# REPEALED THE LAW

Federal Control of Elections Wiped Out by the Senate's Action,

PASSAGE OF THE HOUSE REPEAL BILL

Democrats and Populists Join Forces and Vote for the Measure.

STEWART OF NEVADA ALSO VOTES FOR IT

Why He Placed Himself in Opposition to the Wishes of His Party.

REPUBLICAN EFFORT WAS UNAVAILING

Eloquence and Logic Could Not Withstand the Weight of Numbers, and Federal Safeguards of the Ballot Were Removed-The Vote.

WASHINGTON, Feb. 7 .- The bill repealing in toto all federal laws regulating the control of congressional elections has passed both houses of congress and only waits the algnature of President Cleveland to become a law. After several weeks of discussion the senate today finally came to a vote on the house bill repealing the federal elections law and it passed by a vote of 39 ayes to 28 nays.

Numerous amendments were presented by the republicans, but they were voted down regularly and methodically, the democrats not even taking the trouble to join in the debate on the amendatory propositions.

Senator Stewart of Nevada voted with the democrats on every proposition, giving as his reasons, that he thought the power of the executive was already too great and that the centralizing tendency of the age should be checked at once if the republic is to survive. The three populists, Senators Allen, Kyle and Peffer, also voted with the democrats on every amendment, as well as on the main bill. The measure as it passed the senate is identical with the bill as it passed the house, no committee amendments having been presented. The attention of the senate was oc-

cupied for fifteen minutes by Senator Cameron of Pennsylvania this morning in the presentation of fifty or more petitions against the Wilson bill and the reading of each petition by title. They came from manufacturers, operators and employes, representing nearly every Pennsylvania industry affected by the proposed tariff reduction. Senator Cameron also presented an amendment to the tariff bill postponing until January 1, 1896, the date on which the proposed law shall take effect.

A resolution was presented by Senator Dolph of Oregon reciting that the finance committee had refused hearings on the tariff bill to those representing the producing and labor interests of the country, and directing that all petitions, memorials and prote is to that committee and the senate be printed as a senate document. The resolution went over under the rules. TOOK UP THE REPEAL BILL.

taken up by Senator Hoar, republican, of taken up and Senator Hoar, republican of Massachusetts, took the floor in opposition to the measure. He said he was one of th five senators now in the chamber who voted for this law in 1881. The law had been approved not only by the republican party, but by a large majority of the American The senator said the records in the archives of the capitol making up the history of elections in this country since 1885 show the blackest and worst history of crime since the world was created.

"When these reports are read," said he, "blackening the fair name of this land, we must walk backward with averted gaze and hide our heads in shame. This is a question of whether the supreme pearl and gem in the crown of American manhood shall not have the strongest force on the face of the earth for its defense."

Senator Gray, in replying to Senator Hoar, said these elections laws had in every instance promoted and aggravated frauds,

instead of abating them.

In the course of a colloquy between Senators Gray and Hoar, the latter alluded to the elections of 1876, when the elections in New York were fair examples of the operations and effects of those very laws. Senator Gray retorted by reading from the

report cited by Senator Hear another extract alleging wholesale frauls in Philadelphia in the same year, when the entire local and national governments were in the hands of Senator Cameron interrupted, and after

Senator Cameron interrupted, and after calling for the reading of the passage referred to, said: I happen to have a good deal of knowledge of the election of 1876. I was the secretary of war, as the senator will remember. The elections in Pennsylvania that year were as honest as those in any part of the world. They have been and always will be, because we are an honest people. But there were some elechonest people. But there were some elec-tions in that year which were not so honest, and as secretary of war I had to interfere. The result was that Mr. Tilden did not be president of the United States."

In opposing the bill, Senator Allison of Iowa said he had examined the democratic national platform and had not found the demand for the repeal of this law which some senators had alleged existed there.

Senator Daniel, alluding to the Davenper iscussion of yesterday, presented the pub lished testimony of the committee of investi-gation before which Davenport acknowl-edged, in answer to a question by Senator Hill, that he had received \$6,000 or \$8,000 from the league members to be used in elec-

After a few remarks by Senator Chandler, Senator Bate of Tennessee took the floor in favor of the bill. The argument of Senator Bate was that the chief object of the federal elections law was to capture the electora votes of the southern states for the repub-lican candidate for the presidency and to secure republican senstors and represent-atives in congress. The scheme had failed as all the other plots had failed, because the "alliance" had deserted the republican stand ard. The states should be left free to control their own elections. This is the doctrin

VOTED DOWN THE AMENDMENTS. At the conclusion of Senator Bate's re marks Senator Chandler presented an amend ment, which provided that only so much of existing election laws as provided for deputy

existing election laws as provided for Ceputy marshals at elections shall be repealed. The yeas and nays being demanded on Mr. Chandler's amendment, it was defeated by a vote of 27 to 40. Senator Stewart of Nevala and Senators Allen, Kyle and Poffer voting with the democrats.

Mr. Chandler then presented an amendment, the effect of which was to apply the repeal sections of the bill to supervisors and deputy marshala, but to leave on the statute books the "crimes" section. "I lose this amendment will be ratisfactory to the other side," said Senator Chandler. "By it the various sections of the existing laws providing for imarshals and supervisors will be repealed; but we shall still have the crimes act and crimes against the suffrage in conact and crimes against the suffrage in con-nection with coogressional elections will

still be punishable under statutes and in United States courts. Again the year and mays were demanded,

and this amendment too, was defeated, the three or four figuresses vote being year, 27; mays, 28.

Another amendment was presented by Mr. Chandler, to restrict the scope of the repeal has the right to interfeby fetalating a still smaller number of of Japs on the island

"crimes" provisions, but this, too, was re-jected—yeas, 28; mays, 29. Senator Chandler then presented an amendment designed to retain certain provisions of the act of May 21, 1870, and to this amend-ment, he said, he asked the special atten-tion of Senator Stewart. "After the senator from Nevada," said Senator Chandler, "had succeeded, as the grand champion of freedo in the senate chamber, in securing the adop-tion of the Efteenth amendment to the con-stitution, he followed it up by the passage of this statute. He declared then a constitu-tional amendment was worthless unless con-gress made a law to enforce it. Does he intend to contribute his vote here to strike down a portion of one of the greatest and

noblest acts of his life?"
"At the time the bill was passed," said "At the time the bill was passed," said Senator Stewart, "we had just passed through a civil war. We were in process of reconstruction. Many things were necessary that are not now. The states must assert their rights. They must be upon the side of the people. I don't think that they have any protection against the federal government. Any special law that might be supplanted by a state law I want to see wiped from the statute books."

This amendment, too, was rejected by a vote of 28 year to 39 mays. Senator Perkins of California offered an amendment, making the federal elections law applicable to cities of 200,000 or over, instead of cities of 20,000 or over, as provided

by the existing laws.

The amendment was rejected by a vote of 27 year to 35 mays, and several other amend-ments were next presented by Senator Chandler and were rejected by viva voce

The vote was taken on the passage of the bill at 6 o'clock and it was adopted by 29 year to 28 nays. Year to la as follows: Year

The details	ed vote is as to	HOME: Lenn:
Hen, ate. lackborn, trice, utter, aftery, all, okefell, okefell, aukner,	Gibson, Gordon, Gorman, Gray Harris, Hill, Hunton, Irby, Jones of Ark, Kyle, Lindsay, Marifn, Mills	Mitchell of W Morgan, Paimer, Pasco, Peffer, Pugh, Eassom, Rouch, Stewart, Vest, Vlas, Voorhees, White of Cal.
Total Yeas	30.	
Nays; Jarich,	OPERATOR	There
Hison.	Gallinger.	Plait.

Total Nays-28. After the transaction of some minor busi-ness the senate went into executive session and at 6:15 adjourned.

### TAKES JUICE OUT OF PLUMS.

Representative Stone's Proposal Decidedly

Distasteful to Consuls WASHINGTON, Feb. 7 .- The plan of inspecting immigrants at ports before their embarkation to this country has been approved by the house committee on judiciary. The plan, as presented in a bill introduced by Representative W. A. Stone of Pennsylvania, provides that no alien immigrant shall be admitted to this country until he presents a certificate from the United States counsul at the point of debarkation stating that a full inspection of the immigrant has been made, and that he or she is entitled to admission under the laws. The bill further imposes on United States consuls the added duty of inspection of immigrants.

The plan is likely to cause a stir in the

consular branch of the State department service. The bill imposes heavy responsibilities on the consuls at such leading ports of embarkation as Liverpool, Havre, Naples and Hamburg, where the number of immigrants to be inspected daily and to be furnished with certificates would reach hundreds during heavy periods of immigration. The bill makes no provision for extra compensation to the consuls nor does

Mr. Stone, the author of the bill, think ex-tra compensation will be necessary.

"There are plenty of people to accept these desirable places," says he, "with such duties as congress may impose upon the places. There would be no more need of in-creasing the compensation of the consuls for the mided service than there would be for increasing the salary of a judge when number of cases before him increases." Mr. Broderick of the judiciary committee

does not agree with Mr. Stone, and thinks that if congress carries out the plan of foreign inspection an appropriation will be necessary for execution of the foreign emigra

Concerning the merits of the foreign in-spection, Mr. Stone says it will be far more effective than the present scabbard and bor-der inspection and will have fewer hard-ships to immigrants. He points out that criminals can readily slip into the country under the present law, as inspectors at New York or elsewhere have no means of learning the criminal antecedents of an immi-grant. But a foreign consul, conversant with the people about to immigrate, could more readily detect criminality and prevent the immigration of such convicts. He points out also that the present law often operates harshly in sending an immigrant back home after he has spent his money and time in crossing the ocean. Mr. Stone expects the bill to pass the house, as there is no party consideration involved and the measure is

### GEOLOGICAL SURVEY WORK

Some Interesting Figures ( ulted from John

W. Powell's Annual Report. WASHINGTON, Feb. 7.-Director John W Powell of the geological survey has submitted his annual report to the secretary of the interior. It is a lengthy document and consists principally of technical details of the progress of the various branches of scientific work. Photographic surveys were carried on in twenty-one states and territories making 26,000 square miles the area surveyed during the year. The total area surveyed since the organization of the survey is 573,000 square miles in forty-seven states and territories, including 2,450 in Nebraska, 4,450 in Iowa, 66,250 in Kansas, 900 in North Dakota and 3,310 in South Dakota. An investigation of the hydrographic force

has resulted in the tabulation of some important figures, showing a growing interest in the subject of running waters of the country. Steps are already being taken, it is stated, to use at least the smaller streams for water power and irrigation. A rough computation based on the results of stream measurements and census figures indicates, it is cited, that the running streams of the regien, when all are used, will have a value

For the topographical work east of the eighty-seventh meridian under the direction of Henry Gannett \$90,000 was allotted and same amount for the work west of the onehundred-and-third meridian under the di-

rection of A. H. Thompson. An additional \$60,000 was allotted for work n the two Dakotas, Nebraska, Kansas and

The division of Blustrations was dissolved at the opening of the year and then reor-gantsed with a force of seven persons. The total expenditures of the survey for the year amounted to \$243,222, against an appro-

### printion of \$430,975. JAPAN MAY TAKE A HAND.

Mikado Advised to Send War Ships to De

mand Queen Lil's Restoration. SAN PRANCISCO, Feb. 7 .- A copy of the Japan Daily Herald, which arrived here last night on the steamer Peru, contains an editorist on the Hawaiian question. The paper says: "A telegram to President Cleveland from the emperor here informing him that his imperial majesty intends to restore the queen of Hawaii to her throde would be approved by him." The paper advises that three or four Japanese men-of-war be sent to Hondulu with a peremptory demand for the restoration of the queen and may that Japan has the right to interfere for the protection

## THEY UPHELD MR, CLEVELAND

His Policy Toward Hawaii Endorsed in the House by a Narrow Majority.

PASSAGE OF THE M'CREARY RESOLUTION

Many Democrats Refused to Vote and Some Voted Against it-Tracey Starts a Filibuster Against the Seignlorage Coinage Bill.

WASHINGTON, Feb. 7 .- By a vote of 175 to 57 the house today adopted the resolution ondemning Minister Stevens and sustaining the Hawaiian policy of Mr. Cleveland. The republicans filibustered against it to the end. Upon the first vote the resolution was carried by 174 to 3, and an interesting parliamentary. question was raised as to whether 177, instead of 179, was not a quorum, four seats being vacant on account of deaths. The speaker held that a majority of the members of the house then living constituted a quorum, quoting in support of his position a review of the subject made by the ex-speaker in the Fifty-first congress. His position, however, was warmly contested by some of the democratic members, and it was finally agreed to take the vote over again, so the ruling was eventually withdrawn. The Boutelle resolution was defeated by a

The Boutelle resolution was defeated by a strict party vote.

After the voting upon these resolutions had been completed Mr. Bland of Missouri made an attempt to get up his bill for the coinage of the silver seignlorage in the treasury. The eastern democrats, led by Messrs. Tracey and Cockran, inaugurated a filibuster, in which they were joined by the majority of the republicans, although a few of the latter indicated by their votes that of the latter indicated by their votes that they favored a consideration of the bill, and for four hours Mr. Bland and the remainder

SHUT OFF LEAVES OF ABSENCE. Finding that it was impossible to secure a quorum to proceed with the consideration of the bill, and that the house might be dead-locked indefinitely upon the proposition, Mr. Bland directed his efforts toward securing the adoption of a resolution to revoke all leaves of absence and to instruct the sergeant-at-arms to arrest absentees. After a persistent struggle, which lasted until 7 o'clock, Mr. Bland was successful, and the resolution was passed. In order to make it still more effective, the order was made a

of the democrats were held at bay.

continuing one until vacated by the house.

Immediately after the reading of the journal, the chairman of the committee on appropriations reported the urgent deficiency bill and gave notice that he would call it up tomorrow.

Mr. Patierson of the committee on elec

tions gave notice that he would call up the O'Neili-Joy contested election case on Mon-Mr. McCreary then called up his Hawaiian

Mr. Reed, pursuing his filibustering tac tics inaugurated yesterday, made the point of order that when the house adjourned last night it adjourned pending proceedings to enforce the attendance of absentees. He contended that the proceedings under the call did not terminate with adjournment, and that the only thing in order was the report of the sergeant-at-arms; or, if the chair held that all proceedings were terminated by adjournment, it also vacated the order revoking the leaves of absence, and instructed the sergeant-at-arms to telegraph for absences. If the latter order was carried out, then the ser-geant-at-arms had exceeded his authority in executing the order, and his actions should be examined. He offered the speaker

either horn of the dilemma.

The speaker overruled the point of order. olding that while all proc call terminated with adjournment, the order revoking leaves of absence executed itself. DISCUSSED AN IMPORTANT QUESTION.

The roll was then called on the adoption of the McCreary resolution. The republicans sat silent in their seats. If the resolution was to be passed they resolved the democrats should procure their own quorum The speaker announced the vote as 174 to -no quorum.

Mr. Springer raised the point of order that although 179 members ordinarily would constitute a quorum, as there were four vacant seats, 177 was a quorum. This was a most important parliamentary

question, said Mr. Springer, who called the attention of the house to the fact that in the Thirty-seventh congress, when several of the southern states failed to send members, it was held that a majority of the members lected constituted a quorum.

Mr. Breckinridge of Kentucky maintained

that the question before the house was of far graver importance than the passage of any resolution expressing the sense of the house on the Hawaiian matter.

Mr. Reed, during the course of Mr. Breck-inridge's remarks, called attention to the

fact that a majority of the members of the senate constituted a quorum. Mr. Bailey of Texas came to the rescue of the speaker and made a strong argument in support of the involved ruing. "No immedi-ate party advantage," said he, "can justify an improper decision on a point so vital as this." He then proceeded to argue that the practice of the ruling turned on what con-stituted the house of representatives. He maintained the members constituted the house. One of the most important matters that could be submitted to the vote was that of passing a bill over the president's veto. The constitution required two-thirds to carry a bill over the veto. He cited an instance during the administration of Presi-dent Polk, when Mr. Bell was speaker. On motion to pass a bill over a veto the speaker held the house, within the meaning of the

enstitution, consisted of its actual mem-At the conclusion of Mr. Bailey's speech, which was listened to with marked atention Mr. McCreary suggested as the best way out of the difficulty that unanimous consent be

"The chair withdraws his ruling," said the speaker, "and the clerk will again call the roll upon the adoption of the resolution," Enough democrats appeared upon this roll

call to make up the quorum, and when it became apparent a quorum would be secured the republicans began voting. The resolu-tion was carried, 176 to 67.

As on yesterday Mr. Cummings, demo-crat, of New York and Mr. Geary, demo-crat of California declined to vote. Mr. Sickles, democrat, of New York who yester-day voted against the resolution was not

lay voted against the resolution, was not present today. Mr. Cockrell, democrat, of Forms, who refused to vote yesterday, voted or the resolution. Mr. Daniels, republican, and Mr. Adams republican, voted against Just before the vote was announced, Mr. Cummings of New York, standing in the area in front of the speaker's chair, stated that he desired to vote to make a quorum.

"Was the gentleman in the half of the house and falled to hear his name called?" isked the speaker. "I was," replied Mr. Cummings. The speaker directed the clerk to call Mr.

ammings' name. He did so.
"I vote no," answered Mr. Cummings, tih great emphasis. Mr. Adams asked the privilege of with-rawing his vote on the ground that he oted under a misapprehens

"I object," shouted Mr. McCreary. The speaker held that the vote could not be withdrawn, except by unanimous consent.

Mr. Reed challenged the ruling, claiming that it had never been so held before. "The rule is clear," said the speaker. "He gentleman from Maine will reflect on

"The gentleman from Maine has reflected in the rule several minutes," said Mr. Resd then, will give their attention," continued the speaker with some vigor, "the chair will state that the rule requires that each mem-

gentleman has voted the chair does not think it competent for a member who has so voted to withdraw that vote save by unani-And it has always been so held," added

Mr. Bland of Missouri, hotly. "When the gentleman from Maine was in the chair he counted gentlemen as voting against whether they voted or not." Finally, by unanimous consent, it was de-

cided to have another roll call on the resolu-tion and the speaker's decision was with-When it became sparent on the second roll call that the democrats would have a quorim the republicans voted against the resolution and it passed—yeas, 177; naya, 57.

The vote was then taken on Mr. Boutelle's

resolution and it was lost by a strict party This is the resolution Mr. Bontelle has been trying to get a hearing on for the past few weeks. The action of the democratic majority in insisting on first considering the Wilson bill and the McCreary resolution pre-

vented it being voted on before today.

Immediately on the announcement of the vote, Mr. Bland called up his bill directing the secretary of the treasury to coin the silver seignlorage in the treasury, and moved the house go into committee of the whole for its consideration.

Mr. Tracey of New York raised the question of consideration.

Mr. Springer made the point of order that the question of consideration could not be raised.

be raised.

The speaker sustained the point, explaining that the purpose of the opposition to con-sidering the bill would be subserved by vot-ing against the motion to go into committee. The motion to go into committee was lost. Some of the eastern democrats joined the great bulk of republicans and refused to vote. On motion of Mr. Bland a call of the house was ordered. It developed the pres-

ence of 245 members.

Proceedings under the call were dispensed with and Mr. Coombs of New York moved aljourn, This being defeated without a division the

vote recurred upon Mr. Bland's motion to go into committee of the whole. It resulted 154 to 4, still no quorum.

Mr. Coombs moved to adjourn. It carried on a rising vote—194 to 192.

Mr. Bland was, however, resolved to con-tinue the fight, and demanded the yeas and The house refused to adjourn. Bland then moved a call of the It was carried on a rising vote-93

Mr. Tracey demanded the yeas and nays. The call was ordered by a vote of 170 to 62, Mr. Wise of Virginia moved to adjourn and roll call followed roll call in quick succession, each call developing the fact that were slipping away, but at last Mr. Bland was successful in passing a resolution re-voking all leaves of absence and instructing the sergeant-at-arms to take into custody absent members and bring them to the bar of the house. In order to make the resolu-tion more effective it was made a continuing order until vacated by the house. Then, at o'clock, the house adjourned.

# EXISTING TREATIES WILL STAND.

Wilson Bill Does Not Repeal Reciprocity Arrangements Already Made.

WASHINGTON, Feb. 7 .- Fears have been expressed that the repeal of the reciprocity clause in the McKinley act, accomplished by the late amendments to the Wilson bill, might have the effect of abrogating or limiting the reciprocity treaties already in existence between this country and several South American republics. But it is pointed out that the bill contains the following clause limiting the extent of all repeals. "The repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any act accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal or modifications, but all rights and liabilities under said law shall courtine. and liabilities under said law shall continue and may be enforced in the same manner as if said repeal or modifications had not

identified with Mr. Blaine in the develop-ment of the reciprocity treaty, says the foregoing proviso applies only to the pend-ing suits on the appraisal of merchandise. He thinks the repeal of the reciprocity clause will terminate the negotiations with Venezuela, but will not affect the treaties with Brazil, Spain and other countries which were fully completed and proclaimed. These treaties were brought about mainly by the feature of the reciprocity law which per-mitted the president to make commercial retaliations against such countries as failed to comply with the reciprocity treatles with this country. Now this power to retaliate is withdrawn, there will be nothing to re-strain the treaty other than the good will and comity of other nations.

What the Mills of the Northwest Have Been Doing for the Past Week.

MINNEAPOLIS, Feb. 7 .- The Northwest ern Miller says: There was another small ncrease in the flour output last week. The quatity ground was 115,800 barrels, against 108,960 barrels the week before, and 192,525 barrels the corresponding week in 1893. Tuesday there were twelve mills in operation, producing at the rate of 19,500 barrels tion, producing at the rate of 13,000 barrels per twenty-four hours, but it is not likely this gait will be kept up all the week. The water power is troubling some and two mills now on the active list will probably stop about Wednesday night, cutting off 2,000 barrels daily from the figures named. The shortage in water necessitates the use

About all that can be said of the flour marget is that somewhat more orders are coming in. They are too often secured at cost or even below, the miller figuring that it is better to accept a small loss rather than shut The sales last week were 125,000 Most of the business came from lomestic points outside of the big trade

The export trade continues very meager. limited amount of baliers were worked, but buyers are usually 6 pence under the views of millers. There is a difference of about 2 shillings on patents. The high cost of cash wheat necessarily keeps the price of flour pretty firm, and buyers seem to be less in-lined than they formerly were to gauge their

operations by their offers.

The outside mills of the northwest appear be selling a little more flour and are grinding somewhat more strongly. Low grade flour and feed are in good demand in this country at fair prices, and this helps the miller out a great deal.

Of the mills at Superior and Duluth the same paper says: As the one mill in op-eration last week ran on only one-half time the output amounted to but 6,500 barrels.

### Famous London Editor's Private Advices on Gladstone's Rumored Resignation.

CHICAGO, Feb. 7.-The Inter Ocean says that a private cablegram in Chicago from London contains absolute assurances that the rumored resignation of Mr. Gladstone as premier of England will soon be an accomplished fact. Editor W. T. Stead said last night that he had received mes-sages that left no doubt in his mind as to Mr. Gladstone's intention to resign.

DETROIT, Feb. 7.-Bank Examiner Cald well has sworn out a complaint for Frederick Marvin, ex-cashler of the Third National bank, on the charge of embezzlement in connection with the conversion of certain notes to his own use last March. The alleged offense is an extraditable one and it is thought that he will be in the tolls within a few hours, although he cannot now be found.

The facts alleged are similar to those charged in Marvin's recent troubles regardng alleged conversion of notes to his use.

Movements of Ocean Steamships February 7. At Scilly-Sighted-Paris, New York to At the Lizard-Sighted-Ems, from New

At New York-Arrived-Rhaetua , from

# GETTING IN SOME EVIDENCE

Trial of Bishop Bonacum Proceeds to the Taking of Evidence.

FATHER CORBETT IS ON THE STAND

Gives a History of the Differences Between Himself and the Superior of the Diocese - Bishop Scannell's Judgment in the tase.

LINCOLN, Feb. 7 .- (Special to The Bre.)-The larger part of today in the trial of Bishop Bonacum for criminal libel, upon charges preferred by Father Corbett of Palmyra, was taken up by arguments of the attorneys on both sides. The attorneys for the bishop attacked the jurisdiction of the civil courts over matters ecclesiastical, and the question was argued at great length on both wides, their being apparently no limit to the versatility of the attorneys, who quoted ecclosiastical law with the same volubility as they did the civil. During the forencon Father Phelan again renewed his bitter argumentation against the bishop, thus lending a sensational feature to the trial that it otherwise might not have assumed. After Attorney Stearns, for Pather Corbett, had presented the legal aspects of the case, quoting many authorities to prove that the civil court had jurisdiction over the case at issue. Father Phelan commenced his disquisition. He laid especial stress upon the fact that Father Corbett had never been suspended by the bishop as thelatter had asserted in his communication to the Palmyra parish. The St. Louis priest argued that if it could be proven that the bishop had suspended Father Corbett then he would have been acting in accordance with his ecclesiastical prerogatives in communicating the fact to the members of the church in Palmyra, and in that case, he admitted the civil court would have no jurisdiction.

"But," continued Father Phelan, "we defy Bishop Bonacum to show to this court that he ever suspended Father Corbett. When did he suspend him? By what act, by what scratch of the pen did he do it? He cannot produce a written line to prove his assertion. We have his letter in which he claims to have done it, but when did he do it? Father Corbett has never down to the present day received notice from the bishop of his suspension. We defy the bishop of his suspension. We defy the bishop to show a writing over his own signature affecting Father Corbett's suspension. We defy him to go to the telegraph office and show a message in which he announced to Father Corbett the fact of his suspension. We defy him to go the telephone and show that he invoked its use to suspension. invoked its use to suspend Father Corbett. We defy him even to go to his own official archives and we challenge him to produc a line from them by which he can substan-tiate his claim that he has suspended Father Corbett. How, then, did he do it? Why, simply through his hat."

CIVIL COURTS AND CHURCH LAWS. Continuing, Father Phelan maintained that ivil courts were entitled to hold church organizations to the strict observance of their own laws. The Catholic church, he asserted, had its laws for its own govern-ment, and its laws comprised the most com-plete system of jurisprudence the world has ever witnessed. The civil laws themselves were founded upon the canonical law as promulgated by the Catholic church. In the present case, he argued, the bishop had not observed the laws of the Catholic church. The counsel on the other side, he said, had set up the plea that they did not want any interference from the civil courts. In effect they said, "we have a little king here of our own, for whom there is no law. " He contended that the laws should be equally en-forced against the kings and bishops when they transgressed. In concluding he paid his respects to the attorneys for the bishop and warned them to be more civil toward himself and to the bishop he said that his little kingly crown would not be accepted as security for costs by the court.

In summing up the argument Mr. Sawyer closed with a denunciation of Father Phelan, which created considerable diversion in the court room. He denounced the St. Louis clergyman for presuming to argue upon the points of law in the case and in going entirely beyond his province in abusing the bishop in an uncalled for manner. Mr. Sawyer said that, judging from the utterances of Father Phelan, the case at issue was not one brought against Bishop Bonacum by the state of Nebraska, but rather against the bishop by the state of Missouri. In concluding he painted Father Phelan as the personlification of the venom that can ani-

nate the human tongue and mind. The court took an adjournment until 2:30, nd, upon reassembling, Justice Spensor held that the civil court had jurisdiction over the case and directed that the taking of testimony be commenced.

BETWEEN BISHOP AND PRIEST. Father Corbett took the stand immediately after the midday recess and his examinatio commenced. From his testimony the partic ulars of the old and long standing contro-versy between himself and the bishop were given to the public for the first time, and they go far to explain the bitterness be-tween the two men. The first official letter indicating the trouble between the bishop and the priest was one written in the year 1891, in which the bishop cited Father Corbett to appear at St. Theresa's parochial school in September of that year and show cause why he should not be sus-pended from the ministry for reasons specified in the letter. The citation included a list of the misdemennors charged against the priest, the dates upon which they were alleged to have been committed, the names of the witnesses. Among the nisdemeanors alleged were those of drunk enness, visiting saloons, profanity, cond unbecoming a clergyman, conspiracy to jure the good name of the bishop and claim-ing to have in his possesion the knowledge of certain facts reflecting upon the morality and personal character of the bishop. Father Corbett's testimony brought the fact that two trials were held upon the Benacum in Lincoln, and the second before Bishop Scannell in Omaha. At the first trial Bishop Benacum found a verdict of guilty, and the trial before Bishop Scannel at Omaha was in the nature of an appeal

in which the judgment rendered by Bishop Bonacum was reversed. In proof of this fact the following official statement was BISHOP SCANNELL'S JUDGMENT "OMAHA, Sept. 17, 1891.—Judgment in Rev. M. J. Corbett before the commission of evestigation of the diocese of Lincoln. "Having reviewed the evidence in the case I find the proceedings before the commission were gravely irregular. In the first place the right reverend bishop of L'ncoln should not have presided at the investigation, having no locus curiac." Secondly, the disharment of defendant's

attorney was improper and arbitrary. I do not find a particle of evidence to justify such disbarment, which in any case would ne solely within the province of the judge having jurisdiction in the case. In the third place the greater part of the evidence for the prosecution comes before me without proper authentication and must be ruled out. Only the evidence of C. E. Bab-cock and Richard O'Keeffe is presented in proper form, and although this evidence shows that the accused has not been always as wise or prudent as he ought to be, never heless it does not call for the infliction of any occlesiastical censure, even if the in-

rmalities of the trial did not forbid a sennce of condemnation.
"In the fourth place the minutes are admitted by the prosecutor to be incomplete, and lastly the justices did not give their

### J. Corbett have ten sustained. "Blahop of On Judge in the above RAN THE GAUNTLET

ing this came a letter after Corbett from the Mishop Bonacum. The ter was written and the Satolli. The apostulic delegate wired the bishop in latin to ravoke the sentence of sus

pension, whereupon the bishop wrote Father Corbett to the following effect.

"I am to inform you that I have received instructions from the apostolic delegate to remove the sentence of suspension, and while

I consider his action most extraordinary, yet it gives me great pleasure to comply with his request. Therefore I remove the suspension under which you have been laboring since the 17th instant."

After further argument this letter was also admitted in evidence and the court ad-

WINDING UP COUGHLIN'S CASE.

Defense Secures an Adjournment and Au-

nonnees that it Will Soon Rest.

CHICAGO, Feb. 7 .- The end of the famous

Coughlin trial is unexpectedly near at hand.

At the opening of court today Judge Wing of

the defense moved an adjournment until to-

morrow and announced that the defense's

"Only a few days remain before the de-

ense will rest its case," said the attorney.

"Before we close, we desire a day in which

to look over our evidence and see if it can-

not be shortened. Furthermore, I am ill

Judge Tuthill granted the adjournment

ipon the recommendation of Assistant State's

After the court room had been cleared,

Coughlin, his father and wife, together with

long consultation. The questions were earn-

be omitted. The matter was left largely to the decision of Mrs. Coughlin, the faithful little woman who has been in constant

attendance at the trial Coughlin's father was also appealed to frequently by the ac-

torneys. The prisoner himself had little to

say, and was evidently trusting to the judgment of others.

After the consultation, the attorneys said

that the matter of Coughlin taking the stand was still in doubt,

YOUNG GIRL KILLED.

Natural Gas Explosion at Indianapolis-Some

Narrow Escapes.

natural gas in the cellar in the saloon of

Louis Kurrchler wrought sad havoc a few

minutes before 1 o'clock this morning. The

building was located at 485 Madison avenue.

The family, consisting of the father, mother

and four children, were in bed when the

explosion occurred. It was caused by an

escape in the supply pipe. The building was

reduced to a mass of debris and particles

were scattered for hundreds of yards about

ROSA KURRCHLER, aged 13, was in-

stantly killed, her neck having been broken.

Charles, two years younger, was seriously

Louis, Julius and Lottle were also slightly

Julius, a son, was thought to have been

lost, but was rescued after digging his way

partly out of the wreckage. The monetary

THO SLAIN.

Desperate and Prolonged Fight Arising from

the Turner-Howard Feud.

BARBOURSVILLE, Ky., Feb. 7 .- A de-

perate fight occurred at Mount Pleasant in

Harlan county Monday night, in which Will

and John Turner were killed by Dr. William

Nollin, a prominent physician of that city.

Dr. Nollin walked into the shop, and seeing

John Turner in the shop, told him he would kill him. Both men began firing. Turner fell dead, Nollin by this time had exhausted the loads in his pistol. Will Turner, an uncle

of John, arrived and attacked Nollin Neither had pistols, but used their knives

Neither had pistols, but used their knives. They had struggled over considerable ground and Turner was wounded when they got into the middle of the street. John Turner is a son of Judge George B. Turner, a prominent attorney. It was John Turner and his brother who led the Turner side of the famous Howard-Turner feud in Harlan county a few years since. Will Howard, the leader of the other side, was hanged in Missouri the 19th of last month. The trouble is thought to be a renewal of the

trouble is thought to be a renewal of the

New Telephone Company at St. Joe.

ST. JOSEPH, Feb. 7.-In accordance with

the program outlined at the meeting of the

Harrison Telephone company in Chicage

yesterday, it has established a local company

in this city and will put in a complete tele phone system here. The company is know

as the Citizens Telephone company and has been granted a franchise by the city council. Of the local company M. M. Riggs, late cash-

ier of the Central Savings bank, is presi-dent, and work will be commenced on the

line at once. Connections will be established with similar systems which will be organ-

tery continues to baffle the police.

Carr is still in custody at the county fail

but there is as yet little excuse for holding her. Today she confessed she had been an unchaste woman before and after mar-riage, but dealed being implicated in her husband's murder. There was no insur-

ance on Carr's life, the two policies for \$10,-000 having been allowed to lapse some months ago. There is now some doubt

months ago. There is now some doubt whether Carr was ever divorced from his

Dairymen Weet.

CLEVELAND, Feb. 7 .- Delegates from

twenty states gathered at the Forest house

today to organize a National Dairymon's

association. The object of the organiza-tion will be the dissemination of informa-

tion and the betterment of dairymen's to terests generally. H. N. Ames of Spring field, Vt., acted as temporary chairman After agreeing that each state should be

allowed two delegates and appointing a committee on credentials, the convent

GUTHRIE, Oat, Feb. 7.—The city is over

on with thiever and burglars. An unknown

woman went through three offices in broad

daylight. Half a car of flour was stolen from the freight yards. Three hundred dol-lars worth of groceries have been hauled from Kaylor & McDonald's grocery. J. R. Myers' dry goods house was burglarized and

SIOUX FALLS, S. D., Feb. 7.—(Special to

The Rec.)-South Daketa has a Jewish rabbi-

He is an accomplished talmudist and is in

the direct Levitical line of pricathood." He arrived in Deadwood a few days ago from

Germany and proposes to found a synagogue

ized in neighboring towns.

Baltimore wife.

the neighborhood.

injured.

injured.

loss is small.

old feud.

INDIANAPOLIS., Feb. 7.-An explosion of

and not able to conduct the case today."

journed until temorrow morning.

estimony was about completed.

Attorney Bottum.

CORRESPONDA FROM SATOLLI.

After the readin another contention as to its admission. From Satolli. Passage of the Forts of Rio Harbor by tha

Rebel Cruiser Aquidaban. nent it was admitt—the court, the at orners for the bist, aving conceded it authenticity and offic pharacter. Follow RECKLESS DARING OF THE INSURGENTS

> Though Stormed at by Hundreds of Big Guns the Bay is Entered in Safety,

POOR MARKSMANSHIP ON BOTH SIDES

Although Over 300 Shots Were Fired But Little Damage Was Done.

FURIOUS FIGHTING FOR A SHORT TIME

All the Batteries Along the Shore a d on the Hilltops Awakened Into Spiteful Activity-A Thrilling Day for the City.

RIO DE JANEIRO, Feb. 7 .- The com+ parative quiet which prevailed here for ten days or more was rudely interrupted yesterday by a furious encounter between the Aquidaban and the forts, followed by an attack by the rebel fleet on the batteries in cossession of the government and upon the shore defense of the city. Later in the day another fight took place at Santa Anna. and Ponta da Arrea. The fighting, however, only resulted in the killing of four men and the mortal wounding of a fifth. These were all citizens of Rio. The rebel loss, if

any, is not known. Judge Wing and Attorney Donohue, held a It had been rumored for several days that the Aquidaban had returned from the north estly discussed whether or not Coughlin should take the stand in his own defense, and whether or not the testimony for the defense relating to Martin Burke and por-tions relating to Patrick O'Sulivan should and that she was waiting outside the bay for a good chance to run in. Consequently, the force of the government and the rebels the force of the government and the rebels were on the lookout and prepared for any opportunity that might present itself. In spite of itself, the arrival of the Aquidaban was something of a surprise to all. The night of January 11 was unusually cold, a sudden squall lashing the waters of the bay and coast into white caps and leaving behind a heavy low jump for. Under cover behind a heavy low lying fog. Under cover of this the Aquidaban approached and was almost under the shadow of Fort Santa Cruz before she was seen. This was at 4:20 a.m., about an hour before suprise. Ina. m., about an hour before suprise. In-stantly the fight began from Fort Santa. Cruz, and a moment later Fort St. John joined in the fight. Little Fort Lage, further inside the bay, also sent her quota to increase the hail of missiles which rat-tied around the daring Aquidaban. At that range, however, not a shot reached its mark, and without making any reply, the black ship passed silently on into the narrow channel between the fortresses.

Fort Santa Cruz, not 300 yards away from the Aquidaban, worked its guns furiously, sending a plunging fire upon the decks of the warship. Fort St. John, a mile away, sent its projectiles against the rebel ship's broadside, and Fort Lage swept her decks with a raking fire. A ship could hardly be put to a more severe test, and yet the Aquidaban passed rapidly on, apparently uninjured by such shot as struck her. The shots all glanced from her side. When just opposite Fort Santa Cruz, in

the sarrowest and most dangerous place, she seemed to awake. From her huge guns fire spurted out and their heavy projectiles flow forth against her enemy. Fort Villegagnon, up the harbor, now came into action, and by her rapid fire attempted to For half an hour the fight continued, until at last the Aquidaban dropped anchor along-

side the Tamandare out of range of all

POOR MARKSMANSHIP. Perhaps 300 shots had been fired at ranges from 600 yards to two miles with guns of from 9-inch caliber down to 62-pounders, yet, so far as can be learned, absolutely no damage was done. The Aquid-aban, though struck heavily several times, was practically unburt, while not a single shot either from her batteries or from Fort Villegagnon struck any of the government

Later the Guanabar, one of the rebel torpedo cruisers, opened fire (at 5:35 a. m.) on the shore batteries erected to protect the customs house. This was answered from the shore, but neither side seemed to do much damage. A little later, Cobras Island and the cruiser Trajano joined the Guanabar and still later the Libertade, with Admiral da Gama's flag flying, also came into action. The latter, however, contented herself with firing three heavy projectiles, which passed over the shore defenses and buried themselves in the ground.

The fatalities reported were caused by the explosion in the city of a shell fired by the Guanabar, which killed four men, namely: Pedro Mainetti, policeman; Miguel de Jesus Gadalara, a shoemaker; Americo Duarto, an apothecary; Manuel Gonzales de Silva, a The fire ceased after a while, only to be

renewed at 3 p. m. against Santa Anna and Ponta da Arrea. It was replied to by the Ponta da Arrea. It was replied to by the batteries there mounted and by those at Madama and Dovelho. The action was desultory, little damage being done. This was a good day's fightling for the de Janeiro. Later in the evening a few more small shots were fired into the city and an unknown man was badly injured.

Admiral Julio de Novoucha has assumed de Novoucha has assumed at the representation of the research of the representation.

here and elsewhere. Gama and Mello Are Good Friends

BUENOS AYRES, Feb. 7 .- Advices from Rio de Janeiro deny the reports of disputes between Admiral de Mello and Admiral da Gama. Admiral de Mello will direct the land operations of the insurgent forces until Santos has been captured. After that he will resume the command of the naval squadron.

President Poixoto continues to throw into jail all persons whem he believes hostile to him and his cause, including foreigners.

The insurgents in Rio harbor will remain on the defensive until reinforcements arrive from the south. These are expected

Atkinson Drug Store Closed.

ATKINSON, Neb., Feb. 7.—(Special Telegram to The Bee.)-The doors of the A. B.

Loose drug store were closed this morning and boro the logend: "This stock in pos-session of C. M. Forney." The Habilities will probably more than cover the assets, Mr. Forney, who is a druggist here, is the McNamara's Case Avalu Transferred.

KANSAS CITY, Feb. 7.—The cases against . V. McNamura were today transfered from Instice Nighol's court at Independence to the criminal court in this city. The amount of McNamara's hand will be fixed by Judge Wolford this evening and the time set for his It is probable that he will secure bondsmen.

tactics of the minority, the senate majority, which is still working for an early adjournment of the extra session, today killed over a floren of the bills passed by the house. The house today passed the bill for the constraintion of state canals Nos. 1 and 2,

DENVER, Feb. 7.-In spite of the dilatory

Votes for the School Bonds.

ST. JOSEPH, Feb. 7. The special election to vote \$200,000 bonds for new school buildings in this city, carried by more than two thirds majority yesterday. be issued as soon as they can be prepared.