FAILED OF PASSAGE

Not Enough Members Voted in the House Yesterday for the McCreary Resolution.

DEMOCRATS COULD NOT GET A QUORUM

They Needed Seventeen to Sustain Cleveland's Policy Toward Hawaii.

REPUBLICANS REFRAINED FROM VOTING

Leaves of Absence Withdrawn and Another Attempt Will Be Made Today.

GENERAL SICKLES GOES ON RECORD

He Condemns the Course of the Administration in the Affair and Votes Against the Resolution - Some Interesting Speeches Made.

WASHINGTON, Feb. 6 .- The Hawalian debate was concluded today, but the entire resolution was not passed because of the failure of the democrats to secure a quorum when a vote was taken. Much less opposition from the democrats developed than was at one time expected. Only one speech, that of General Sickles of New York, was made in opposition to the adoption of the resolution, although there was some passive opposition on the democratic side, as indicated by the refusal of several of the democrats to answer to their names when the resolution was placed upon its passage.

The Hitt substitute, the Blair amendment and the motion made by Mr. Reed, to recommit the resolution were, in turn, voted down. When the vote came to be taken on the main question, however, the adoption of the resolution, the republicans refrained from voting and the democrats lacked seventeen of a quorum. Mr. Cummings of New York voted for Mr. Reed's motion to recommit, and Mr. Sickles against the McCreary resolution. Mr. Cummings of New York, Mr. Geary of California and Mr. Cockrell of Texas refused to go on record either for or against the adoption of the resolution. These were all the indications shown today of a break in party lines in the Hawaiian matter. The populists voted generally with the republicans. Mr. Broderick of Kansas was the only republican who declined to follow the leader of his party, and refrain from voting. He voted against the resolution.

When the democrats found themselves without a quorum, they passed a resolution revoking the leaves of absence and then adjourned. They expect to have a quorum present tomorrow.

At the opening this morning Ellis of Oregon asked unanimous consent for the consideration of the senate bill to extend the time allowed the Umatilla Irrigation company for the completion of its canal across the Umatilla Indian reservation in the state of Oregon, and the bill passed.

After the call of committees for reports, he Hawaiian debate was resumed, Mr. Outhwaite, democrat of Ohlo, taking the floor in support of the McCreary resolution. He took the position that Minister Stevens, in ordering the troops ashore at the time of the revolution, had been guilty of an act of war; that in be-traying the government to which he had been accredited, he had been guilty of treachery, and that in scheming with the sugar interests to overthrow a weak mon-archy with a view to annexation, he had been guilty of cowardice. He analyzed the events of the revolution itself to show Mr. Stevens' zeal on behalf of the revolutionists. The subsequent attemps to rush the Hawaiian islands into the United States, he said, were marked by mock beroism at Honolulu and mock patriotism in Washing-ton. He hoped when the gentleman from

Indiana (Mr. Johnson), wrote his opera, he would not forget to blaze on the banners of the chorus girls \$12 per ton on sugar."
"I might include your speech." Interrupted Mr. Johnson amid a ripple of amusement. "It would certainly prove a laughable feature of my comic opera."

Mr. Outhwaite challenged the production

of a single scintilla of evidence to prove that Mr. Cleveland, in the inauguration of a policy which had for its purpose the rightof a national wrong, ever contemplated the use of force.

MR. CULBERSON SPEAKS. Mr. Culberson of Texas, chairman of the judiciary committee, followed Mr. Outh-waite and was listened to with great atten-When Mr. Cleveland was inaugurated said he, an extraordinary condition of affairs with reference to Hawaii existed. A treaty of annexation had been negotiated and sent to the senate. The transaction and sent to the senate. The transaction was incomplete. The treaty was based upon the report of Secretary Foster. It was Mr. Cleveland's right and duty to investigate that report, already questioned, the considerations of national hono manded that he exercise that right and dis charge his duty. The main question before the house was whether the evidence furnished demonstrated the falsity of the report If it was false and the fact could be made to appear that the revolution was accomplished by the lawless act of our minister, then the meaning of that treaty was an inexcusable blunder and Mr. Stevens' action was a crime against the United States. All the evidence, he went on, showed that Secretary Foster's report was erroneous and un-reliable, that Mr. Stevens was a revolutionist and a conspirator and that the landing of the troops to protect American life and property was a mere pretext and disguise to make possible the success of the projected

of the committee on foreign affairs, said that what occurred in Hawaii in January. 1893, was a small matter compared with what had occurred in Washington since March, 1893. Mr. Storer made an argument against the president's power to confer on Mr. Blount diplomatic authority without nominating him for confirmation by the

Mr. Everett of Massachusetts, also a member of the foreign affairs com-mittee, took the position that the Hawalian revolution was accomplished through the sympathy of Mr. Stevens and the intimidation produced by the landing of the Amer-

PAST POLICY OF THE GOVERNMENT. Mr. Loud, republican, of California, who followed, contended that partisanship should have no place in the determination of a question where patriotism alone should reign. The American interest in Hawaii was paramount. Down to Mr. Cleveland's administration the policy of the United States had always looked to an ultimate annexation. Even Mr. Merrill, Mr. Cleveland's first minister to Hawaii received. land's first minister to Hawaii, received instructions, both written and verbal, to court the most friendly relations with Hawait with a view to ultimate annexation Mr. Loud said the annexation scheme, in

stead of being supported by the sugar men

Mr. Turner, democrat, of Georgia made an impassioned speech. The revolution of our countrymen in Hawaii, said he, was not against oppression. It was a comprisely which overthrew and trampled under foot a constitutional form of government under which our countrymen there had flourished and prospered. And what was the condition there now? The constitution was suspended. Sentees. The resolution we the queen was dethroned, even the writ of 6:35 the house adjourned.

habeas corpus was suspended, and every resident in the islands was disfranchised. What sort of a spirit of liberty was invoked what sort of a spirit of liberty was invoked on this floor, asking the house to stand up for such defiance of liberty and constitutional prerogative, and it was the work of our countrymen? (Democratic applause.)

Mr. Turner paid a high tribute in the course of his remarks to the ability and integrity of Mr. Blount, who had been

maligned and even characterized by the gentleman from Maine as a "Georgia politician. ATTACKED CLEVELAND'S POLICY.

Mr. Sickles, democrat, of New York then got the floor and made the first speech on the democratic side against the McCreary resolution. If the resolution which the house was asked to pass confined itself to the past and present, he said, in opening, he would have remained silent. But it went further. It had an important bearing on the future. He did not believe that one administration was a court of appeals or a court of review for the acts of a previous administration. (Republican applause.) He should look forward with regret to a possible review five years hence of the acts of Cleveland and Blount as he now saw with surprise and regret an attempt to review the acts of President Harrison and Minister Stevens, both of whom were now out of office. The present government of Hawaii, he continued, was recognized by the United States as a legitimate government and its authority was unquestioned, "I do not agree with this resolution," continued Mr. Sickles emphatically, "and I will not vote for it. (Republican applause.) As long ago as 1850 I heard Governor Marcy say the Sand-wich islands should not belong to any other wich islands should not being to any other, power and would eventually belong to us, and I agreed with him then, and I agree with him now." (Republican applause.)

Mr. DeForest of Connecticut endorsed the action of the administration.

Mr. Hepburn of Iowa said the resolution which the democratic house proposed to pass indemned Minister Stevens on ex parte cvidence secured by Mr. Blount; evidence that be would not have been warranted in using

efore any court. At 2:30 o'clock Mr. Hooker, democrat, of Mississippi was recognized for an hour for the closing speech of the debate. Mr. Hooker, who is a member of the for-eign affairs committee, called attention to those features of the Hawaiian treaty sub-

mitted by Prost ent Harrison which gave a queen, \$150,000 to the reyal princess and aspension of \$20,000 per year to the dethroned sumed the Hawaiian debt of over \$3.000,000. He argued at length the existence of a con-spiracy, which, having accomplished its usurpation of the functions of government,

proceeded to divide up the spoils.

In the course of his speech, Mr. Hecker
paid a high tribute to Mr. Blouat. In concluding he delivered a glowing energy of Mr. Cleveland for his levotion to truth and honesty. Mr. Hooker received a round of applause as he took his sout.

The hour of 3.30 having arrived, according

to the special order, the vote was taken. Three resolutions were pending. The first was the majority (McCreary) resolution, as

MAJORITY RESOLUTION.

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Resolved First,—That it is the sense of this house that the action of the United States minister in employing United States naval forces and illegally alding in over-throwing the constitutional government of the Hawaiian islands in January, 1893, and setting up in its place a provisional government, republican in form, and in opposition to the will of a majority of the people, was contrary to the traditions of our republic and the spirit of our constitution, and should be, and is condemned.

Second—That we heartily approve the principles amounced by the president of the United States, that interference with the domestic affairs of an independent nation is contrary to the spirit of the constitution, and it is further the sense of this house that the amoestion of the Hawaiian islands to our country or the assumption of a protectorate over them by our government is uncalled for and inexpedient; that the people of the country should have absolute freedom and independence in pursuing their own line of policy, and that forceign intervention in the political affairs of the islands will not be regarded with indifference by the government of the United States. difference by the government of the United States.

The second was the minority resolution offered as a substitute for the McCreary resolution, as follows:

Whereas, Executive communications to congress disclose that the executive department has instructed a minister plenipotentlary of the United States to conspire with a deposed and discarded monarch for the overthrow of a friendly republican government, to which said minister has been accredited, duly recognized by all the civilized nations, and to which his public instructions piedged the good faith and sympathy of the president, the government, and the people of the United States.

Resolved, That it is the sense of this house that any such intervention by the executive of the United States, its civil or military representatives, or officers, without authority of congress is a dangerous and unwarranted invasion of the rights and dignities of the congress of the United States, and a violation of the law of nations.

And, further, that the manner of such attempted intervention by the executive and the methods used are unworthy of the executive department of the United States, while the confessed intent of such intervention is contrary to the policy and traditions of the republic and the spirit of the constitution.

To the last resolution Mr. Blair offered a Whereas, Executive communications

To the last resolution Mr. Blair offered a substitute approving the recognition of the provisional government by both administra-tions, and declaring for annexation.

RESULT OF THE VOTING. The vote was first taken on the Blair -77 to 155. The ayes and mays were se-cured on demand of Mr. Blair. There was not a party break on either side on this rote, although General Sickles, and perhaps one or two democrats, declined to respond to the call of their names.

The vote was then taken on the minority (Hitt) resolution, which was offered as a substitute. It was lost first, on a rising vote—98 to 128—then on a yea and may vote -102 to 162. As on the previous roll call, there was no breaking away from party lines. The populists voted with the repub

Upon the announcement of this result Mr. Reed moved to recommit, with instructions to investigate all the facts in the resolution offered by the committee, and now before th house. Upon this motion to recommit, Mr Cummings of New York voted with the republicans and Mr. Sickles refused to vote. It

The vote then recurred upon the adoption of the majority (McCreary) resolution. The republicans, excepting Mr. hroderick of Kansas, sat slient, refuging to vote. The populists also declined. Mr. Sickles voted against the resolutions, and Mr. Cummings of New York and Messrs. Cockrell and Geary did not vote. The vots resulted 160 ayes to 2 nays. The democrats lacked seven

teen of a quorum. Mr. McCreary moved a call of the house Mr. Reed followed up filibustering by forcing a roll call. The call resulted 158 to The call developed the presence of 245 nembers, the republicans, of course, answer-

ing to their names.

During the call of the names of absentees for excuses, Mr. Roed asked, in autoession, that each member who failed to respond be excused. For thirty minutes, while these requests were being put to the house. Mr Reed delayed proceedings. The democrats were change under the sarcastic remarks of Mr. Reed but the word was quickly passed around that a resolution would immediately be adopted to revoke the leaves of absence

and he was allowed to proceed.

As soon as the call was completed after all the absentees had been excused at the request of Mr. Reed, Mr. McCreary presented a resolution to revoke all leaves of absence except those granted for sickness, and in structing the sergeant-at-arms to telegrap absentees and request their attendance Mr. Reed's aim was to have his trouble fo his pains, and accordingly he made the point which the house was operating, a ourran

save to preceed with the voting.

Ar. Inockery of Misacuri, who was in the chair, overruled the point of order on the ground that under a call of the boise, not withstanding the presence of a querum, was competent for the house to send for ab sentees. The resolution was adopted, and at WILL TAKE A VOTE TODAY

At Three O'Clock This Afternoonn Debate on the Elections Law Will Glose.

IT COULD NOT BE REACHED YESTERDAY

Several Senators Who Had Not Spoken on the Subject Wanted to Be Heard-Frye Defends Davenp rt's Reputation-Other Speakers.

WASHINGTON, Feb. 6.-The senate did not come to a vote on the federal elections bill today as was anticipated. Several senators who had not hitherto spoken desired an opportunity to be heard on the measure, and, by unanimous consent, the time of general debate was extended until 3 o'clock tomerrow.

The chief event of the day was the speech by Senator Frye of Maine, defending the official course and character of Chief Supervisor Davenport of New York City and refuting the alleged slanders and calumny which he said had been heaped upon him by the democratic party for twenty years.

Harris, Daniel, Turple and Perkins. The bill repealing the federal elections law came up immediately after the preliminary business this morning, and Senator Hawley, republican, of Connecticut took the

Speeches were also made by Senators

Hawley, republican, of Connecticut took the floor in opposition to the bill.
"Everybody knows that this bill is to pass," said he. "In fact, immediately after the triumph of the democratic party at the polls at the last election it was known that this law would be repealed. This marks a distinct era in the history of this country -at least as regards the ballot. It marks a new interpretation of the constitution, upon provisions of the constitution supposed to have been settled beyond doubt for a hundred years. The very preamble of the constitution is sufficient to indicate that the power to make laws for the regulation of congressional elections is vested in con-

gress." Senator Hawley quoted the section of the constitution providing for the election of members of congress and said: "There can be nothing plainer than this, James Madison, one of the greatest interpreters and expounders of the constitution, said that this power in the national government was necessary in order to prevent its own dissolution. He said that this power was necessary in order to perpetuate the national government. But it is said that these laws are a failure; that they have not succeeded. No law has ever succeeded in preventing offenses. There have been audacious crimes committed in the last year in the northwest. When we consent to the disfranchisement When we consent to the disfranchisement of citizens we do not say we can confine it to the south. When the people see the United States congress treating with disrespect any attempt to protect their vote, how easy a thing is it for them to suppose that the end shall justify the means in New York or St. Louis or Hartford or Boston."

Senstor Perkins of California spoke in opposition to the bill. No adequate reason had been given for the repeal of the law; he said it had not been contended that it had deprived a single citizen of his right or opportunity to vote.

opportunity to vote.

Senator Daniel of Virginia said the peo-ple, by their candidates and their platform, appealed to the tribunal of the people, and the decree had come that it should be re-pealed.

DAVENPORT DEFENDED. Senator Frye of Maine followed, and quoted from a Virginia democratic paper to show that wholesale frauds had been cammitted in Virginia recently. Continuing, Senator Frye defended the character of John Davenport, chief supervisor of elections in New York Page 1981. tions in New York. "I have the greatest respect for him," said he. "He is fearless

and has shown a fidelity in office that is Senator Gray was willing, after pressure, to consent to an extension of the hour if time for the final vote could be fixed at 3 o'clock tomorrow, but Mr. Stewart demanded that his bond resolution should not thereby lose its place on the calendar and Senator Berry raising the same point in regard to a measure in which he was interested

controversy ensued which prevented any manimous agreement for extension. Later on in the argument Senator Harris renewed his request that the final vote be postponed until tomorrow, and by unanimous consent it was agreed that the general de-bate should be extended until 3 p. m. tomor row, at which time the vote on the amendnents and the bill should be the only thing n order.

Senator Frye then resumed his discussion of Davenport and read a letter written some years ago by W. C. Whitney, recommend-ing him for an office of public trust. In concluding his review of the life of Davenport Senator Frye said: "I admire him; I believe in him. H has many of the finest qualities I have ever seen in a man. believed a defense was his due, as he was about to retire from public office. My only regret is that it has been so meekly made by me, but it has been honestly made, and of that I can say no more." Senator Turple replied briefly to Senator

Frye and reiterated his charges against the character of the men appointed by Daven-port. In Indiana the men appointed as leputy marshals were men who had lost eye or an arm or a finger—who had lost their eyes in attempting to force open winlows and burgiarize houses-who had lost their arms and fingers in steel traps and by their attempts at robbery, theft and crime.

In beginning his arguments in favor of
the bill Senator Harris declared the statements of Senator Chandler a few days ago in regard to the election frauds in the city of Memphis were unfounded, in fact, the ourts having decided on that occasion no and had been committed. He opposed the federal elections law because it was the exercise of a power never before vested in congress by the constitution of the United States. The clause in the constitution was never intended to give congress the power to regulate elections in the manner provided by the federal elections law. In its earlier and better days Massachusetts took the same position in its interpretation of the constitution, but it appears to have changed its opinion now. After a further brief ar question, Senator Harris, on account of ill ness, was compelled to close.

Senator Daniel replied to the reference that had been made by Senator Frye in re-gard to Virginia earlier in the day and denied there had been any wholesale election frauds in that state. "The senator from Maine seemed to think it was enough to read from a newspaper and then say now badly the elections law is needed in

At the close of Senator Daniel's speech the senate went into executive session, after which the senate adjourned.

Survey of Alaskan Boundary. WASHINGTON, Feb. 6.-The presiden has sent to the senate a treaty negotiated with the representatives of the government of Great Britain for the extension of the time for making the survey of the boundary line between Alaska and the British possessions. The purpose of the survey is to set at rest some questions in dispute going back to the time of the ownership of Alaska by Russia and involving claims by the two countries to the country along the sion was to have completed its work by this fall. It has been found impracticable to ac-complish this, and the present treaty ex-

tended the time for another year Confirmation? and Nominations. WASHINGTON, Feb. 6 .- The senate in executive session today confirmed the folawing nominations:

Thomas Moonlight of Kansas, to be envoy extraordinary and minister plenipotentiary to Bolivia; First Lieutenant Samuel Reber, organized militia.

Ninth cavalry, to be first lieutenant by transfer in the signal corps.

The president today sent the following

nominations to the squate:
Postmasters — Clarence Coulter, Blue
Rapids, Kan.; John B. Throx, sr., St.,
Charles, Mo.; A. L. Skelly, Silver City, N.
M.; Ida L. Turner, Fort Worth, Tex.

BLAND AND CARLISLE. They Meet and Talk Over the Seignlorage

Columne Bill. WASHINGTON, Feb. 6 .- Secretary Carliste, accompanied by Representative Bland, appeared before the house committee on judiciary today. It was developed later that the secretary's visit with Mr. Bland did not mean that the former intended to lend his influence to the passage of the seigniorage bill. They had met casually at the secretary's office, and as Mr. Bland was going to the capitol, Mr. Carlisis accompanied him for the purpose of talking over the Bland bill. This talk brought out the fact that the secretary was not strenuously opposed to the coinage of the seigniorage, although he did not approve of some of the propositions in the bill, by which this added silver coinnge was to be secured. It is understood that the secretary pointed out a flaw in the first section of the bill, which Mr. Bland himself conceded

should be modified. The section provides "that the secretary of the treasury shall immediately issue sliver certificates in the amount equal to the seigniorage of the silver bullion, to-wit: \$55,156,681." silver bullion, to-wit: \$55,156,681."

Mr. Carlisle pointed out that the mandatory provision that the secretary "shall immediately issue \$55,156,681 of silver certificates" is hardly necessary, as the current expenses might not require the compulsory issue of such a large amount of

when the bill was taken up, by which the secretary will be given authority to issue silver certificates as circumstances de-manded, instead of being compelled to issue

them in blocks immediately.

Mr. Tracey of New York has made a preliminary canvass of the house, which sat-isfied him the seigniorage bill would be defeated by eight or ten votes if a full membership could be secured, but this Mr. Tracey does not expect. He is ready, however, to raise the point of consideration against the bill, and this may delay the debate on it.

STRUGGLING WITH THE TARIFF.

Democrats in the Senate Working on the Wilson Bill.

WASHINGTON, Feb. 6 .- The democratic nembers of the senate committee on finance lost no time in proceeding to work upon the tariff bill after they decided not to grant hearings to interested parties. Senators Jones of Arkansas, Mills and Vest, comprising all the members of the subcommittee on tariff except Senator Voorhees, met today and took up the bill with the view of putting it in shape at the earliest practicable moment for submission, first to the democratic members and after-wards to the full committee. The meeting was private and the proceedings were not given out. It is known, however, that considerable progress was made with the work, owing largely to the fact that these gentle-men had all given much attention to the bill and had conferred among themselves to a sufficient extent to be familiar with one another's views upon the questions at issue. They have determined to make a few concessions on important articles like coal and sugar. A duty will be placed on these arti-cles, but whether it will be specific or ad valorem in character has not been determined. If a specific fluty is decided upon it will, in the case of augar, probably be a

striking out this part of the bill, but so nany of the democrats are favorable to this tax, that it has become evident this change will be difficult of accomplishment. Senator Jones of Arkansas is urgent in his advocacy of an increased tax upon beer but has not so far met great encouragement from the committee.

RESTRICTIONS TO TRADE.

Why Many Countries Do Not Use More American Breadstuffs.

WASHINGTON, Feb. 6.-B. R. Bedle, United States consul at Sheffield, England, has made a report on the American wheat and flour trade in his district. The flour mostly used there is known as the XXX standard. No American wheat flour seems to come into the district. For the year ending June 30, 1893, 440,000 bushels of American wheat were imported from all parts of America; from all other countries 2,200,000. People are prepared to use American flour provided they get a good quality at a low

The United States consul at Barranquilla. United States of Colombia, thinks m the natives prefer their native brand American wheat is never imported. He thinks the lack of wheat bread eaters the

principal obstacle to increasing the trade.

James Viosca, consul at La Paz, M. native flour from the neighboring state of Sonora, Mex., and the northern por tion of that territory is now used exclusively It is of poor quality. The amount of na-tive flour consumed is from 150 to 200 tons per month. The import duty is about \$10.66 per barrel. This is prohibitory. F. C. Penfield, consul general at Cairo, says Egypt produces a surplus of bread stuffs and exports to Europe.

EFFICIENCY OF EMPLOYES.

Secretary Smith Making Active Efforts to Ascertain Their True Standing.

WASHINGTON, Feb. 6.-Secretary Smith is making active efforts to have some plan formulated to make uniform the records of efficiency of employes and the methods of promotion throughout the Interior department. He at first appointed a committee, consisting of Chief Clerk Daniels, Appoint ment Clerk Holcomb, Samuel Derby, then chief clerk of the patent office; Chief Clerk Wardle of the chief superintendent's office, and Apointment Clerk Anthony Stevenson to discuss the question and make recommendations. The committee has been superseded by the various heads of bureaus, who been designated as a commission to consider the matter.

At a meeting of these officials yesterday the majority report objected to the plan, but t was finally decided to refer the matter t Dr. W. T. Harris, the commissioner of edu-cation, who will submit his report next Monday morning. It is doubtful if Dr. Harris will recommend the plan, but should the recommendation be made it is hardly prob-

Peckham as Yet Unconfirmed. WASHINGTON, Feb. 6 .- The senate com mittee on judiciary has postponed until Monday next the consideration of the Peckhain nomination. This is supposed to be slightly

unfavorable to the nominee. Senator Lindsay of Kentucky was favorable to the confirmation of Mr. Hornblower, but is reported against Peckham, in obedience to the resolution of the Kentucky egislature. Several members of the comegislature. mittee have not yet given any indication of how they will vote.

Citizen Soldiers WASHINGTON, Feb. 6 .- The War department this year has reports on the militia from the adjutant general of every state in the union. This has not occurred before, so far as is known, in the history of the govern-ment. The report shows 9.700 commissioned officers and 102,921 chilsted men in the Na-tional guard and about 9,000 men in the un-

Head of the Lincoln Catholic Diocese Haled Into Court by a Priest.

Rev. Father Phelan of St. Louis Bitterly Attacks the Defendant in Presenting Father Corbett's Side of the

Case in Court.

SENSATION CAUSED BY AN ECCLESIAST

LINCOLN, Feb. 6,-(Special to The Bee.)-For the first time in the history of the Catholic church in America a bishop is on trial in a state court on a charge of criminal libel. Bishop Bonacum is the ecclesiastic, and Father Corbett, one of his priests, in charge of the parish at Palmyra, is his accuser. The facts connected with the arrest were given in The Bee something over a week ago. The preliminary examination under the charge was set for this morning, and naturally a large crowd of interested spectators gathered in the court room to listen to the

them to Russia.

prior thereto.

have been killed.

Three remain in the ruins.

with an air of approval.

The remarks of Father Phelan were re-plied to with great bitterness by Mr. Saw-

yer. He denounced Phelan as a calumniato

from St. Louis and demanded to know by

what right he came to Lincoln and in a cour

of justice denounced a bishop as a Har.
"Because it is true," interjected Father
Corbett, and Father Phelan nodded his head

The court then took a recess until 2:30 in

The afternoon session was devoted en-

tirely to arguing the technicalities over the admission of certain testimony offered by Father Corbett. He took the stand and his attorney attempted to prove by his testimony that he had been the object of ma-

licious persecution of the bishop for a num-ber of years. When he was asked if he had

not been cited to answer certain charges, the attorney for Bishop Bonacum interposed the objection that all testimony concerning

the relation between the bishop and Father Corbett prior to the latter's recent suspen-

sion was irrelevant and should not be admitted. The bishop's attorney insisted that

criminal libel was based and not upon any-thing that might have been said or written

The question of admission of disputed evi-dence was argued at length on both sides,

SIX WERE KILLED.

Natural Gas Explosion in Indianapolis Brings

INDIANAPOLIS, Feb. 7.-1 a. m.-A

house has just been blown up by natural gas

on Madison avenue. Six persons are said to

INDIANAPOLIS, Feb. 7 .- 3 a. m .- Three

dead bodies have been taken from the ruins.

ARRESTED TO PREVENT BLOODSHED.

Kaukauna, Mich., Disturbed by a Semi-

Religious War.

an American Protective association lecturer.

who was mobbed at Oshkosh, January 17,

was arrested and taken off a train here

tonight on a charge of libel preferred by

Peter Reuter, mayor of Kaukauna. Sims

left Oshkosh this evening with a delegation

of 250 members of the Oshkosh American

Protective association, lodged in two cars

on the Northwestern railway. They had with them a band of music and the program was to reach Kaukauna at 6:30 and

march through the streets and Sims was to

lecture at the Baptist church. Such pro-

ceedings would have precipitated a bloody

riot, as Kaukauna is in a turmoil of religious bitterness. To prevent Sims' appear-

ance at Kaukauna, Reuter instituted civil

suit for libel against Sims, and a warrant

was issued for his arrest. The sheriff served

pleton. The American Protective association

through the streets. Sims gave \$2,500 bonds

Large crowds gathered at the depots and

when Sims was arrested there was consid-

erable excitement. He and his party made no resistance. During the excitement one

stone was thrown through a car window, inflicting a scalp wound upon an unknown passenger. No other demonstration was

made, except hooting.
Sims was taken before Judge Boyd and his

ball was fixed at \$2,000, which was furnished at 9 p. m. Meantime, the last train for

Kaukauna had left, rendering it impossible

Sims was released the crowd dispersed

quietly and he and his followers returned to

Oshkosh. Sims and his friends insist the

arrest and subsequent delay in producing

blank bond was all part of the plan to pre-

vent him from filling his engagement in

Found a Bondsman.

KANSAS CITY, Feb. 6 .- Justice Nichols

of Independence today reduced the total

bond of J. V. McNamara in the cases

against him for slandering Fathers Dalton

and Lilli and Sister Rose Vincent to

\$1,350. J. G. Minear of this city was accepted as bondsman, but McNamara was not

released this afternoon, owing to the re-ported inability of Deputy Marshal Ross to

find either Marshal Stewart or Prosecuting

this evening decided to enter a nolle prosse-qui at Independence and file new informa-

tion in the criminal court here. This is done,

the defence claims, to prolong as much as

possible the imprisonment of the ex-priest

pendence. The subpoenas issued for Bisnor Hogan, Fathers Lillis and Dalton and Mother Rose Vinsent to appear at Inde-pendence next Thursday and testify in the

From another source it is learned that the

prosecution anticipated serious trouble at In

dependence Tuesday, and in order to avoid it decided to bring the case here. There is not the slightest doubt but the feeling at

would take very little to bring about a riot

of the most serious nature. As it is there is

no certainty that all will pass off quietly on

KANSAS CITY, Feb. 6 .- J. A. Westmore

McNamara trial, has received an anony

mous letter informing him that a committee

all the A. P. As, for future use.

tenced within a few days.

by Attorney General Maloney.

that quarter.

500 was engaged in taking the names of

to look out for himself and be on his guard.

"DINK" WILSON'S LAST HOPE.

He Will Be Electrocuted If New York's

Governor Does Not Interfere.

SYRACUSE, N. Y., Feb. 6.—(Special Tele-

gram to The Bee.)-The court of appeals has

denied the application of Lucius R. Wilson

("Dink") for a new trial for the murder of

Detective Harvey in this city and affirms

the finding of the court which convicted him

and sentenced him to be electrocuted Decem-

Wilson, who is in the state prison in

out there probably is no hope for Wilson in

CHICAGO, Feb. 6 .- Judge Grosscup of

he United States court decided today the

motion to remove the American Building

Loan and Investment association receivership from the United States to the state courts.

Turned it Over to the State Court.

will be brought here and resen-

one of the defense's witnesses in the

who is now ready to furnish bond a

latter's case are hereby renderd void

reason for the nolle proseque is that

The prosecution in the McNamara case

Attorney Brown.

delegation, headed by the band

for his appearance.

passenger.

warrant on Sims as he came through Ap-

APPLETON, Wis., Feb. 6.-Prof. Sims,

The original complaint upon which Bishop Bonacum was arrested was filed by Father Corbett with the county attorney. It cited that on a specific date the bishop "unlawfully and maliciously devising, contriving and intending to scandalize, villify and defame the said Martin J. Corbett, and bring him into public scandal, infamy and disgrace and to injure, prejudice and aggrieve him, unlawfully and maliciously did compose, write and publish a certain false, scandalons, mall-clous and defamatory libel of and concerning the said Martin J. Corbett, containing among other things the false, scandalous, malicious defamatory and libelous words as follows:

defamatory and libelous words as follows:

"BISHOP'S HOUSE, LINCOLN, Neb.,
Jan. 19, 1884.—To the Members of the Catholic Congregation Worshiping at Palmyra,
Otoe County, Neb.: It is my painful duty
to inform you that I have suspended Rev.
M. J. Corbett from the exercise of the sacred ministry And I warn all Catholics
not to hold any communion in things spiritual with the said Corbett, nor to assist in
any religious service or ceremony which he
may rashly perform or attempt to perform
during the time of his suspension.

"THOMAS BONACUM,
"Bishop of Lincoln.

"That the false, scandulous, malicious and the testimony must be confined strictly to the letter of dismissal, claiming that it was upon this letter that the action for the attorneys closing only when the court adjourned until tomorrow morning.

"That the false, scandulous, malicious and defamatory libel was published and made public by said Thomas Bonacum without any warrant or authority of law from any tribunal, ecclesiastical, civil or otherwise. Upon the filing of the complaint Justice Spencer issued a warrant for the arrest of the bishop and placed it in the hands of the constable for service. When the con-stable appeared at the residence of the bishop the latter was very much chagrined at the matter and expressed his disinclination to accompany the officer to court. He insisted that there was no occasion for his arrest and asked the officer to enter up an appearance for him. This the officer could not do. Then the bishop called up the justice by telephone and asked that he be permitted to make an appearance in court via the telephone. Upon being assured that the laws neither contemplated or permitted such an unusual precedure, the bishop reluctantly an unusual procedure, the bishop reluctantly accompanied the officer to the court room. Here he gave his personal recognizance to the court in the sum of \$500 and departed, the date of the preliminary examination having been set for today in spite of the emphatic protests of Faiher Corbett, who was extremely anxious to hurry the trial.

The bishop appeared at the justice office prometly this morning accompanied by his promptly, this morning accompanied by his attorneys, A. J. Sawyer and N. Z. Snoll. The state was represented by Assistant County Attorney Collins and Attorneys Stearns and Strode. Associated with the No decision has been reached on the income tax. There are on the democratic side of the senate some strong advocates in the senate some strong and strong A number of priests were among the spec-

> ARGUMENTS QUICKLY BEGUN. As soon as the case was called Mr. Sawyer for the defense moved that the complaint be quashed on the grounds that it did not show that Father Corbett was a priest exercising the priestly functions; that it did not show that the bishop was not exercising a 'ight belonging to his office in writing the letter, and that there was nothing the writing or publishing of the let-ter alluded to in the complaint that constituted a crime under the laws of the state of Nebraska, and that the words of the bishop were not actionable under the libel laws of the state. Mr. Sawyer argued at length upon these points and his remarks were convincing to the deputy county attorney at least, for before the at torney had ceased speaking Mr. prepared an amendment to the original complaint, supplying all the deficiencies suggested by Mr. Sawyer. Mr. Snell then re-newed the motion to quash the information together with the hastily devised amendment, arguing upon his propositions at length and covering practically the same

> ground advanced by Mr. Sawyer. The arguments of Messrs. Sawyer and Snell were answered at length by Attorney Stearns. He declared in his remarks that Stearns. He declared in his remarks that the whole matter resolved itself into a very simple proposition. He claimed that the bishop has no power to suspend a priest unless the priest has been guilty of the commission of a crime. Consequently the state-ment made by the bishop to the effect that he had suspended Father Corbett carried with it the imputation that the priest had been guilty of a crime.
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> After all the attorneys on both sides had

> repeatedly argued their several propositions and points of law Mr. Stearns requested Father Phelan of St. Louis to present to the court an argument upon the effects of a suspension upon a member of the Catholic The request raised a new con-Mr. Sawyer remonstrated, g that Eather Phelan was a priest and not an attorney and that he had no right to practice in the Nebraska courts. Justice Spencer dismissed Mr. Saw-yer's objections by calling his attention to the fact that under the laws of the state any person may appear before a justice of the peace in the capacity of an attorney. Then Mr. Sawyer protested that he had al-ready availed himself of his privileges of making the closing argument upon the point at issue, and for this reason he made further objections to the appearance of Father Phelan In the case. The court overruled this objection and the St. Louis elergyman

> was permitted to speak. Father Phelan created a sensation by his iddress to the court. He lett no doubt in the minds of any one present at the hearing of his intense sympathy with Father Corbett and his opposition to the position assumed by the bishop. No more dramatic scene was probably ever witnessed in a Nebraska court room than the one which accompanied the impassioned address of the St. Louis

> He commenced by saying that it was not at all strange that there should be a com-mon misapprehension of many of the technical terms used in the government of the Catholic church. But every priest, he asserted, was fully aware of the terrible consequences attending a suspension from his priestly offices by the bishop. Every priest knew perfectly well that a suspended priest was a silented priest. His functions were absolutely gone. His priestly office was absolutely gone. His priestly office was denied him. He was lost to the sympathics He was deprived of the con of his parish. fidence of his fellows. A priest suspended by the bishop was not only deprived of the right to exercise his priestly functions in his own parish, but in every other parish in his diocese and every other parish in the world. When he is suspended he can appeal to no other authority for reinstatement but to the bishop who caused the sus-

Father Phelan reached the climax of his address when he advanced to within a few paces of the chair occupied by the bishop and shaking his foreflugor dramatically in

But what we want to show here is that this bishop has fied. We want to show that

his statement was a lib that it was a dintended to injure. It was a lie in the lad never suspended Father Corbat suspend him. He had the statement that he had paralyzed his made by bishops, but we bishop sitting here publicated to the world the statement that he had pended Father Corbett he profuned by a malicious lie."

Continuous, raiser a man calined that the bishop had uttored his lies with malicious intent to injure the personal reputation of Father Corbett, He had no more right to AGAINST THE

Union Pacific Employes Take Action to Retain the Present Schedules. THEIR PETITION IS FILED IN COURT

Careful Showing Made in Behalf of the Respondents in the Case. of Father Corbett. He had no more right to utter such a statement than a judge of a civil court would have the right to announce that he had tried and condemned a man for a crime when he had not. He believed that WHY DUNDY'S ORDER SHOULD NOT GO America should say to Rome: 'You may send your bishops here, but when they com-

they must conform to the law. If you Claims of the Men that the Receivers Took want to make tyrants of the bishops send Advantage of Them.

UNFAIR BASIS USED FOR COMPARISON

Worst Year in the Road's History Taken

for the Purpose of Calculating the New Scale-Hearing Will Be in Denver Today.

CHEYENNE, Feb. 6,-(Special Telegram to The Bee.)-An answer to the petition of the Union Pacific receivers asking authority to make a new schedule of wages was filed by the representatives of Wyoming employes of the Union Pacific today in the United States court. The respondents are delegates from the Brotherhood of Locomotive Firemen, Brotherhood of Locomotive Engineers, Order of Railway Trainmen. Switchmen's Mutual Aid association and American Railway union.

The respondents state that the membership of these organizations is numerous and cannot without inconvenience and delay be brought before the court, and that the questions involved are of general interest and importance. The answer reviews the history of the Union Pacific; how on October 13 it was insolvent and all its property placed in the hands of receivers, who later petitioned the court to issue an order fixing a certain schedule of wages that affected the men represented in the action by the respondents. The receivers also asked to have a contract abrogated that was entered into between the Union Pacific and the various organizations represented by the respondents. whereby certain schedules of wages should be paid to the employes of the road, members of these organizations, with the condition that these schedules should not be changed except by the consent of all the powers affected.

NOT A GOOD BASIS FOR COMPARISON. The respondents object to the action of the receivers in using 1893, the most unprosperous year in the history of the system, for purposes of comparison. They deny that the general schedule of wages prior to the receivership was in excess of any other railway system similarly situated. In proof of this they say that the management of the road ordered a general cut, but believing this reduction had been acquiesced in by the employes through their interest in the system, there was an understanding that full reinstatement should be made at an early date.

The respondents deny any knowledge of the data furnished the court by the ceivers, they having no means of ascertaining its correctness, but admit that the disparity, so far as the same in fact exists, is caused by the system of paying engineers and firemen on some divisions for more miles than they actually run, together with a higher rate per mile. The respondents deny that the proposed change will make a uniform rate of wages on the whole system or that the pay for the same class of services will be the same on all divisions. They state that they believe it is the purpose of the receivers acting in conformity to a purpose declared prior to the receivership to so advise the court as by its orders to restrict the freedom of economic laws governing the adjustment of rules, regulations and schedules of wages by free negotiations and agreement between employes and employers, They deny that it is the duty or within the power of the receivers to carry into effect such reductions and revisions of the rules. regulations and schedules of wages without the consent of the court and aver that the only rational method of bringing such a purpose about is the method always prac-

ticed in the past, a conference, COMPARISON OF REDUCTIONS. West of Cheyenne a constructive mileage has been cut off, making a reduction of from 10 to 40 per cent in the pay of engineers. This extra allowance by the old schedule was granted for the reason that the officials did not wish to increase the basis of pay, but were willing to allow constructive mileage in lieu thereof, by reason of the character of the road traversed, bad weather and local conditions affecting living expenses, All these conditions still obtain, while the capacity of the motive power used and the tonnage handled per train has increased nearly 100 per cent. The old schedule made the pay for switch engineers vary from \$3 to \$3.85, and firemen \$2 to \$2.25. The proposed schedule reduces these to, engineers

The respondents state that the proposed schedule of operators' pay is unjust. On the Denver & Rio Grande the minimum is \$65 instead of \$69, as stated in the receivers' petition, while the maximum is \$100, making an average of \$82.50 per month, Under the proposed schedule the minimum is \$62.50 and the maximum \$77.50, an aver-

\$3, firemen \$3 per day.

age of \$70. The respondents quote wages paid conducfors on various roads and show that the proposed schedule would work a grievous injustice to Union Pacific conductors in Wyoming. The proposed schedule would reduce wages of freight conductors between Cheyenne and Laramie \$2.30 to \$2.60 on each two trips. Between Laramie and Rawlins the reduction would by \$1.74 to \$1.89 per day. On the seventh district the reduction would be \$1.35 per day. On the ninth, the reduction would be \$1.44 per day, To the answer are appended comparative schedules showing the daily loss to the men under the proposed as compared with the old schedule, also comparisons with other roads. The prayer of the respondents of

First-To not grant the prayer asked for

the court is as follows.

Charles Wilson, who is in prison here awaiting trial for the same murder, was told of the result of "Dink's" appeal and manifested no surprise. It is said that there will be an appeal to Governor Flower. n the petition of the receivers, but to continue in full force and effect the contract entered into by and between the Union Pacific Railway company and the employes thereof entered into and in force prior to the insolvency of the Union Pacific, pending negotiations to be had by and between the receivers of the Union Pacific and the employes by and through their representatives as to such schedule of wages as may be just and proper, subject to the interposition of Ho will retain jurisdiction of the suit, but agreed to appoint a receiver as recommended the court, in case no satisfactory agreement can, within a reasonable time, be arrived

WHAT THE MEN ASK.