Pressure of the Great European Fowers Too Strong to Resist,

ANSWER TO RUSSIA, FRANCE AND GERMANY

Treaty Ratifications May Be Exchanged One Day Fariler-European and American War Ships at the-Foo Prepared for Emergencies.

PARIS, May 6 .- The Japanese minister here has informed the minister of foreign affairs, M. Hanoux, that, accepting the friendly advice of France, Russia and Germany, Japan has renounced its claim to the permanent possession of the Liao Tung peninsuls, including Port Arthur.

The Figure, commenting on the situation of affairs in the far east, says this morning: "Although the situation is grave, the bombardment of the Japanese coast by the Run-Bian and German fleets is not expected. The negotiations do not proceed easily."

ST. PETERSBURG, May 6 .- The Journal des Petersburg says that Japan, in conformity with the advice of Russia, France and Germany, renounces her claims to the possession of Feng-Tien. BERLIN, May 6 .- The Japanese govern-

ment has informed the government of Germany that in accordance with the advice of the powers, Japan has relinquished her claim to the Line Tung peninsula under the treaty of Shimonoseki.

TIEN-TSIN, May 6. - The Chinese peace envoys have left for Che-Fco, where the ratifications of the treaty of peace stranged between China and Japan are to be ex-changed. It is reported that Li Hung Chang has been degraded.

CHE-FOO, May 6 .- The war ships of several of the powers are fast assembling here. The situation is regard I as ominous. Already eight Russian war ships, including three torpedo boats, have gathered here, and more are expected. In addition, another British, French and American and two Ger-men wer ships have arrived here.

man war ships have arrived here.
YOKOHAMA, May 5.-Viceroy Li Hung
Chang has been appointed Chinese envey to exchange ratifications of the peace froaty which is expected to o cur at Cha-Foo to-morrow instead of on Wednesday, as at first proposed. Frequent cabinet meetings, which are attended by all the Japanese ministers, are being had at Koto.

No official notification has been received No official notification has been received here of the ratification by the emporor of China of the treaty of peace arranged between China and Japan. But reperts from many sources confirm the statements that the treaty has been ratified. Count Myogl. secretary general of the Japanese council of ministers, has arrived at Port Arthur, and will proceed to Che-Foo, where the ratificaof the treaty of peace are to be ex-

The Japanese privy council and the head officials of the government have been hurriedly summoned to Klote, in order to attend ecting tomorrow at headquarters.

meeting tomorrow at heauquarters.

TOULON, May 6.—The French cruisers Sfax and Cecille will accompany the French cruisers Tage and Suchet to China seas today They were loaded yesterday with ammunition FOSTER HAS LEFT PEKING.

WASHINGTON, May 6.-Important offielal cablegrams concerning the Japan-China situation have reached Washington within the last twenty-four hours. The Tsung Li Yamen, or Chines foreign office, cables that John W. Foster has left Peking for home. of Hungary. Finally the house manimously adopted as motion noting the premier's statement. The incident is now regarded as closed.

Canada Had Sot Asked for a Conference at Peking, so that Mr. Foster, who has been at Peking, so that Mr. Foster, who has been at Peking, so that Mr. Foster, who has been at Peking and the present at the figure of the highest particular and author presents. The principle involved in the case is concitiutional one, and added: "The constitutional one, and added: "The constitutional one, and added: "The constitutional one, and added: "The principle involved in the case is concitiutional one, and added: "The constitutional one, and added: "The principle involved in the case is concitiutional one, and added: "The constitutional one, and added the constitutio in conference with the emperor and the Tsung Li Yamen, will act with Viceray Li'

non in representing China.

An official cable to a different quarter gives decisive information that the emperor of China has ratified the treaty. The in-formation is so positive as to be beyond question. It clears up many centradictory state-ments from unofficial sources as to whether the emperor had or had not ratified. The ratification of the Chinese emperor bring China and Japan to a final accord, so that remains only for Japan to settle with Russia and other protesting powers. It also makes certain that the armistics which runs until Wednesday—the same day as the ratification-will not be followed by a Japanese advance

is said by officials that the exchange of ratifications at Che-Foo on Wednesday will be largely a formality, now that China has ratified. Japanese ratification was given some The manner in which the two powers are treating it as a formality is indi-cated by the fact that Count Ito, Japanese

eign war ships at Che-Foo is less belligerent of the Russian fleet shows she means to be prepared for emergencies.

CHINA HAS HERSELF TO BLAME. WASHINGTON, May 6,-"The Chinese government has but itself to blame for its loss of the war with Japan, Government officials high up in China were in the employ of Japan both before and during the war. The enemy in most cases anticipated all our movements."

by Captain Norton McGiffin, who has just returned to his home here from a ten-years service in the Chinese navy. He was commander of the Chen Yuen, the famous fron-ciad, during the late unpleasantness between China and Japan. He has returned to America, most likely to remain, as he evilently does not think well of Chinese

military and naval affairs. "I was in the hospital and not in command of the Chen Yuen at Wei-Hai-Wei as waz reported. Had I been in that fight I would not have been here, as I would never have been taken alive. No, I should not given them the satisfaction of catching me. The Japanese had an tronclad agreement in which 'no quarter to foreign dogs' hands of the Japanese in case we should get the worst of it. Yes, to be plain, I would have killed myself before being taken for

torture by the Japanese. "Now that the war is over I want to say right here that there is a blot on the pre-vious fair fame of Japan which will never be effaced. Without one word of warning, be-fore war had been declared, their fleet pounced down on the defenseless Kow Shing and sent her with 10,000 souls to the bot-tem. It was one of the most cold blooded crimes in the history of the world."

GLADSTONE BLAMES THE SULTAN.

Turkish Government Behaving Worse in Armenia Thau it Did in Bulgaria. LONDON, May 6 .- Rt. Hon. William E.

Gladstone, in a letter to Mr. Francis Seymour Stevenson, chairman of the Angle-Armenian association, says that the conduct of the sultan and the Turkish government in the Armenian question has been worse than their

John Burns Told to Go Home. LONDON, May 6 .- John Burns, the mem-

ber of Parliament and labor leader, in the course of his speech at the Labor day demonstration in Hyde park was greeted with groans and cries of "Why did not you sup-port Keir Hardie?" "Traiter!" etc. Replying to this outburst of disapproval, Mr. Burns said: "If you don't want to hear

TEGUCIGALPA, Honduras, May 6 .- (Special to the New York World.)-Fighting has begun in Granada, Nicaragua. Disorder is reported from Leon also. Word comes from there that the followers of Ortiz, Cercula and Macherro have united to make war on Zelaya. The Hondurean troops concentrated at Cap-Gracias will remain there, as it is feared that the threatened outbreak on the Mosquito reservation may extend here. The troops at Amalpa will be distributed along the coast. General Bonilla will take 6,000 and go to President Zelaya's aid if requested.

The evacuation of Corinto and the sailing

of the British ships is announced.
WASHINGTON, May 6.—Acting Secretary Uhl has received a cablegram from United States Minister Baker at Cuesta Mara, Costa Rica, dated yesterday, announcing that the British forces at Corinto were to evacuate the town yesterday. No reference is made tion breaking out in Nicaragua as a conseice of the concessions made to the Britsh by the government.

Dr. Guzman, Nicaraguan minister, had not been advised up to 2 o'clock of the reported revolution in Nicaragua. He has expected the sailing of the British fleet would have a quieting effect on public sentiment. This expectation was strengthened when word came that Vice Admiral Stephenson fired a salute to the Nicaraguan flag when it was salute to the Nicaraguan mag again hoisted over Corinto yesterday. This courtesy was regarded as doing much to heal courtesy was regarded by the incident. Dr. Guzman's last official cable said simply: "Ships sailed."

In other quarters the fact that the revolution is along the east shore is regarded as significant. This is in the Mosquito region, in which British influence has long been dominant, and which has recently been created a state, under the name of Zelaya. It has been apprehended by Central American diplomats that if the Mesquito natives made trouble it would afford opportunities for further British intervention. One of the best posted diplomats from that section says he considers it inevitable that the Mosquito natives will rebel and attempt to restore Chief Clarence to the throne. This would be a denial of Nicaragua's sovereignty over the new state of Zelaya, and in the judgment of this diplomat Great Britain would support Clarance.

BARON BANEFY DEFENDS HIMSELF Rand the Correspondence Between Himself

and Count Kalnoky. BUDA PESTH, May 6 .- The lower house of the Hungarian Diet was crowded today in anticipation of an explanation from the premier, Baron Banffy, regarding the trouble in the imperial foreign office growing out of Baron Banffy's statement that the imperial government held that the Vatican's influence in state matters should be exerted only through the prime minister, and the retort upon the part of the foreign office that this statement was due to the prime minister's ignorance of diplomatic usages. The affair grew out of the utterances of the papal nuncio, M. Agliardi, against the ecclesiastical laws.

Baron Banffy read the notes exchanged between himself and Court Kalpaky, the limited the second of the court of t

tween himself and Count Kalnoky, the im-perial minister for foreign affairs, showing apparently that they agred completely upon the matter in question. The baron wrote asking Kalnoky's opinion regarding Mgr. Agliardi's visit to different Hungarian towns and the imperial foreign minister replied he considered the papal nuncio's journey inopportune, adding that if Hungary was desirous of so doing, he, the minister of foreign affairs, was ready to lodge a complaint against him in the Vatican.

The reading of these notes caused a great interest in the house. The buron then contended the government would not allow the hely see to interfere in the internal affairs of Hungary. Finally the house unanimously

retary to the colonial office, Mr. Sydney Burton, in the House of Commons this

Emperor Refused Kalnoky's Resignation VIENNA, May 6.-Emperor Francis Joseph ns sent a gracious autograph letter to fount Kalnoky declining to acc pt the intter's resignation as imperial number for foreign affairs.

MARY ELLEN LEASE IN A NEW ROLE Demonstrates in Court that She is Hypnotist.

KANSAS CITY, May 6 .- A special to the Journal from Topeka, Kan., says: Mrs. Mary E. Lease, erator and politician, has assumed a new role. She is a hypnotist, a first-class one at that, as shown by an exhichief envoy, is not going to Che-Foo, and
Li Hung Chang, China's chief negotiator,
also sends a representative.

Officials say also that the gathering of foreign war ships at Che-Foo is less belligerent than would appear on the surface. It had been arranged that the diplomats of European countries should hold a conference at Che-Foo, and the vessels are said to be a part of this gathering, although the strength of the Passen foot shows she means to be described by the Passen foot shows she means to be described by the Passen foot shows she means to be described by the Passen foot shows she means to be described by the Passen foot shows the means to be described by the Passen foot shows the means to be described by the Passen foot shows the means to be described by the Passen foot shows the means to be described by the Passen foot shows the means to be described by the Passen foot shows the means to be described by the Passen foot shows the means to be described by the passen foot shows the mean to be described by the passen foot shows the mean to be described by the passen foot shows th

more have have here trying on you.

Mr. Flint attempted to disclaim any weariness, but Mrs. Lease made another pass of her hands and Flint went "dead asleep."

"Mr. Flint," said Mrs, Lease, "did you read the report of your testimony in the Capital?"

"No." said Flint, "I did not." "Well, you did not testify to any such things as the Capital said you did, did you?" handing him a sheet of writing paper con-aining only a list of names).
"No, that's all wrong; I didn't testify to

enything of that kind. The Capital has got t all mixed up."
"See," said Mrs. Lease, "how stiff your arm is getting." Flint's arm drew up and became as rigid as a tent pole. "And your limbs, too," said the Wichlita woman, and straightway one of his legs was stiffer than it really ought to be.

For ten or fifteen minutes Mrs. Lease played with her subject. She made him do all sorts of things, ridiculous and otherwise.

and finally brought him out of his tranc with a few passes of her hands,
As Mrs. Lease proceeded with her art the ommittee and witnesses looked on dumbfounded and only regained their composure when she laughingly declared the perform-

ance over with for the day. When we went into the big battle of Yalu I DURRANT IS TO BE TRIED IN JULY State Inclined to Give Him Plenty of Tim-

to Prepare.

SAN FRANCISCO, May 6.-Theodore Durrant will spend several quiet weeks in the county jail before he is placed on trial the county jail before he is placed on trial for his life for the murder of Blanche Lamont and Minnie Williams. The police will not hirry him to trial, destring to give him abundant time to prepare for his defense. The case will, therefore, not be called until July. Chief of Detectives Lees said today that the case of the prosecution is complete and ready for trial at any time. The police are dissatisfied with the evidence of Organist King, who, in an effort to shield Durrant, stated at the preliminary examination that he detected the odor of escaping and in the church on May 3, although this statement is contradicted by the janitor and two plumbers. Threatening letters have been received by the school girls who identified Durrant as Blanche Lamont's escort from school on the day of her disappearance. The girls have been warned that if they testify against Durrant they will receive physical violence.

Joe Burris Will I'e Hangad.

refused to commute the sentence of Joe Burris, sentenced to death for assault, and he will be hanged Saturday. Burris has been twice reprieved. He was placed in the murderer's cell this morning and searched for means by which he could take his own life.

Appointed to the Naval Academy, WASHINGTON, May 6.-The secretary the navy has appointed Herbert Howard of e I will go home." the navy has appointed Herbert Howard of This was followed by cries of "Go home," Port Huron, Mich., a cadet at the naval

Full Bench in the Supreme Court Takes the Matter Up.

FIVE HOURS TO A SIDE FOR ARGUMENT

W. D. Guthrie, in Opening for the Appellants, States One Reason for the Rehearing Was the Many Points Left Undecided.

WASHINGTON, May 6.-The supreme ourt, with its full membership of nine jusices on the beach for the first time in many months, began the hearing today of the income tax suits. Justice Jackson of Tennessee, who has been absent from Washington the greater part of the past year seeking restoration to health, took his seat with extraordinary interest attached to his presence, since he assumes practically the position of umpire upon the vital question of the principle on which the law is based, which divides the other justices into equal factions. Justice Jackson did not appear to be feeble, but it was plainly evident that he was far from being a well man and that only by a strong effort could be sit throughout the hearing. Most conspicuous among the spectators in court were Postmaster General Wilson, the chairman of the ways and means committee that framed the tariff act; Representative McMillin of Tennessee, chairman of the subcommittee which drafted the income tax provisions, and ex-Speaker Crisp of the house. The attendance of lawyers and others having an unofficial interest in the matter was noticeably smaller than at the first argument of the law, and after the usual contingent of casual tourists had satisfied their curiosity to obtain a sight of the prominent men the court room was not crowded. But two arguments are to be made for each side-by Attorney General Olney and Assistant Attorney General Whitney for the government and by W. D. Guthrie and Joseph H. Choate for the appellants, who are Messrs, Hyde and Pollock, Today Mr. Guthrie delivered his speech and Mr. Whitney began his, which he will finish tomorrow. As the time assign d is five hours t each side, the arguments will be closed

Before Mr. Guthrie began, the chief justice, after calling the case, stated that in response to the suggestion of the attorney general, which the court interpreted as vir ually a motion for a rehearing, the court had decided to permit counsel to go into all the questions involved. He said the rehearng had been dependent upon the presence of Justice Jackson, which had now been happily realized. The court had found it neces-sary to limit the argument to two counsels on each side, but it was for counsel to say what time they would require. consultation, announced that five hours on each side would be sufficient, and this time was granted. Judge Wilson was also permitted, on behalf of John Goods, to file a brief in the present case.

MANY POINTS UNDECIDED. Mr. Guthrie began by saying that counsel for the appellants in the cases had been sub-jected to considerable criticism for their mo-tion for a relearing, but they had felt justified in the realization of the fact that there were many points still undecided in the final and definite adjudication of what the entire country was vitally interested in, and he as-sured all concerned that the counsel for the appellants in the present case would approve it in a spirit of the highest patriotism and with no desire for more self-aggrandizement. according to its letter and its spirit, or per mit the darkness of error to affront its light, appiness or misery, glory or shame. the court choose between the statute and the constitution, between a decision and the spirit of the constitution, between an obiter dictum and the plain words of the constitution, is it not then an essence of judicial duty to decide formally, disregarding statute, decision or dictum? There can be no law inconsistent with the fundamental law, and a century of error cannot overrule the constitution. The question is not to be determined by considerations of present expediency or practicability or hardship, but coording to the lights, the pur, ozes, the in-ention of the framers, and as they intended

the constitution to operate so must we en-force it today."
"The people are not to be deprived of inherited rights, such as are embedde in our constitution, by mere precedent or the techni-cal application of the rule of stare decisis," he asserted.

HILTON CASE CAUSED THE TROUBLE The point of contention, said Mr. Guthrie, was that the authorities establish the princi-ple that taxation on the income of one class of property is as objectionable as upon an ther. He charged the Hilton case with being the sole cause of all the error in this matter. It was, he said, a political case, in which the administration of Washington was pitted against the anti-federalists, and a case in which the local prejudice cut an important figure. Ha controverted the cpinton that the decision in the Hilton case had decided that only the capitation tax and the land tax werdirect taxes, and asked if this was so, why was it congress in 1796, less than thirty days after the decision was rendered, had in-structed the secretary of the treasury by resolution to report a plan for laying direct taxes by apportionment?

Mr. Guthrie then presented at some length the contention that, as it was clearly the in tention of congress to have the law act as whole upon the incomes, the provisions which are unquestionably void invalidate the who act. The law, he said, expressly includes rents and other income from land and per-sonal property, and its general language co-ers also income from municipal bonds. The government has insisted that it was not only the intention, but within the power of congress to tax the income from municipal bonds The object of the act is single and entire all sources. In order to preserve the provisions now remaining the court must strike out words actually used, such as rents, in-come and product of land. He declared the act should be sent back to congress, because t is arbitrary and unjust, and in violation of

EXEMPTIONS AND LIMITATIONS. He then took up the question of exemp-ons and limitations, repeating much of the rgument advanced at the first hearing, and sked the court to declare the whole act unconstitutional, because of the exemptions. Replying to the suggestion of Attorney Gen-eral Olney that in the light of the recent decision the government should refund the money collected under former income tax aws. Mr. Guthrie said: "The people of th United States gladly paid the income tax to defray the expenses of the war, and would make similar sacrifices today if it wer-necessary. Congress has not returned the ection tax, although it was clearly sectional, partial and unfair. Has it ever been ad-vanced as a principle of justice and morality that if you decide a certain interpretation of the customs laws has been erroneous every man who had paid without profest is enti-fied to have his duties refunded?"

Mr. Guthrie concluded at 3 o'clock, and wa ollowed by Assistant Attorney Genera ney, on behalf of the government. Mr. Whi ney complained of the brief time given for preparing for the rehearing. He said the gov ernment would not again present any argu-ment on the question of municipal bonds He did not suppose any tax law had ever been enacted which made express mention of all possible exemptions. If such a require ment were to be applied there would be very few valid laws. As to the question of the exemptions of rentals of real estate, that as soon as he returned Benedict was placed was different. The government had hope: under arrest and immediately taken aboard this question could be so presented as to the train for South Dakots. The fact of the contended that the bills in these cases asked on the train-

JAPAN FOREGOES HER CLAIM FIGHTING HAS BEGUN IN NICARAGUA REHEARING THE INCOME TAX for no special relief in cases of rentals. He announced that the historical and definitive argument would be handed to the court in the shape of a brief.

SOME ANCIENT PRECEDENTS. Mr. Whitney said the appellants relied principally on the system of economics of John Stuart Mill, which had not come into existence at the time the constitution was adopted, and he contended the distinction between direct and indirect taxes was so

between direct and induces abstruse that it was not possible to incor-Whitney, in criticising the opposition for going so far back into history for precedents, said he had not intended to go back further than 1689, but as the appellants had gone to 1180 he would himself give some precedents of that date.

earned friends on the other side."

Mr. Whitney referred at some length to distinction had been very sharp and the word eral. tax had been applied only where the word duty could not be made to cover the case. "If," said he, "the framers of the constiwere acquainted with Blackstone they

were familiar with the English classificaeverything called a duty was laid by the rule of uniformity. The thorough understanding of these principles by the democrats of the convention explained the apparent lack larly broken. of interest in the discussion of the distinc-tion in these matters. The important question with them appeared to be that of the proper distribution of the taxes to be made according to apportionment. He contended that the direct taxes were traceable to the English land taxes, and it was impossible to levy such a tax except by apportionment.

by the adjournment of the court for the day.
MARTIAL LAW CONSTITUTIONALITY. Most interesting of the several cases decided by the supreme court today was that of David B. Sayre, formerly a clerk to the paymaster at the Norfolk Navy yard, against Captain L. M. Johnson of the navy. In November, 1894. Sayre was sentenced by court-martial to two years imprisonment in a naval prison for misappropriating about \$2,000 of government money. Sayre appealed to the United States superior court of the eastern district of Virginia on the ground that his sentence was contrary to the constitutional provision that citizens shall not be deprived of liberty except by due process of law and upon a presentment

r indictment by a grand jury, Judge Hughes of the circuit court granted the writ of habeas corpus on the ground mentioned, but the suprame court tolay reversed his ruling. Judge Hughes had held that Sayre's conviction could not be sus-tained by that clause of the constitution excepting "cases arising in the land or navai forces, or in the militia when in actual ervice in time of war or public danger,' because the country was not then in war or danger, Justice Gray, who delivered the opinion of the court, said that the opposite construction had always been presumed. These citizens in the army and navy were in the actual service of the United States at ill times whether in war or peace, and th ullitary and naval authorities had jurisdic

had the supreme court sustained him the custom of the army and navy authorities could have been everturned.

In the case of the corporation of the Roman Catholic bishops of Nezqually in Washington territory vs John T. Gibsen, R. T. Yeatman and the United States the decision of the United States court for the district of Wash-

SOUTH DAKOTA LOSES THE CASE

ecretary Smith Decides the State Cannot Have Yankton Lands as Intemnity. WASHINGTON, May 6 - (Special Tele gram.)-Secretary Hoke Smith today renlered a decision adverse to the state of South Dakota's claim to select school indemnity lands in Yankton Sioux reservation.

In consequence of the decision School Comnissioner Lockhart and Attorney General Miller, who represented the state, will probably bring suit against the secretary to compel him to allow of selections being made and to issue patents to the state. This was the determination expressed by those gen tlemen before they left the city. It is probable, therefore, that proceedings will be be gun immediately upon receipt of the decision

by these officers. There are two methods of procedure open to the state. First, it can apply to the courts to compel the secretary to recognize selections filed in behalf of the state at Chamberlain, and, second, to ask the United States district court of South Dakota to en-Join local officers from permitting settlers to file upon selections made by the state pending judicial dicision upon the question in controversy.

It is probable that the president's proclamation will be issued tomorrow.

WASHINGTON, May 4-The action of the pension bureau in constraing the legal meaning of dependence under the act of June 17, 1890, has been reversed by Assistant Secretary of the Interior Reynolds, in a decision on a dependent mother's cast. The ruling provides where the property possessed by a mother, having no other means of support, is so small that it will not yield an income sufficient to support her during her life it should not desrive her of the right to a pension. By "adequate means of support," the law is interpreted to mean not merely enough to supply the necessaries of life for a limited period of years, but a comfortable maintenance of the pensioner during the remaining years of her the pension bureau in construing the legal

WASHINGTON, May & -(Special Telegram.)-Postmasters were appointed today as follows: Nebraska—Saltillo, Lancaster county, M. V. Thompson, vice Henry Hartman, resigned, Iowa—Hobart, Kossuth county, John Grove, vice J. H. Cook, removed; Peterson, Clay county, W. W. De Witt, vice Grace Kennedy, removed, South Dakota—Meckling, Clay county, David West, vice C. N. Taylor, resigned.

Another Pension Examiner. WASHINGTON, May 6.—(Special Telegram.)—Dr. Albert R. Mitchell was appointed an examining surgeon for the pen-sion bureau at Lincoln, Neb., and Dr. W. E. Edgerton at Salem, S. D.

Admiral Aims Wangerensty Ill. WASHINGTON, May 6.-Rear Admira Aimy, United States navy, retired, is very ill, and in view of his advanced age his family and friends are seriously alarmed over his condition.

TAYLOR'S BROTHER-IN-LAWARRESTED Charged with Aliling fouth Dakota's Treasurer to Escape.

CHICAGO, May 6 .- The arrest of H. M. Benedict, brother-in-law of W. W. Taylor, the defaulting state treasurer of South Da kota, took place in Chicago at the Leiand hotel. Pinkerton detectives say that it has been definitely learned that Benedict assisted Taylor to escape. A man was sent to Springfield, Ill., for requisition papers and as soon as he returned Benedict was placed a reversal of the former opinion. He arrest was kept secret until after he was

LCOKED LIKE A SHOWER OF SNOWBALLS

Much Damage Done to Roof and South Front Glass-Trees Robbed of Their Recently Acquired Green-Horses Driven Into Stores for Shelter.

"Can't you," asked the chief justice in a tone which appeared to contain a spirit of banter, "go back further than that?"

"I might," replied Mr. Whitney, "but I valled from 5:15 to 5:45 yesterday afternoon. should not tax the patience of the court to Heavy clouds borne by a cool wind came up that extent but for the precedent of my from the southeast, and, after dropping rain He said he would agree to stop short of 1180 if Mr. Choate assured Mr. Whitney and the court throw down the ice. It came in three showers, with short intermissions, the stones hat he would stop several centuries short of getting heavier all the while, the larger ones falling at the last. The largest ones were the distinctions between the words tax and duty in English legislation. He said this fall of those of the size of walnuts was gen-

The bombardment of roofs was terrific, but because the wind was not strong the east and south sides of buildings, save in the southern part of the city, were comparatively free from harm. Skylights in every place A peculiarity of the English system since suffered seriously, though in every instance was that everything called a tax was the destruction was only partial. The skylaid by the rule of apportionment, whereas light over the wide court of the Bee building was punctured in nine places. Those is the city hall, library building, Barker hotel Millard hotel and other buildings were simi-

GREENHOUSES CAUGHT IT WORST. About half the glass in all the greenhou n the rath of the storm was shattered. brunt of the storm passed over the eastern and middle portion of the city from south to north. Hail fell as far west street, but west of Thirtieth the fall was like that of only a common hall storm.

The system of apportionment among countries was the same in this country as in the early days of England. At this point Mr. Whitney was interrupted fourth on the west considerable wrecking of the adjournment of the court for the day. window glass was done. On Leavenworth street, from Sixteenth to Twenty-fourth, al nest all glass was shattered. But two were left in the south side of the Leaven worth school, while in the Mason school twenty-eight panes were broken. All build ngs in the district described suffered similarly, though not so severely. All the larger hotels lost windows.

GLASS SPARED NOWHERE. Windows on the south side of All Saints' church were generally proken and several in the front of the Central United Presbyterian church were knocked out. Many of the electric light street globes in

lass on the south side of gas and gasoline imps went out. While the storm was severe in Hanscon Place, no serious damage was done. Few cindows were broken in that part of the city,

yet there was a prolonged bombardment and fruit trees suffered some injury. The streets were strewn with leaves that had been stripped from the trees, while drifts of hall stones ledged against the curbstones, where hey lay for hours after the storm had sub-The large city green houses at Hangon

park suffered severely. Probably one-third of the glass was broken. Fortunately, the thousands of blooming plants ready to be transerred to the open air were uninjured. It would have seemed nuch like autumn

the foliage lost was not noticeable in sing at the boughs. SHELTER FOR MEN AND HORSES. People on the streets easily found shelter rom the cruel pelting, but it was a hard patter to get horses under cover. Hundreds them were unhitched and driven onto the walks and into the doors of stores and

flice buildings. Runaways were reported from all parts of he city, but so far as has been learned no parties were injured.

Perhaps the heaviest damage was done to
the vegetation in the path of the storm. Where the heavlest hall fell the streets and sidewalks were covered with a thick carpet of leaves that were cut from the limbs of the trees as cleanly as if made with a knife. In one place southeast of the depot branches

fully an inch in thickness were cut from the trees. Garden plats in all parts of the city were more or less damaged, but the less was heaviest in the southern and eastern parts. Young plants and fruit trees were greatly injured. In a yard on Lake street all the blossoms on a small orchard of cherry trees were cut off. On South Twentyeighth street a property owner picked up a handful of debris and counted out thirty-six bunches of young grapes. BRUNT ON SOUTH STREETS.

A walk along Leavenworth, South Sixteenth, Thirteenth and Tenth streets pre-sented a scene of desolation. The streets and walks were covered with leaves and branches, sides of the streets was broken. Almost every pane was shattered in the wooden flats on the south side of Leavenworth between Iwenty-second and Twenty-third streets. Be ween Leavenworth street and the Union Pacific tracks the damage was as great. On Mason street, near Twenty-third, the shingles were torn off the roofs of two houses and the roofs themselves perforated by the hail

The houses and buildings on the west side of Sixteenth street were as badly used up as those on Leavenworth. Trees were stripped and panes of glass were shattered all along the street. In some cases the awnings above the street. In some cases the awnings above stores were torn into shreds. Every window in a flat between Vinton and Castellar streets was shattered. The Castellar streets have not a whole window pane can the cast side. Every light and several sashes in Hass' hot house on Eighteenth and Elm streets were destroyed and the plants injured. The same fate overtook a greenhouse on Frederick street, between Pourteenth and Fifteenth streets. Paxton & Vierling's new building at Seventeenth and the railroad tracks, which is constructed largely of iron and glass, had a decidedly deserted appearance. It is reported that at the south end of the street, persented much the same and Vinton streets, presented much the vinton the vinton the vinton the vinton the vinton the vinto

forsted by the ice bullets. At the National hall, Thirteenth and Williams streets, 124 small panes of glass were broken. Across the street a little to the south a photographer's gallery appears to have gone through a small-sized cyclone. Every win-dow is gone and the roof is caved in. Some distance north of Williams the windows in a basement occupied by a family were broken and after the storm the members spent several hours in shovelling out the ice, water and dirt that had entered. The premises of John Rush, at Fourteenth and Martha streets, also suffered considerably. Windows were broken in aimost every building on the west side of the street, and grass, plants and trees were greatly injured.

The beautiful lawns that border both sides of Tenth street, south of Pacific street, suf-fered severely. Many of the young trees along the walks and in the yards were also famaged. The glass in the green house or Kountze's property, on the east side of the street, were broken and many of the plant destroyed. The leaves on several fine cen-tury plants on Bishop Worthington's premises were torn into shreds, and the plants injured. Many windows in the fine re idences alo g h street were shattered. A large number of the panes in Brownell Hall and Mathias chapel, beside it, were also broken.

IN THE CITY'S CENTER. In the center of the city there were very few large buildings that escaped damage. In many cases a single round hole was made as if by a cannon ball. The buildings in the ton.

wholesale district, especially that of Kingman & Co., Ninth and Pacific, in which almost every pane was broken, suffered much.

Other buildings were used as badly. Slat-shingles were torn from the roof of the Mer chants National bank building.
The tin roof of the power house at Twenty second and Nicholas streets was perforated in many places, and the rooms on the second floor were flooded. The glass roof over the

engines was also broken, and this necessitated the shutting down of the generators for fifen or twenty minutes, until canvas could b put up. During that time the lines that get their power from the house, the Sixteentl street line and Dodge street line and the Sherman avenue line, were shut down. The street cars also suffered somewhat from the storm. Many of the windows were broken. During the height of the storm two trains Twentieth, and every window in the cars was

Some personal injuries occurred. Mrs. Cos ters, who lives near Eleventh and Center streets, sustained an ugly gash in the head from one of the stones and was knocked senseless. M. Donovan, on South Thirteenth street, went out to shut a shutter, and was knocked down by a stone. An unknown man was struck on the back of the neck at Twelfth and Farnam and knocked down. A laborer, who was working on Corby street was also knocked down. L. Lickworth, while was also knocked down. L. Lickworth, while on the street, near Thirteenth and Vinton streets, was struck on a finger and sustained a sprain. William M. White, a grocer at 2403 Leavenworth street, while trying to take care of a horse, was struck on the hand and received a cut three inches in length.

Damage was chiefly to glass and must be roughly guessed at, but must be expressed by thousands of dollars.

VERY SEVERE NEAR ASHLAND duch Property Destroyed and Stock Injared by Hail Stones.

ASHLAND, Neb., May 6 .- (Special.)-Farmers coming to this city from the southwest bring reports of a heavy hall storm and mentioned in this connection. New hope on the part of the natives has given the annexanoon at about 2 o'cleck. It appears the storm started about five miles west and three miles south of this city, and coursed north-west for nearly fifteen miles, the track rang-ing from one to five miles in width. The west for nearly fifteen miles, the track ranging from one to five miles in width. The fruit, and they both are entirely gone in me places, while others escaped with a

slight loss. In the worst parts of the track the hail stones were as large as goese eggs, and wrecked windmills and mashed windows, beides ruining the roofs on a number of houses. Stock that happened to be out in pastures came up with their backs all bruised and benten, and in some cases the hide broken, but as yet no life has been reported lost

The rain fell in torrents for some time, which raised all the creeks leading to the Platte river out of their banks in less than an hour. Salt creek, at this city, raised three feet in less than forty-five minutes, and was early over her banks all night, for the first line in three years.

Nearly all the bridges were swept out that the main part of the city that were not cov-bred with hoods were sent in pieces to the ground, and in the path of the storm all visited by the storm, cutting off the possibility of getting a detail report to this city verland. Late reports from the hall storm destrict

show the damage to be pricipally to the crops. One person is reported injured. It appears he was caught in the field and was knocked insensible and was unable to reach home till late, in a feeble condition. Various reports show the stock loss to amount to some ten decument was presented to the president, who replied he would submit it to the A reservoir on the farm of W. J. Bryan,

west of the city, which covered some twenty acres about ten feet deep, washed out and caused considerable damage to fence ridges and corn cribs which it could reach. At 4 p. m. today the hall lay two feet deep in places, where it had drifted. The center of dewalks had been brown instead of green.

The southern part of the swift and Company's ice plant was not noticeable. Swift and Company's ice plant was raised over five feet, the highest it has ever been.

BEATRICE, May 6.—(Special Telegram.)— This section of Nebraska is no longer suffering for rain, there being a copious downpour souri. ooking fine and everybody is happy over the

crop prespect.
LYONS, Neb., May 6.—(Special.)—Good rains have fallen almost every day in this cunty for the past week. Rabbits can hide in the grain fields and corn is up in many places. A few farmers began to cultivate their corn last week, the

Several thousand head of cattle have been bundant crop.

A few weeks more of rain and sunshine and hay will be cut in the Logan valley. BUTTE, Neb., May 6.—(Special Telegram.)

A coplous shower fell throughout this county this afternoon, infusing new life into

Wisconsin and Kana's Visited by Destructive Storms.

STEVEN'S POINT, Wis., May 6.-A cyclone passed over the southern part of town this morning. A huge rolling column of sand, dust and debris settled down over the city papers have been making a strong fight just east of the Central shops and swept against any change in the police commission-along for about a mile, tearing up trees and ers and the police department, but Governor overturning outbuildings. The wind was followed by a heavy rainfall. This afternoon the city was again visited by a heavy rain storm. Two or three inches of rain has fallen n as many hours.

MUKWANAGO, Wis., May 6.—The storm

last night was unprecedented in this section of the country. One thousand lights were broken by half in the village. Residents of the town of Vernon report all crops cut to the ground. Fruit trees were in blossom and are now ruined. Hall stones one and one-

board and who were acting as judges at the annual school election. four hours, said Ratliffe opened a discussion over text books for the district and then he accused the board of slandering him and his family. Ratliffe accidentally fired his rifle, the ball entering the floor at Taylor's foot, doing no damage. During the exciting discussion following Ratifie took aim at Taylor and fired, Taylor dying Instantly, Ratliffo then shot McCurdy, striking him in the back and causing instant death. He then shot Wyatt in the back. Ratliffe surrend red to Deputy Sheriff Link at Como. He says he did his best and what he thought was justifiable homicide. The dead men are among the most highly respected citizens of Park county. Ratliffe is 65 years of age

and an invalid. Wife of Leslie Stephen Dead LONDON, May 6.—The wife of Leslie Stephen, M. A., the author of the "Dictionary

of National Biography," is dead. Movements of Grean Steamers, May 6. At New York-Arrived-Steamer Zaandam, rom Amaterdam; Normandle, from Havre, At Southampton—Arrived—Fulda, from New York for Bremen.

At Moville-Arrived-Numidian, from Portland, via Halifax, for Liverpool. At Liverpool-Arrived-Sachem, from Bos-

Holding Out Hopes of the Restoration of Royalty to the Hawaiians,

RUMORS OF IMPANDING REVOLUTION RIFE

Government Taking Steps to Prevent the Further Influx of Japanese-Making Inducements for Europeans to Settle in the Islands.

SAN FRANCISCO, May 6 .- Advices by the teamer Gaelie, from Honolulu, April 29, are: Minister Hatch has received a communicaion from Secretary Gresham, through United States Minister Willis, in regard to naturalized Hawailans applying for protection of the United States. The communication deals entirely with the case of J. F. Bowler, who called on the United States to interfere in his behalf. Bowler was convicted on a charge of misprision of treason in connection with the recent rebellion. Mr Gresham states the United States government cannot interfere, and giving reasons, calls attention to the fact that Bowler has taken the cath of allegiance required for becoming a naturalzed citizen of Hawall.

Evidence is at hand that shows that British influence is at work in Hawaii. The natives are in a state of expectancy and word has been passed quietly among them that within a short time restoration would be a fact. Bishop Willis, the head of the English church in the country, is said to be the man who is going among the natives with the information. British Consul Haws is also

tion move another setback.

The government has received no news from Secretary Gresham about Minister Thurston's

that no little alarm is felt in government circles. Information comes from the island of Hawaii to the effect that the residents are contemplating secess on from the group, claiming as a reason for the step that they do not receive their share of money for pub-

The Hawaiian government is now putting into effect measures to equalize and perhaps change altogether the immigration scheme, A limited number of Chinese field laborers are to be brought in, under restrictions, by au-thority of the act of 1892. For the present the board of immigration will refuse all applications for further importations of Jap-anese contract laborers. It is the intention of the government and the planters to encourage by every means immigration from Europe. Negotiations are now under way Europe. for more Portuguesc. In this regard matters may shape themselves in a manner that may detain Mr. Thurston in this country. It is, said a new immigration bureau is to be ereated, and if so be will be offered the

chairmansh p.
President Dole celebrated his 51st birth-day on the 23d inst. During the day a peti-tion was circulated praying amnesty be

MISFIT IN THE POLICE DEPARTMENT Man with a Cork Leg Appointed Patrols.

mon in Kansas City.

KANSAS CITY, May 6,-A smile which broadened into a laugh and finally broke into. a guffaw was upon the face of every citizen. of Kansas City this evening when they read in the evening papers of the deings of the new Board of Police Commissioners, only re-Friday, another Sunday afternoon, and another this afternoon. The ground is theroughly seaked. The oats and wheat are joke is the fact that the cork-legged man hobbled into Chief Irwin's office for his commission as a patroiman today. The man's name is William Condon. Condon got tired of the merriment unwittingly made at his expense, and going into Chief Irwin's office

"I'm the man with the cork leg. Guess. I'll have to own up to it."
Chief Irwin was thunderstruck. He sent tidings to Commissioners Fyice and Shelley. When they heard the remarkable news they out on the reservations.

When they heard the remarkable news they fruits of all kinds promise to be an burst into the chief's office breathless and

> "Where's that man with the cork leg?" demanded Fyke.
> "It's a joke, isn't it?" "If it is, it is a tough one on me," said. Condon. He rolled up his trousers on his. right leg and the commissioners fairly

HAIL DAMAGED FRUIT AND CROPS groaned. "It is too true," said Mr. Shelley, mournfully. "I guess all the boys will be guying us now." The appointment of Condon will probably be reconsidered. A museum freak, an excandidate for congress and a prize fighter

> Stone appointed men whom the newspapers opposed, and criticisms of all their actions is not wanting. KANSAS WHEAT IS IN A BAD WAY

Over Half of the Winter Sowing Las Feen Rendered Practically Worthless, TOPEKA, Kan., May 6.—The Kansas Board of Agriculture issued today, through Scoretary F. D. Coburn, its first crop rehalf inches in diameter were picked up after the storm. There were 105 window lights broken in the relier mill. Winter Wheat—The acreage sown last fall is estimated as having been 4,061,137 acres, or about 11 per cent less than that sown the

LOOKING OVER EDGEMONT QUARRY

Hon. J. E. Scarles at the Sou h Dakota City. EDGEMONT, S. D., May 6 .- (Special Telegram.)-Hon. Jonathan E. Scarles, secretary and treasurer of the American Sugar Refining company, accompanied by his family, arrived in his special car at 10 o'clock this evening. Searles will examine the grindstone manufactory and the quarry, in which he is largely interested. He is on his return from a trip to Denver and the northwest, and will

stay at Edgement a day.

The second large shipment of grindstones to New York was sent from Edgement today. It consisted of over 100 fine razon stones for factories in the east that have until now used emery wheels. Three expert turners of grindstone have been wired for from Berca, O. The whole of the machinery, used being of grindstones has had to be duplicated, and is now in course of construc-It will be shipped from Edgement im-

W. F. Weber Bound Over.

mediately.

SIDNEY, Neb., May 6 .- (Special Teles gram.)-The preliminary examination of W. Weber, alias Fisher, for obtaining goods. and cash of Jeweler Reinhart, took place be-fore Judge Ricker this afternoon. He was held in \$500 bonds for the district court. At Glasgow-Arrived-Hibernian, from Bos-None of the property was recovered.