family for several months. When found Stewart's body was clothed as usual, but the woman, stark naked, was lying across the body and the children near by in a dying condition.

The woman was unconscious and doctors were called, who hope to save her life, though there is doubt of their being able to do so. The indications showed chloroform poisoning, though by whom administered or for what purpose is a mystery. It was also thought that the woman had been outraged.

UPHELD THE BOARD.

Iowa Medical Examiners May Use Their Discretion in Granting Certificates.

DES MOINES, Ia., May 9.—[Special Telegram to THE BEE.]—The supreme court this morning handed down its decision in the long contested case of the Eclectic Medical college against the Iowa State Board of Medical Examiners. It was an action in mandamus to compel the board to recognize the college and grant certificates to graduates thereof, the board having refused on the ground that the college did not come up to the requirements and standard fixed by the board in its teaching and appliances. The college officers claimed that the board had no power to fix the standard of a medical college, and that the statue was void in that respect. The plaintiff also claimed that the action of the board was bad when there was no eclectic physician on the board, as required by the statute in such cases, and therefore the action of the board was void.

The court decides that the law is constitutional and valid, that the board has the power to fix the standard of medical colleges, and that there is nothing in the statute requiring any particular school of medicine shall be represented on the board.

Other cases decided are: State against Thompson, appellant, Lyon district, affirmed; State against Stone, appellant, Hamilton district, affirmed; Iowa Medical college, appellant, against Schrader, Polk district, affirmed; Long, appellant, against Vatteau, O'Brien district, modified.

Federal Court Business.

DES MOINES, Ia., May 9.—[Special Telegram to THE BEE.]—The United States district court convened in Des Moines to-lay, with Judges Woolson and Shiras presiding. The bar docket was called this morning and a law assignment made. Judge Woolson will have charge of the criminal cases and Judge Shiras the civil suits. The latter is now engaged in hearing the case of the Hemenway Manufacturing company against the Council Bluffs Canning company, an action on a contract to force payment for a steam cooker.

Judge Woolson and District Attorney Mills empaneled a grand jury this afternoon and made an assignment of criminal cases. There are about fifty indictments to be taken up at this term of court, but not all of them will be reached.

Iowa Episcopalians in Convention.

CEDAR RAPIDS, Ia., May 9.—[Special Telegram to THE BEE.]—The thirtieth diocesan convention of the Episcopal church of the state of Iowa began in this city this morning with about 100 delegates in attendance. An assistant or coadjutor bishop will probably be elected at this meeting. It is the growing opinion in church circles that Rev. Thomas E. Greene of this city will be selected for this position. In that event Cedar Rapids will become a see city and the new Grace church a cathedral.

At the business meeting this afternoon the date of holding the annual convention was changed from May to December. Bishop Perry in his annual address favored the appointment of an assistant bishop.

Reorganized the Company.

SIOUX CITY, Ia., May 9.—[Special Telegram to THE BEE.]—A reorganization of the Sioux City Packing and Provision company of this city, which was involved in the recent failures by the loss of a $50,000 deposit with the Union Loan and Trust company, was effected today under the name of the Sioux City Packing company. Anderson Fowler and Henry Stobo of the Anglo-American Packing company, Chicago, are the principal stockholders in the new organization.

The King Bridge company of Columbus, O., principal bondholder of the Sioux City Rapid Transit company's issue, which is now in the hands of a receiver, is preparing to foreclose on the property, the bonds having been defaulted.

Dental Surgeons in Session.

DAVENPORT, Ia., May 9.—[Special Telegram to THE BEE.]—For the second time in a third of a century the State Dental associations of Illinois and Iowa met this morning at this place in joint session. The Iowa society organized here and received the Illinois society which organized in Rock Island and crossed the river to join it. Daily sessions will be divided between the two cities through the week. A number of noted dental surgeons are present and a fine display of appliances and inventions is presented. Their time will be occupied with clinics and discussions.

Saloon Men Disagree.

SIOUX CITY, Ia., May 9.—[Special Telegram to THE BEE.]—Jacob Peters, a saloon man, has instituted a peculiar suit against Joseph Marks, a wholesale liquor dealer, because of trouble they have had. He has run a saloon in violation of the state prohibitory laws and bought goods of Marks, who has dealt in liquors in violation of the laws, to the extent of $8,675. He sues to recover the amount, alleging that the money was received unlawfully by Marks. Attorneys believe he can recover under the statute.

NOT CREDITED AT WASHINGTON.

Rumored Killing of Lieutenant Plummer by the Navajos Not Believed.

WASHINGTON, D. C., May 9.—No information has been received at the War department in regard to the reported killing of First Lieutenant Plummer, Tenth infantry, agent for the Indians of the Navajo agency, and army officers, therefore, place no credence in the report. The fact that the report came from Durango adds doubt as to its correctness, as that place is some distance from the agency and is not in direct communication with it.

Banqueted Judge Tripp.

YANKTON, S. D., May 9.—[Special Telegram to THE BEE.]—The reception and banquet tendered Hon. Bartlett Tripp, minister to Austria-Hungary, by the bar and citizens of Yankton in this city last evening was one of the most notable social events in the history of South Dakota. There were 100 guests, many prominent democrats from all parts of the state. Addresses were made by Robert J. Gamble, Judge A. G. Kellam of the supreme court, Hugh J. Campbell, the well known populist, and others, and Judge Tripp in response spoke briefly. The affair was planned by men of every political party and was an appropriate expression of the esteem in which Judge Tripp is held by the people of the state. Judge Tripp and family left this afternoon for Vienna.

DORSEY'S BUSINESS TROUBLES.

They Cause the Partial Failure of a South Omaha Firm.

Ex-Congressman G. W. E. Dorsey seems to have gotten into deep water, financially. The recent failures in Sioux City are understood to be responsible for Mr. Dorsey having been forced to the wall at this time, he having recently placed $27,000 at the disposal of the now defunct Ponca bank, in which he was a stockholder, and which was connected with some of the Sioux City concerns.

Mr. Dorsey has filed mortgages on real estate at Fremont to cover his indebtedness to the Farmers and Merchants National bank at that place, amounting to $24,000. The property mortgaged will be decided to the bank and sold, and the proceeds devoted to liquidating Mr. Dorsey's indebtedness to the bank and other creditors, the balance remaining, if any, to be turned over to him.

Mr. Dorsey through the mismanagement of those to whom he has intrusted his business affairs, of late years has been made to suffer considerably, but he has lately so disposed of his property as to protect his friends and himself as much as possible, and hopes to pull through his present crisis all right. He was in the city yesterday, but could not be interviewed on the subject of his financial troubles.

Another indication that Mr. Dorsey is being crowded in a financial way was the closing of the business of the commission firm of Dorsey Bros. & Co. at the exchange building yesterday. Manager Marsh was seen by a reporter for THE BEE at his office last night and asked for information in regard to the rumored failure of the firm. He said: "Dorsey Bros. have gone out of business, and that is all there is about it. No person will lose a cent by their doing so. The firm simply decided on this course to prevent any property belonging to their customers being tied up. As every one knows, these things have been piling up on G. W. E. Dorsey from day to day, and as a protection for our customers we have turned over our business to another firm."

Mr. H. H. Dorsey was present and stated that the firm had gone out of the stock business and would devote its entire attention to banking in the future. This much was all the information he had to give out.

McLoud & Love is the firm that will take up the business where Dorsey Bros. & Co. left off.

In addition to the $25,000 mortgage given to the Farmers and Merchants National bank of Fremont, he gave a mortgage to Emeline Benton of $14,100. The following real estate deeds, given by Mr. Dorsey to parties named, were filed in Dodge county yesterday: Hanover National bank of New York, $3,000; John Dern, $2,400; United States National bank of Omaha, $7,000; Saunders County National bank of Wahoo, $7,030; Sarah C. Dorsey, $5,230; Cornelia Bunnell, $5,800; F. A. Cody, jr., $1,000; Sarah F. Waldner, $2,000; Charles S. Davis, $5,500.

BANK OF VICTORIA CLOSED.

Another Important Failure in Australia With Immense Liabilities.

MELBOURNE, May 9.—The Bank of Victoria, limited, has suspended. The statement made last December showed deposits of £7,000,000. The failure is a very important one. The bank has many branches and a London office. The capital of the bank is £1,200,000 and the liabilities are double that sum.

Its Failure Absolute.

CHICAGO, Ill., May 9.—The doors of the Chemical National bank in the New Hartford building remained closed. National Bank Examiner Sturgis said this afternoon: "I think that a resumption of business is not at all likely." Mr. Sturgis gave assurance to the depositors that they would not lose anything. "The people will be paid in full just as soon as the officers can find out where the bank stands."

The World's fair directors have made ample provision for the payment of all foreign commissioners and foreign exhibitors who had deposited funds in the fair branch of the bank. They will be paid in full and at once from other banks. In addition to this, thirty Chicago men, representing a total of as many millions of capital, have personally guaranteed the payment of all moneys due to the foreigners.

Permanent Receivers Appointed.

NEWARK, N. J., May 9.—Frederick K. Day of Elizabeth and Herman Clark of New York were today appointed permanent receivers of the United Paper company by the vice chancellor. The motion for a permanent receiver was made by Mr. L. E. Montague of Clarks county, the principal stockholder in the proposed Tissue Paper trust, which was unable to succeed because thirty-eight of the fifty tissue paper manufacturers refused to go into the combine. The receivers were required to give bonds to the amount of $150,000.

Last week Mr. Day was appointed temporary receiver. The principal creditors of the company were announced to be L. E. Montague, jr., E. M. Fulton and Wallace B. Smith, who were all connected with the National Cordage company.

Short in His Accounts.

CHICAGO, Ill., May 9.—County Treasurer Kern said today that his cashier, Felix Schweisthal, took $42,000 in sums of $5,000 to $10,000, to tide along Michael Schweisthal, the banker, who failed some time ago. Michael was a brother of Felix, and both thought the banker's embarrassment would only prove temporary. Felix turned over $30,000 in real estate in restitution, and County Treasurer Kern refrained from criminal prosecution. The matter became public this afternoon through the refusal of two of Felix Schweisthal's bondsmen to make good the balance of the shortage. The recalcitrant bondsmen are M. A. Devine and Bernard Bossing. They will be at once sued for the amount, so County Treasurer Kern says.

H. H. Warner's Big Failure.

NEW YORK, May 9.—H. H. Warner's attorney, Mr. Briggs, says that Mr. Warner's liabilities will amount to several hundred thousands of dollars. Business men estimate them at $500,000. His assets consist of his interest in the H. H. Warner company of London; the H. H. Warner company of Rochester; the Industrial and Mining Guaranty company of New York, and other concerns. He owns 41,000 shares out of a total of 55,000 shares of the Warner company of London, the capital stock of which is $2,000,000. His holdings in other companies are not so large.

Mr. Warner's homestead and other pieces of real estate are under mortgage of $1,000,000 to the Bank of Monroe county.

California's Big Failure.

SAN FRANCISCO, Cal., May 9.—The failure of the State Investment and Insurance company of this city, heretofore telegraphed, seems complete. Suit has been commenced for $10,000, which will doubtless throw it into bankruptcy. The company has no funds, owes $200,000 and is responsible for unearned premiums of over $208,000. Its principal assets are $260,000 of outstanding premiums, most of which are uncollectable. Nearly all of the remaining assets have been hypothecated for loans. The insurance commissioner says that the only salvation for the company is to reinsure with some other company. It is expected that the attorney general will proceed against the company.

Attached for $400,000.

NEW YORK, May 9.—Sullivan and Cromwell, lawyers of this city and counsel of the Land and River Improvement company of Superior, Wis., have, on behalf of their clients, placed an attachment of $400,000 on the West Superior Iron and Steel company. They caused the steel works to shut down yesterday morning.

FINDING FAULT WITH EGAN

His Course in Permitting Fugitive Holly to Escape Questioned.

THINK INSTRUCTIONS WERE IGNORED

Chilian Officials Desire to Know What Secretary Gresham Proposes to Do About the Action of the Minister in This Case.

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VALPARAISO, Chili (via Galveston, Tex.), May 9.—[By Mexican Cable to the New York Herald—Special to THE BEE.]—At the Chilian foreign office I was informed today that on April 20 the Chilian government sent a cable dispatch to the Chilian charge d'affaires at Washington instructing him to communicate to Secretary Gresham all the facts in connection with the action of Minister Egan in giving an asylum to Blondiot Holly and ex-Colonel Fuentes, who were charged with violating the laws of Chili.

He was told to explain to Secretary Gresham that the sheltering of these men was contrary to public policy and that Minister Egan, in permitting Holly to escape, had not complied with the instructions of Secretary Gresham when he informed Minister Egan that an asylum should not be granted to common law breakers. The Chilian charge d'affaires was instructed to lay these facts before Secretary Gresham because the Chilian minister of foreign affairs believed the United States government did not fully understand what had been done.

The charge d'affaires had cabled to the Chilian government copies of the instructions given to Minister Egan. According to these copies, Minister Egan was instructed to surrender Holly and Fuentes to the Chilian authorities.

Interpretations Did Not Agree.

Minister Egan's interpretation of his instructions differed from those contained in the copies sent to the Chilian foreign office. He claimed that he was simply to discontinue affording them an asylum, and that it was no part of his duty to surrender them as prisoners.

This difference of opinion as to the conduct of the Chilian minister of foreign affairs, and the charge d'affaires was, therefore, instructed to present all the facts to Secretary Gresham. No reply has yet been received from Secretary Gresham.

The Chilian minister of foreign affairs told me today he was astonished by the failure of Secretary Gresham to reply to his dispatches. He is fully convinced that Minister Egan gave an incorrect translation of the instructions which were sent to him in cipher. The dispatch from the Chilian charge d'affaires said plainly that Secretary Gresham told Minister Egan that the United States government did not recognize the right of asylum to criminals charged with offence against the criminal laws of the country. In view of the fact that Holly was allowed to escape and that Fuentes was allowed to attempt to get away the Chilian government is anxious to know what Secretary Gresham proposes to do about it.

Details of the Battle Not Known.

The Herald's correspondent in Artigas telegraphs that it is impossible to ascertain the true story of the battle which was fought last Friday between the revolutionists and the government forces near Uruguayana. Victory is still claimed for each side, although it seems probable that the revolutionists defeated the Castilhista cavalry and then retired in groups and reassembled near Serra Cabero. The losses during the battle are variously estimated at from 100 to 500.

It is reported that General Saraiva has reached Santa Victoria. He has cut the telegraph wires and it is impossible to find out what really did happen.

A dispatch from the Herald's correspondent in Buenos Ayres says that President Pena has offered the portfolio of minister of foreign affairs to Zeballos. Other members of the cabinet are opposed to Zeballos. They favor Quirino Costa and declare that he is more deserving than Zeballos, who does not favor the settlement of the Chilian boundary question.

Nicaragua Revolutionists Active.

SAN JUAN DEL SUR, Nicaragua (via Galveston, Tex.), May 9.—[By Mexican Cable to the New York Herald—Special to THE BEE.]—The revolutionists against the power of President Socosa are rapidly gaining. They have taken possession of this port and control most of the country between here and Granada. That city, as I have already cabled to the Herald, is in the hands of the insurgents who also hold Rivos, Masaya, Jinotepe and Matagalpa. Telegraphic communication with the capital has been cut off and it is not possible to learn what is being done around Managua. It is reported, however, that the capital city is under siege and that several engagements between the government troops and the insurgents have taken place.

The revolutionists are rapidly gathering arms, enlisting troops and collecting money. Their army is gaining in numbers daily. Many of the leading merchants have openly declared their sympathy for the revolutionary cause. Among the laboring classes great enthusiasm is shown. It is quite evident that the outbreak is the most serious one which has taken place in Nicaragua for many years. The war may last for some time and it promises to be a bloody one.

Trouble in Cuba.

HAVANA, May 9.—[New York Herald Cable—Special to THE BEE.]—There is increased excitement in the province of Havana owing to the danger from an unexpected source. Manuel Garcia's band of guerrillas encamped on Sunday near Melina and immediately began a series of depredations. They made a dash into the town yesterday and raided the place. Farm houses were pillaged and many defenseless persons cruelly shot down.

On receipt of the news at the capital a force of government troops was ordered to pursue the bandits. They are now advancing on the encampment.

NEBRASKA DAY AT CHICAGO.

Indications that the Occasion Will Be an Interesting Feature of the Fair.

CHICAGO, Ill., May 9.—[Special Telegram to THE BEE.]—Complete details have not yet been perfected for the celebration of June 8, Nebraska day. Commissioner General Garneau has already commenced preparations and for the past few days has been in Omaha to perfect the plans for a rejoicing such as will impress upon the representatives of every nation in Christendom, as well as Chicago, the fact that there is such a state as Nebraska and that it can whoop things up at this Columbian exposition in real western style.

Colonel Cody and his Wild West will be conspicuous participants in the fete. Major Burke, Buffalo Bill's general manager, told THE BEE'S correspondent this afternoon that he was going into the Nebraska celebration with a whole heart, and remarked that he felt certain the state day would be the day of all days during the whole fair season.

The arrangements have been left to Mr. Garneau. As at present mapped out the plan is for the whole Wild West collection of riders from all parts of the world to act as an escort to Governor Crounse. There will be the Cossacks, Gouchas, Indians, English troopers, Arabian warriors, in fact, nearly every nation's fighters will be uniformed and mounted. It has not yet been so decided, but a parade from down town is contemplated. Colonel Cody has already begun advertising Nebraska day with big colored lithographs, showing himself mounted and escorted by a federal cavalryman bearing the United States flag, and a state trooper carrying the standard of Nebraska.

REPUBLICANS AT LOUISVILLE.

They Are Congregating at the Kentucky Metropolis in Large Numbers.

LOUISVILLE, Ky., May 9.—It is doubtful if this beautiful metropolis of the Blue Grass state has ever had within its limits a larger number of republican voters than it has tonight. The members of the National Republican league are congregating here for the annual convention of that organization. Every train that has entered the city today has been loaded down with them, so that tonight it is estimated there are between 2,500 and 3,000 republican visitors here from all over the union.

Aside from the convention of the National Republican league there are two additional attractions to republicans. The republican national committee will be here tomorrow, and Thursday the American Republican College league will hold its annual session. The national committee will meet for the purpose of discussing and outlining a policy to be followed by the party.

There has been a good deal of talk in the hotel corridors today that trouble is brewing among the members of the national committee over the retention of Thomas H. Carter of Montana as chairman. Before the campaign of last fall, when the national committee met and elected Mr. Campbell, it was found that he would have to resign. Before adjourning the national committee adopted a resolution asking the executive committee to choose a successor. Mr. Carter was chosen. It is claimed by some of the committeemen that he was selected to act only during the campaign, and, as that is now over, he should withdraw, as Montana has a regularly selected delegate. The national committee will meet tomorrow forenoon at 11 o'clock.

The National League of Republican Clubs will meet tomorrow and elect officers Thursday. The League of College Republican Clubs will meet for the same purpose Thursday afternoon.

Candidates for the presidency of the National Republican league are becoming numerous. It is announced that Trumbull of California is in the field. The delegation arrived from that state last night and decided this morning to put him in the field. It is also announced that ex-Senator John C. Spooner of Wisconsin will contest for the office. The Illinois delegation will come in a body tonight with its candidate, W. W. Tracy. The Ohio delegation is trying to capture it for Squire. It is reported that M. H. De Young of California will make a fight for the chairmanship of the national committee, though this is denied in some quarters. He is expected to arrive tonight.

PHŒBE'S NOT IN IT.

Miss Couzins Absolutely Ruled Out of the World's Fair Management.

CHICAGO, Ill., May 9.—Since the day President Cleveland opened the fair by the pressure of the telegraph key there has been no day that the attendance was larger and the weather more propitious for visiting the White city.

The judiciary committee to which Miss Couzins' claim was referred brought in a report to the national commission, stating that under sections 2 and 3 of the act of congress, creating the commission, Miss Couzins cannot be regarded as in any sense a member of the commission, and as a logical sequence, cannot be permitted to participate in its proceedings or exercise any of the rights and prerogatives incident to membership thereof. Whether or not Miss Couzins will make further efforts to bring the question up again remains to be seen.

The first committee to report this afternoon was the committee on fisheries. The work of installation in the Fisheries building is so far advanced that the committee had no hesitancy in saying that the result would be highly satisfactory when the exhibit is completed.

The committee on live stock made a report which is not at all encouraging. According to the report, not a single exhibitor is yet in attendance, nor are there any exhibits. The date of entry for horses and cattle is, therefore, necessarily changed from June 15 to July 15, and for sheep from July 1 to August 1. The mines and mining exhibit probably is the most advanced on the grounds. The installation of the exhibit is almost complete. In the foreign section several of the largest displays, including New South Wales, Germany, Great Britain and Canada are about as they may be expected to appear during the summer. Russia, Mexico, Japan, Cape Colony, Brazil, France, Austria, Greece, Italy, Spain and Chili have each completed their furnishings and artistic arrangements, or have installed a large part of their exhibits. In the domestic section all the states along the main avenue are active.

A committee of six was appointed to investigate, as far as may be, the affairs of the Chemical bank and report to the commission as to the advisability of permitting the bank to resume business upon the grounds of the exposition.

RAILROAD CONDUCTORS.

They Meet in Biennial Session at Toledo, Ohio.

TOLEDO, O., May 9.—About 1,800 delegates are here attending the biennial session of the Order of Railway Conductors, including their wives, who have an organization known as the Ladies' auxiliary. The opening exercises occurred in the People's theater. Mayor Major opened the ball with a brief word of welcome, presented the keys of the city to Grand Chief Conductor Clark, and then introduced Governor McKinley, who came from Columbus expressly to make the conductors welcome to the state of Ohio. He received a perfect ovation as he stepped forward. His twenty-minute speech was largely devoted to a review of the growth of the railway system of the United States.

Grand Chief Conductor Clark replied in fitting words. He was followed by Hon. J. M. Brown of this city in an address on "Organized Labor," in which the contest between capital and labor was discussed from the point of view of the golden rule.

The next address was by Assistant Chief Conductor Watkins, who was followed by Chief Sargent of the Brotherhood of Locomotive Firemen, who is here as the guest of the conductors.

The closing speech of the reception was made by E. B. Coman of Portland, Ore., who is the wit of the order, and elicited reams of applause by his happy hits. After adjournment Governor McKinley and the grand officers were entertained at luncheon by Mayor Major. The governor returned to Columbus on the evening train.

At 3 o'clock the real work of the convention began in secret session at Memorial hall. Tonight the Ladies auxiliary is holding a reception for the conductors at the hall. The convention will be in session the remainder of the week.

Movements of Ocean Steamers May 9.

At Lizard—Sighted—Missouri, from Philadelphia; Teutonic, from New York.

At Southampton—Arrived—Chester, from New York.

At Queenstown—Arrived—Nevada, from New York.

At Moville—Arrived—Circassia, from New York.

At Boston—Arrived—Philadelphia, from Liverpool.

At New York—Arrived—Vera, from Bremen (smallpox aboard); Kaiser Wilhelm, from Genoa; State of Nebraska, from Glasgow.

At Hamburg—Arrived—Wieland, from New York.

New York Exchange Quotations.

NEW YORK, May 9.—[Special Telegram to THE BEE.]—Exchange was quoted as follows today: Chicago, 89 cents premium; Boston, 17@10 cents discount; St. Louis, 90 cents premium.

Belongs in Oregon.

An insane man named Joe Ryan, recently from Oregon, found wandering about near Fort Omaha yesterday, was gathered in by the police, and is confined in the city jail.

RATE WAR ON IN EARNEST

Union Pacific Meets the Cut of the Rio Grande Western.

LOMAX SAYS IT IS TO A FINISH

He Will Make a $1 Rate from Salt Lake to Omaha if Necessary—Solicitors Discuss the Maximum Rate Bill.

One hundred thousand dollars, it is thought by those who are in a position to judge, were lost by the Union Pacific during the first two weeks of the Atchison-Midland and Rio Grande rate war in Colorado, and it has only been within the past seven days that the holes in the sieve have been stopped, and revenues have once more commenced to flow into the Union Pacific treasury. This is due in great measure to the action of that road in meeting every cut made by the rival "Centennial state" lines.

But while the Union Pacific has met the rate from Colorado common points to the river, a very formidable enemey in the Rio Grande Western has been cutting rates from Utah common points until the Union Pacific has at last been forced to meet the reduction offered by the Western to Colorado common points. For ten days Mr. Bennett of the Rio Grande Western has been using his mileage books in conjunction with the cut rates from Grand Junction, sending passengers through to Denver for $20, or thereabouts, for round trip, although he has publicly quoted a rate of $35 for the round trip and $25 one way.

Has Become Wearisome.

Mr. E. L. Lomax has seen his earnings dwindle into nothingness through the work of Mr. Bennett, although the latter has constantly professed the warmest regard for the Union Pacific, and even went so far as to say that he would protect the latter at all points. But Mr. Bennett took the technical ground that he could not withdraw his mileage books, which were good over the entire Rio Grande system, nor would he advance the rate locally in order to protect the tariff. This situation has confronted Mr. Lomax for days. He has seen the Rio Grande Western scooping the business until at last tired of pulling Mr. Bennett's chestnuts out of the fire, he entered the rate war arena yesterday, announcing a rate of $13 from Utah common points one way to Colorado common points, and $26 round trip, good for continuous passage with a thirty day limit, the rate to go into effect this morning.

Of course the Rio Grande Western will meet the rate, and, according to Mr. Lomax, "will burden the Associated press wires with highly colored stories reflecting upon the Union Pacific and classing it as a great rate demoralizer. Now that I am in it I propose to stay with these people who have played fast and loose with me until something gives way. I have maintained as long possible the position of mediator. I have sent 5,000 words in telegrams to the people to maintain the agreed-upon tariffs. I have prayed, supplicated, entreated, but all to no purpose. I presume I have even been laughed at for pursuing the conservative policy that has been a governing feature of the Union Pacific in this contest, which I consider the most senseless in the history of railroad management. It has not a single argument to stand upon, and if the Burlington and Rock Island would have remained neutral the fight would never have gone beyond the boundary of Colorado. But with these roads lending aid and comfort to the Rio Grande, the war has extended over the transmissouri territory and promises in the next twenty days to find its way into the heart