THE OMAHA DAILY BEE.

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OLNEY GRESHAM'S SUCCESSOR

Cabinet Appointments Announced at a Late Hour Yesterday.

JUDGE HARMON TAKES THE LAW PORTFOLIO

Cabinet Held a Long Consultation Previous to the Announcement—New Attorney General a Former Law Partner of Governor Hoadley.

WASHINGTON, June 7.—The president, late this afternoon, announced the following cabinet appointments: For secretary of state, Richard J. Olney of Massachusetts; for attorney general, Judson Harmon of Cincinnati, O.

The announcement of the transfer of Attorney General Olney to the head of the State department created no surprise here, as it has been well understood for several days that Mr. Olney would succeed to the first place in the cabinet, made vacant by the death of Mr. Gresham. It is probable that tomorrow Mr. Olney will take the oath as the head of the State department. The president at one time contemplated other changes in his cabinet, and a rearrangement of several portfolios, and in this connection credence was given to the transfer of Secretary Smith to the Department of Justice, but this and other transfers were finally abandoned and the president concluded the simplest plan would be merely to fill the vacancy caused by Mr. Olney's promotion.

The appointment of Judge Harmon of Cincinnati as attorney general came in the nature of a surprise. His name had not even been mentioned as among the probabilities. There is the best authority for the statement that the president had several men under consideration, and that the portfolio of justice might have been had by Mr. James C. Carter of New York, who was counsel of the government in the Bering sea tribunal and the income tax cases, and by Mr. Frederic R. Coudert, had they been disposed to accept it. Secretary Carlisle knew Judge Harmon personally, and both admired and respected his ability. It was he, probably, who first presented his name to President Cleveland. Ex-Governor Campbell of Ohio, a close friend of Judge Harmon, also warmly supported him, and the president also secured from ex-Governor Hoadley of Ohio, who is now living in New York, and whose law partner Harmon was, most favorable reports of his ability and standing. After canvassing the situation thoroughly, the president offered the portfolio to Judge Harmon by wire this afternoon, and immediately upon receiving a favorably reply, announced the appointment.

Mr. Harmon has been for a long time judge of the common pleas court and is a man about 50 years of age, one of the most conspicuous lawyers in the west, and upon the retirement of ex-Governor Hoadley from his Cincinnati firm, upon his removal to New York, Mr. Harmon took his place at the head of the firm of Harmon, Colston, Goldsmith & Hoadley, the last named being a son of ex-Governor Hoadley of Ohio.

EARNED HIS ADVANCEMENT.

Richard Olney, who has been advanced to the first place in President Cleveland's cabinet, has won the distinction by the able service he has rendered the president on all the more important questions that have engaged public attention since the present administration began. During the great strike at Chicago Mr. Olney's services were particularly notable. He developed each step that the government authorities took and President Cleveland was so fully convinced of the wisdom of the proposed policy that he gave it thorough support and execution. In this question Mr. Olney was impelled by a desire to suppress disorder.

He had shown in another case his sincere respect for the rights of labor. This was in a case of the Reading railroad, which sought to compel one of its employes to either sever his connection with a railway beneficial organization or the company's service. Although the government had no direct interest in the case, Mr. Olney secured the permission of the court to present a brief on behalf of the employe, in which he held that the proposed action of the company was against justice and right. The brief was marked by a vigorous defense of the rights of labor to organize in a way it saw fit for advancing its interests, so long as the means were peaceful and within the law.

The new secretary of state comes from sturdy Puritan stock. His ancestor, Thomas Olney, came from England and settled at Salem, Mass., in 1735. The father of Richard Olney owned and managed the cotton mills at Oxford and also engaged in banking. His mother was a Sigourney, descended from French Huguenots who fled from France to this country. The new secretary of state was graduated from Brown university in 1856, and from the Harvard law school in 1858. He married Agnes, daughter of Judge Benjamin F. Thomas, with whom he studied law. They have lived of late years at Boston, with summer homes near Buzzard's Bay and Gray Gables, the summer residence of the president.

Mr. Olney is a man of medium height and robust form, and in general appearance he conveys the impression of intense vitality and physical endurance beyond that of any man who has occupied the position of secretary of state in recent years. Mr. Olney has served one term in the state legislature of Massachusetts. In politics he is an old-time democrat, but was unable to support Butler for governor. He did not take prominent part in the last presidential campaign, but rendered effective service to Mr. Cleveland in an unobtrusive manner. As a lawyer Mr. Olney has been a counselor rather than an advocate.

CONGRATULATED HARMON.

CINCINNATI, June 7.—When the appointment of Judge Judson Harmon became known here this afternoon attorneys from their offices and the courts rushed to the offices of Harmon, Colston, Goldsmith & Hoadley to congratulate the new attorney general and ask for a date for a farewell dinner from the bar. Judge Harmon said he received a letter from President Cleveland and replied to it by wire, but he had no knowledge of his appointment till advised by the Associated press. He went to Columbus tonight on professional business and does not know when he will go to Washington. Judge Harmon is not only recognized as one of the foremost lawyers and jurists of this state, but also as one of the most popular citizens.

He was born near this city forty-nine years ago, has always lived here and is known by all. His father, Rev. B. F. Harmon, was a Baptist minister, well known throughout the Ohio valley. Judge Harmon graduated at Dennison university, a Baptist institution at Granville, O., in 1866, and began the practice of law in Cincinnati in 1869. He was a republican until 1872, when he Greeleyized. As a democrat he was elected common pleas judge on the Tilden ticket in 1876. He was elected superior judge in 1878, re-elected in 1883, and when ex-Governor George Hoadley went to New York in 1887 Judge Harmon resigned from the bench to become the head of the firm of Harmon, Colston, Goldsmith & Hoadley, which represents several railroads and other large corporations, and with which firm he will continue his connection. When Judge Harmon resigned in 1887, Governor Foraker appointed Judge William Taft, now United States circuit judge, and formerly solicitor general, to the vacancy.

Mrs. Harmon is an accomplished lady, the daughter of the late Dr. Scobey of Hamilton. They have three daughters, Mrs. Edman Wright, jr., of Philadelphia; Miss Elizabeth, a recognized society leader, and Marjoria, the youngest of the family, who is 14 years old.

COLUMBUS, O., June 7.—Judge Harmon, the new attorney general, arrived in the city tonight, in company with ex-Governor Foraker and Judge Warrington of Cincinnati, for the purpose of securing, if possible, from the auditor of state, a modification of the Rawlins law, taxing beer $3.50 a barrel, in order to permit Cincinnati brewers to compete outside the state. Judge Harmon said the first intimation of his appointment was received from the Associated press. "If any one had told me yesterday," he said, "that I was to be appointed to a cabinet position I would have thought he was talking 'through his hat.' The last time I saw President Cleveland was in Columbus at the time of the Thurman banquet six years ago. This morning I received a letter from Mr. Cleveland asking me if I would accept the position of attorney general. As I did not want to reply without consulting my law partner, Judge Colston, who is in New York, I immediately telegraphed, and, securing his consent, at 2 o'clock telegraphed President Cleveland that I would accept. I have not received an official notice of my appointment."

When Judge Warrington, who was present when the Associated press reporter called on Judge Harmon at the Hotel Chittenden, remarked that Judge Harmon would leave one of the most lucrative law practices in the state, the latter remarked that the position of attorney general was one that would tempt any one who loved his practice. Judge Harmon will probably leave for Washington next Monday.

PLANS FOR NEW TORPEDO BOATS

Will Be the Fleetest of Any Craft Now in the Navy.

WASHINGTON, June 7.—Circulars will be issued by the Navy department in the course of a few days inviting bids for the construction of three torpedo boats authorized by the last congress. The plans for the boats have been completed. They provide for the construction of the fleetest craft that will be borne on the naval list. The minimum speed must not be less than twenty-six knots per hour, although it is expected from the amount of steam power to be supplied that this limit will be surpassed by perhaps two knots. The new boats will be of 180 tons burden, 170 feet long and seventeen feet broad. This is ten feet longer and one foot broader than the boats last constructed, for which the Columbian Iron works of Baltimore had the contract. They will have triple expansion engines and three boilers, giving 3,200 horse power. For their construction congress has appropriated $175,000 each, but as $25,000 must be retained in the case of each boat for its equipment with torpedo tubes and ordnance the limit of the available appropriation is only $150,000 each. This is a small amount, in view of the size and speed of the boats, but owing to the low present price of material it is believed it will suffice.

No premiums will be allowed for speed in excess of twenty-six knots, but there will be penalties imposed for deficiency in this respect and this may have the effect to increase the amount of the bids. Eastern shipbuilders are barred in this competition, for by the terms of the act of congress one of the boats must be built on the Gulf of Mexico, one on the Mississippi and one on the Pacific coast, provided bids can be secured from these sections at reasonable rates. Otherwise the Navy department may allot the boats to builders in other sections, or even build them at the navy yards. There are already established firms of iron shipbuilders on the Mississippi river and the Pacific coast, but the Navy department is in some doubt as to the resources of the gulf country in this respect. So far only one inquiry has been received from that direction, and that particular firm is located in New Orleans. A point may be raised as to whether it can be regarded as a gulf firm or a Mississippi concern.

Award of Contracts Approved.

WASHINGTON, June 7.—(Special Telegram.)—The secretary of the interior today approved the following award of contracts made by the surveyor general of South Dakota: To United States Deputy Surveyor Hartigering of Rapid City, contract for survey of a tract of land bounded by the third guide meridian on the east, by the Pine Ridge Indian reservation on the south, and by the south fork of the Cheyenne river on the west, and for a survey of the subdivisions and meander lines of fractional township 4, south, range 13, E, Black Hills meridian, to Robert Harvey and Alfred W. Gumare of St. Paul, Neb., contract for survey of fractional townships 35, N, ranges 13 to 20 inclusive, west 6, N, Nebraska, and to Frank S. Peck for survey of townships 17, N, range, 7, E, and 16, 17 and 18 N, range 8, E, Black Hills, meridian, S. D.

Pardoned One and Denied the Other.

WASHINGTON, June 7.—The president today granted a pardon in the case of Meredith Crow, convicted of murder in the Indian territory and first sentenced to death, but in 1886 commuted to life imprisonment, and in 1892 to ten years' imprisonment. The prisoner has about ten months to serve, and the president says his good conduct entitles him to citizenship.

The president denied the application for pardon of George M. MacDonald, president of the Guarantee Investment company, convicted in Illinois of mailing matter concerning a lottery, and sentenced December 1, 1893, to eleven months and a fine of $1,000.

Ready to Refund the Income Tax.

WASHINGTON, June 7.—Blanks are prepared at the Treasury department for the use of persons who have claims against the government for the refund of the income tax. The refund will be made under section 2,220 of the revised statutes, which authorizes the commissioner of internal revenue on appeal, to refund all taxes erroneously collected. Few claims have as yet been filed, probably because the claimants have been waiting for official information on the subject. Every dollar of the income tax already collected will be repaid to the persons from whom the collections were made.

Whitney Out for the Presidency.

WASHINGTON, June 7.—Senator Smith of New Jersey, who is in the city, thinks that ex-Secretary Whitney is a candidate for the presidency. "He is certainly after the nomination," said he, "if all the talk I have heard in New York amounts to anything. Of course, I am not committed to any candidate, but it goes without saying that Mr. Whitney would make a most admirable president. He is conservative, he is able, and he would unite the democratic party. I think he would poll the entire democratic strength."

Nebraska Postoffices Established.

WASHINGTON, June 7.—(Special Telegram.)—Postoffices have been established as follows: Nebraska—Bushnell, Kimball county, George C. Phillips, postmaster; Ware, Butler county, John L. Tremble, postmaster. Iowa—Venture, Cerro Gordo county, William T. Fish, postmaster.

Postmasters were commissioned today as follows: Nebraska—Grover C. Maben, Deloit. Iowa—John C. Evans, Avery; Richard A. Phillips, Summit. The postoffice at Bronson, Cheyenne county, Neb., was abolished. Mail will go to Sidney.

China Presents Her Thanks.

WASHINGTON, June 7.—The Chinese minister, in company with Acting Secretary of State Uhl, accompanied by his secretary of legation and interpreter, waited in person on the president this afternoon and presented to him a letter from the emperor of China, thanking him in graceful terms for the kindly offices exercised by the United States in behalf of the restoration of peace between China and Japan. The imperial communication was in the Chinese language, handsomely encased in yellow silk.

Retirements and Promotions in the Navy.

WASHINGTON, June 7.—The president has approved the recommendation of a naval board and ordered the retirement of Medical Director Gorgas and Lieutenant Commander Carmody. The following officers have been promoted: Lieutenant Commander Maney, Lieutenant Blockinger, Passed Assistant Engineer Ransom, Assistant Paymaster Reyfields, Surgeons Brennan and Ayres and Passed Assistant Paymaster Kerr.

Omaha Man Gets a Contract.

WASHINGTON, June 7.—(Special Telegram.)—O. J. King of Omaha was the lowest bidder for the erection and completion of the public building at Rock Island, Ill. The amount of his bid was $37,077. The award of the contract will probably be made to him in a short time.

SPAIN WATCHING THE COAST

Gunboat Cruising Off Florida on the Lookout for Filibusters.

COMING PRETTY CLOSE IN SHORE

Cuban Organizers Ask the Florida Cigarmakers to Contribute One Hundred Guns, Which They Cheerfully Consent to Do.

FERNANDINA, Fla., June 7.—Captain Lasere of the pilot boat Francis Elizabeth has just arrived and reports seeing yesterday a Spanish gunboat cruising about six miles off the shore. The gunboat was steaming rapidly from the south. It passed Cumberland bar, northward, and returned about five hours later, moving much slower and closer to the shore. The captain of the pilot boat concluded that she wanted a pilot and made towards her, but when the gunboat observed this she changed her course. Considerable excitement was caused here by the pilot's story, as it was not believed that Spain considered the Florida and South Georgia coast of sufficient importance in respect to filibustering to be patrolled by a gunboat.

Captain Johnson of the schooner Greenleaf, from New York, arrived here today and substantiated the story told by Captain Lasere. Captain Johnson says that when he crossed the bar at 8 o'clock this morning the gunboat was cruising slowly four miles off the bar, apparently on the lookout. The gunboat answers the description of the Palos.

The secret Cuban council finished its business today and departed. None of the party would affirm or deny that they were awaiting Jose Marti.

JACKSONVILLE, Fla., June 7.—Gonzalo Quesada of the Cuban party returned here today from Fernandina. When questioned about the report that he was planning for a filibustering expedition from somewhere on the Florida coast, he laughed and replied that he thought it would be better not to say too much for publication. A Cuban, who is closely engaged with him in the work, said that the expedition would not start for several weeks. Quesada addressed the Cuban cigar makers at the El Merito factory today. Among other things he said he wanted 1,000 rifles within the next month. He asked the cigar makers at the factory to furnish 100 of them, which they agreed to do. Carlos Cespadoes also spoke. Colonel Colazzo and his son have returned to Tampa and Quesada and Cespadoes followed tonight.

SPAIN NOT ALARMED.

Her Cruisers Amply Able to Ward Off Filibustering Parties.

WASHINGTON, June 7.—The report from Florida as to the dispatching of three torpedo boats with a Cuban revolutionary party is thought by Spanish officials here to be a ruse to divert attention from movements at other points. It is stated that the torpedo boats could make but a feeble showing against the large fleet of Spanish cruisers and gunboats now patroling Cuban waters.

It is said that General Rafel Quasidi is the moving spirit of the present operations, and he is now at Abete Springs. Florida dispatches mention a Gonzalo de Quesada, as one of a revolutionary band meeting at Ocean Beach, Fla. This gentleman is a former secretary to General Marti. The latter's death is now conceded by revolutionary leaders, according to advices received here.

Department officials do not attach any significance to the statement of the London Standard that Spain would make a claim against the United States based on the precedent of the Alabama claims for permitting arms and ships to leave the United States in aid of the Cuban cause. It is said that no definite information of this aid has yet been given, and that whenever it is given, the United States will use every available means to suppress the traffic.

In this connection official attention has been directed to the open carrying of the flag of the Cuban revolution by armed bands in the streets of Tampa, Fla.

INSURGENTS AGAIN DEFEATED.

Regular Troops Continue to Worst Small Bands of Cuban Rebels.

HAVANA, June 7.—A small detachment of Spanish troops, it is announced in a dispatch from Manzanillo, was surprised by a band of insurgents five times stronger than the soldiers and commanded by Amador Guerra. The soldiers were guarding a plantation near Manzanillo. Fierce fighting followed and the troops lost one sergeant and three soldiers killed and had seven wounded. On the other hand, the insurgents were compelled to retire, leaving four dead and nine wounded. The troops pursued the fleeing insurgents and captured five prisoners. Another dispatch announces that a number of insurgents recently made an attack upon the village of Guaya, which was defended by a small detachment of troops commanded by Colonel Castellani. The Spanish soldiers routed the enemy, who left three dead on the field.

WAS BOUND TO ATTRACT ATTENTION

Insane Man Fires a Pistol in the Street Near Balmoral Castle.

EDINBURGH, June 7.—The little town of Ballater, near Balmoral, where the queen is stopping, was startled late this evening by the reckless firing of a revolver in the streets. The young man who fired the pistol was arrested, and it was found that he had in his possession a paper addressed to the queen, whom he intended to visit. The prisoner also had a letter addressed to Mr. Gladstone and another to Mr. Vanderbilt, whose daughter he said he desired to marry. A doctor who examined the young man expressed the opinion that he was insane.

Consular Question Requires Attention.

CHRISTIANA, June 7.—The Storthing, by a vote of 90 to 24, has adopted a compromise resolution to the effect that while it is the intent and purpose of the Storthing to maintain a complete independence upon all national questions, public policy requires the immediate opening of the question, with the co-operation of the cabinet of Sweden, looking toward the settlement of the consular and foreign mission questions.

Campos Does Not Need An Assistant.

HAVANA, June 7.—General Martinez de Campos has telegraphed the government at Madrid stating that he does not need at the present time a lieutenant general to help him. It was proposed by the Spanish cabinet recently to send him an assistant, but he says his health is splendid and he will not need additional assistance.

Remains of Consul Lott Buried.

MANAGUA, Nicaragua, (via Galveston), June 7.—The remains of Hiram Lott, the United States consul here, who died here yesterday afternoon, were buried today. The body was escorted to the cemetery by all the Nicaraguan ministers and by hundreds of prominent citizens. Mr. Lott had been suffering from an affliction of the stomach for five days only.

Going to the Relief of Peary.

ST. JOHNS, June 7.—The whaleboat Kite has been chartered to carry an expedition of ten persons to Greenland to rescue Lieutenant Peary, the arctic explorer. Emile Diebitsch, Peary's brother-in-law, will have charge of the party. Mrs. Peary will not accompany the party. The Kite will start about the middle of next month.

Floods in Spain and France.

PARIS, June 7.—Floods are prevailing in the north of Spain and the southwest of France. The rivers have overflowed in various districts of Navarre, rendering communication very difficult around Pau. The railway is submerged and many factories have been inundated. In many places the mails are conveyed by boats.

MANY NEW NAVAL OFFICERS.

Annual Graduating Exercises at the National Academy at Annapolis.

ANNAPOLIS, Md., June 7.—The graduating exercises came off this morning at the Naval academy with the usual parade. The battalion was taken to the chapel, where Chaplain Royce offered a prayer and Hon. J. B. Henderson delivered an address in which he complimented both branches of the service and gave the graduates some good advice. Secretary Herbert in delivering the diplomas congratulated the cadets on the abolishment of hazing at the institution. On the stand with the board of visitors were Governor Browne of Maryland and Admiral Gherardi. A very large crowd of spectators were present.

Graduates: Line Division—S. B. Smith, Pennsylvania; W. G. Groesbeck, Ohio; S. H. Brumby, Georgia; F. P. Baldwin, Iowa; W. S. Davidson, South Dakota; Harris Lanning, Illinois; P. M. Hannon, Maryland; H. V. Butler, New York; P. R. Monaghan, Washington; A. T. Chester, at large; W. K. Cushman, New York; J. E. Walker, North Carolina; S. C. Vestal, Indiana; J. J. Raby, Michigan; W. R. Gherardi, at large; D. W. Todd, California; J. V. Klemann, New York; K. M. Bennett, New Jersey; W. H. Standley, California; A. J. Wadhams, New York; E. H. Watson, Kentucky; J. D. Sayers, Texas; Worth Bagley, North Carolina; J. C. Breckinridge, Kentucky; C. B. Barnes, Oklahoma; N. H. Hall, Texas; R. Z. Johnson, North Carolina; O. H. Knepper, Pennsylvania; M. J. McCormick, Michigan.

Engineer Division—T. M. Dick, South Carolina; C. K. Mallory, Tennessee; Newton Mansfield, Ohio; D. M. Garrison, New Jersey; J. P. Morton, Missouri; F. D. Karns, Ohio; F. N. Freeman, Indiana; J. F. Marshall, Texas; C. H. Walker, Massachusetts; D. R. Merritt, Iowa; R. H. Dunn, Connecticut; E. F. Eckhardt, Wisconsin.

UNCLE SAM NEEDS SEAMEN.

Four Big Battle Ships Without Men to Handle Them.

WASHINGTON, June 7.—It is becoming each day a more serious problem for the Navy department here to maneuver new ships with the small number of sailors allowed by law. In recent years there have been constant additions to the ships of the new navy, but congress has not seen fit to increase in like proportion the number of sailors allowed to man them. The modern ship, with its complex machinery and great size, requires more men than the small sailing steamers of the war period, yet with all of the liberality which congress has shown in appropriating money for the construction of new ships, it has failed to grasp the importance of giving them effective crews. Last year Secretary Herbert appealed to the legislative branch of the government to authorize the enlargement of the number of enlisted men by 2,000, pointing to the number of new ships that will be completed and turned over to the navy in the course of a year or two as the basis of his application. The appropriation committees, however, saw fit to cut this number down to 1,000 additional men. Now the battle ships Maine at the New York navy yard and the Texas at the Norfolk yard will be ready to go into commission this summer. To man these two ships about 700 men will be required, and, as the Lancaster is also to go into service as a practice ship, 300 men must be assigned to her. Thus the entire additional 1,000 men allowed by congress will be absorbed. Meanwhile the big battle ships Indiana, Oregon, Iowa and Massachusetts are rapidly approaching completion and there will be no sailors to place on them unless the department shall put out of commission some other ships and transfer their crews to the new vesels. There are already lying at the Mare Island navy yard several war ships that the government could put to good service if they could be manned and it is said that many war ships now in commission are manned with crews far below their natural quota, thus imposing unduly heavy tasks on the few men employed and tending to foment discontent among them. It is probable that when congress meets again the secretary of the navy will be obliged to make a prompt appeal for more men or to allow our war ships to remain idly tied up at their docks when they are needed for foreign service.

Wants His Rank Restored.

WASHINGTON, June 7.—The application of John M. Quackenbush, late commander, United States navy, for a writ of mandamus to compel Secretary Herbert to restore his name to the rolls of the navy came up in the district court today, the question at issue being whether a rule should issue requiring Secretary Herbert to show cause why the mandamus should not be granted. Quackenbush was tried by court martial and sentenced to dismissal from the navy, but his sentence was commuted by the president to suspension for six years. Before the expiration of this time the officer next below him in rank was promoted into his place and later on Secretary Chandler removed his name from the rolls. Quackenbush applied repeatedly to congress for reinstatement, and several times nearly succeeded in his efforts.

In discussing the case Justice Bradley said he was of the opinion that his court had no jurisdiction, the only remedy lying with congress. He continued: "The case, however, is one to excite the sympathy of any unprejudiced person. The record shows that it was not the intention of the president or secretary of the navy to dismiss Quackenbush and that he was dismissed accidentally by the promotion of another officer to his place. He could have been restored at any time by recommendation to congress, made by the president or secretary, and delay in doing this reflects on the holders of these places. Simple justice demands his restoration and if it is possible I will grant the mandamus. I fear, however, that I must decide that this court has no jurisdiction."

News for the Army.

WASHINGTON, June 7.—(Special Telegram.)—The following army orders were issued today: First Lieutenant Edwin C. Buller, Seventh cavalry, is relieved at the University of Wyoming.

Captain William Crozier, ordnance department, will proceed from New York City to the works of the Bethlehem Iron company, Pennsylvania, and to Cramps Ship Building company, Philadelphia, for inspection of carriages.

Colonel George E. Glenn, assistant paymaster general, is granted one month's extended leave; Captain William Paulding, Tenth infantry, three months; First Lieutenant James W. McAndrew, Third infantry, two months; Second Lieutenant William C. Bennett, Sixth infantry, two months; Second Lieutenant Howard R. Hick, Ninth cavalry, one month extended.

Changes in Drill Tactics.

WASHINGTON, June 7.—General Ruger since his arrival here has devoted his entire time to the drill movements and manual of arms, making the movements suitable for the new gun which has been adopted for the use of the army. It has been found that the important changes made in the regulations necessitates generally a revision of phraseology of the entire tactics, so that a large percentage of the changes are verbal. It is expected that the National guards will adopt the regulations as soon as they are promulgated by the War department. The guns used by the army and the National guard are different, but it is expected that the regulations can be adopted to the use of the latter without material change.

Movements of Men-of-War.

WASHINGTON, June 7.—The San Francisco has sailed from Southampton for Copenhagen and the Marblehead from the same port for Hamburg, enroute for Kiel. The Machias has sailed from Cheefoo for Mare Island. The Atlanta has sailed from Fort Monroe for New London to take part in the ceremonies to be held there on the 18th inst. by the Army of the Potomac.

Captain Devery to Be Reinstated.

NEW YORK, June 7.—Judge Pryor in the court of common pleas has granted an order to Police Captain William S. Devery to compel the police board to reinstate him in his position on the force. This order is the result of the decision of the court that Devery's trial in his absence was in defiance of constitutional law.

PASSED THE LIE IN COURT

Short Line Hearing Provokes Trouble Among Leading Legal Lights.

APPLIED BY PIERCE TO STOREY

Judge Merritt Forced to Threaten the Eastern Attorney with Severe Punishment in Order to Secure Order in the Chamber.

SALT LAKE, June 7.—(Special Telegram.)—All day the conflict over the possession of the Oregon Short Line raged in Judge Merritt's court, and when adjournment was taken this evening the battle was not ended. No such brilliant and eloquent pleas were ever made in a Utah court as were delivered today by Winslow S. Pierce of New York, Frank B. Kellogg of St. Paul, Senator Thurston of Omaha and Moorfield Storey of Boston. All the questions in the case are being presented to Judge Merritt strictly on their merits and without reference to the decisions and orders of other courts. Judge Merritt stated during the hearing that if he thought himself bound by the rules of comity to confirm the orders of Judges Sanborn and Gilbert, he would refuse to waste time on the hearing.

Senator Thurston today in his argument strongly presented the local aspects of the case and urged the court to appoint a joint receiver to protect local interests. He also ridiculed the proposition of the Trust company, that the court borrow money for it to use in paying defaulted interests. Storey created great merriment in the crowded court room by sarcastic references to the Union Pacific's newly born solicitude for the mercantile and shipping interests of Utah.

ILL FEELING MANIFEST.

That much ill feeling has been engendered between the opposing counsel in the case is manifested by the irritation displayed and the frequent violent outbursts.

A most sensational episode occurred when Hon. Winslow S. Pierce of New York, attorney for the first mortgage bondholders, called Hon. Moorfield Storey of Boston a liar, and Judge Merritt threatened to send both of the lawyers to jail. A dispute had arisen between Hall of Omaha and Storey as to what Judge Sanborn had said at St. Paul. Pierce took up the controversy and a discussion ensued. Storey said he had a short hand report of all Judge Sanborn had said. Pierce walked over to Storey and examined the manuscript. "This is only the opinion," said Pierce.

"He didn't say what you claimed," declared Storey.

"Well, I know he did," exclaimed Pierce.

"Well, I know he didn't," retorted Storey, "and if it comes to that, you know he didn't."

"Then I say you lie," cried Pierce, clenching his fists.

The fight that seemed imminent did not come off. The angry men glared at each other for an instant, and then Pierce, very pale, returned to his seat.

"If any more of this occurs I will send both of you to jail," declared Judge Merritt to the representatives of the New York and Boston bars.

"I beg your honor's pardon for being betrayed into an impropriety," said Storey.

"I do the same thing; I regret it very much," added Mr. Pierce, and this closed the incident.

In the Oregon Short Line case today Pierce, on behalf of the Union Pacific, took up the three allegations of the loan company's complaints, on which was based the application for the removal of the present receivers. He argued that if the operation of the Short Line as part of the Union Pacific system was not satisfactory the proper remedy was to apply to the court for instructions to the receivers. He claimed that there had been no violation of the traffic contract and that a fair distribution of the earnings had been made.

CONDITION OF THE PROPERTY.

Mr. Kellogg, for the loan company, then addressed the court. He said the loan company represented trustees of the bondholders under the mortgage to the extent of over $10,000,000, also the collateral mortgage of over $13,000,000. Under the contract, when the Union Pacific failed to keep it, the Short Line could enter upon the possession of the property. In the first eleven months the receivers had shown a surplus of $1,299,000 in the earnings of the Short Line; subsequently they had shown an indebtedness of $2,500,000. It was time the loan company should ask the court for protection.

Senator Thurston next spoke in the interest of the Union Pacific. He said the receivers did not want to remain in possession a single day. They only asked that the interests of the property be preserved entire. There was no contention as to the right of the loan company to have a receiver appointed.

The controversy was whether a man selected as Mr. Egan had been by the loan company should be given control of the property. Mr. Egan was an able man who had rendered distinguished service in maintaining law and order, but it was a question whether this court should be a judicial puppet and follow the action of a distant court, or whether the order of transfer should be of a character to procure a fair operation of the entire property in accordance with its charter obligations and the interests of all concerned. The courts should impose conditions which would prevent the dismembering of the system in Utah. The properties of the Utah Southern and Utah Southern extension should not be rendered valueless by being lopped off in a section paralleled for a hundred miles by the Rio Grande Western. The court should not lend itself to any process of destruction such as was proposed. This court is asked to write amen on the orders of another court, without further consideration.

Mr. Storey then began the closing argument for the loan company. He said the great desire of the Union Pacific was to continue to monopolize the Short Line business. "I will agree now that your honor may put the requirement in the order that we must take every part of the road and operate it." Before Mr. Storey concluded the court adjourned.

GOES TO SUPREME COURT.

Court of Appeals Decides It is Without Jurisdiction in the Freight Rate Case.

Yesterday afternoon John L. Webster received a telegram from St. Paul informing him that the maximum rate cases had been dismissed for want of jurisdiction possessed by the court of appeals, presided over by Judges Sanborn, Caldwell and Thayer. This information was no surprise to Mr. Webster, as was indicated in his interview published in The Bee of Thursday.

In speaking of the matter last evening, Mr. Webster stated that it was the desire of the State Board of Transportation to take the case to the supreme court of the United States at once. In view of this fact, some time ago he prepared all of the necessary papers. The case would be filed as soon as the record could be made by the clerk, which would probably be within the next ten days.

Concerning the hearing in the supreme court, Mr. Webster stated that it was the usual custom to advance upon the docket all cases of a national or state nature. This particular case being of great importance to the public, if advanced out of its regular order, would be heard next November or December.

LINCOLN, June 7.—(Special.)—The State Board of Transportation held a short meeting today and allowed several bills for maps and for printing briefs in the maximum rate cases. It has been considered quite probable by the members of the board that the question of jurisdiction of the case now pending in the circuit court of appeals at St. Paul would be decided in favor of sending the whole case to the supreme court at Washington. It has been the opinion of several of the attorneys connected with the case that it would be decided this way, but had it not been first appealed to the circuit court of appeals the case might possibly have been knocked out finally by a decision holding that the circuit court was the place to which it should have been first carried from the federal court at Omaha.

HARRITY WILL NOT CALL A MEETING

Democratic National Committee Will Not Meet Until Next Winter.

PHILADELPHIA, June 7.—Chairman W. F. Harrity of the national democratic committee, has received a number of inquiries as to whether he intended to call a meeting of the committee to decide whether or not a national convention should be called to take action on the money question. In order to relieve the minds of anxious democrats, Mr. Harrity has written the following open letter:

PHILADELPHIA, June 7.—I do not expect or intend to call a meeting of the democratic national committee until next winter, when it will meet for the purpose of fixing the time and place of the national democratic convention of 1896, unless I shall be requested to do so by the requisite number of the democratic national committee. I do not believe there is any necessity for a national convention at this time, on the contrary, I am of the opinion that to call one now would be harmful to the business interests of the country and prejudicial to the welfare of the democratic party.

WILLIAM F. HARRITY.
Chairman Democratic National Committee.

Mr. Harrity said he had nothing to add to what is contained in this letter.

DENVER, June 7.—C. S. Thomas, Colorado member of the democratic national committee, in discussing the action of the Illinois democrats, said: "I am in favor of a national convention and of every other proposition which will serve to make the money question the issue for 1896 and force the democratic party to take that position upon it which belongs to it as the party of the people. Until Cleveland was, like the old man of the sea, bound to its shoulders, its financial policy was undoubted. Monometallism has no place in its history or its platforms, nor can a so-called democratic administration with republican tendencies fasten such a doctrine upon the democratic masses. I am for the convention, and if it shall pronounce against bimetallism, then I am for the party which will endorse it."

MEMPHIS, Tenn., June 7.—The arrangements committee of the silver convention to meet at the Auditorium next Wednesday today announced that the following speakers had accepted invitations to address the convention: Congressman J. C. Sibley of Pennsylvania, ex-Governor L. Bradford Prince of New Mexico, Senator David Turpie of Indiana, Congressman H. D. Money of Mississippi, Senator J. K. Jones of Arkansas, Senator S. W. M. Stewart of Nevada, J. Z. George of Mississippi, A. J. McLaurin of Mississippi, George L. Shoup of Idaho and Alexander Delmar of California. The Grand opera house has been engaged for the overflow meetings. Special trains will be run from New Orleans bearing 200 Louisiana delegates, from southern Illinois and Kentucky and from a number of points east and south of here.

ORDER BEING RAPIDLY RESTORED

Natives in Formosa Submitting Peacably to Japanese Rule.

HONKONG, June 7.—Advices from Formosa indicate that chaos is rapidly giving way to order now that the Japanese have reached Taip-fu and established headquarters at that point. The natives are submitting rapidly to the rule of the Japanese. The Japanese losses during the military movements in occupying the island amount to only eight men. The Chinese carried away millions of dollars worth of property from the Chinese fortifications. During the firing which followed the detention of the steamer of the ex-governor and ex-President Tang Ching, who was making an effort to escape from the island, seven persons were killed and thirteen wounded on the steamer as a result of the firing. The German gunboat Iltis replied to the bombardments from the fortifications on the Formosa shore and the native gunners deserted their positions. The forts were quickly silenced. According to all reports thirteen natives were killed.

Germans Whip the Bakoko Tribes.

BERLIN, June 7.—An official dispatch received from Herr von Puttkamer, the governor of the Cameroon district of German East Africa, announces that there has been severe fighting with rebellious Bakoko tribes. Four of the strongholds of the rebels have been stormed by the German colonial troops, 200 tribesmen were killed and many others were captured. On the side of the Germans twelve colonial soldiers were killed and forty-seven wounded. In the list of casualties there are no Germans. The Reichzanzeiger, referring to the victory of the German troops, says: "The foregoing will insure peace in the Bakoko (not Bako) country, which territory has hitherto been a continued menace to the cameroons.

Russia Will Stop Short of War.

ST. PETERSBURG, June 7.—The opinion prevails among officials here that Russia, while doing the best possible under the circumstances for the welfare of the Armenians, will not risk a conflict with Turkey, as the development of the question in the extreme direction advocated by the English press would only endanger the quietude of Russian Armenia, thus proving prejudicial to the Russian interests generally.

Satolli Sure to Be a Cardinal.

ROME, June 7.—It is stated upon good authority that Mgr. Satolli, the papal delegate to the United States, will be created a cardinal at the next consistory.

WASHINGTON, June 7.—At the residence of Mgr. Satolli it was stated that no intimation had come from Rome that the consistory would assemble or that the elevation of the delegate would occur.

Killed in the Late Kickapoo Rush.

GUTHRIE, Okl., June 7.—A sad sequel to the wild rush into the Kickapoo reservation was viewed in this city Wednesday, when a man named Valchester from southwestern Kansas drove into the city enroute to his old home there, having in his wagon a coffin containing the body of his wife and 5-year-old child, who were both killed in the rush for claims at the recent opening. In the first wild dash his wagon struck a stone and was partly overturned, throwing out the wife and little one, who were trampled to death by a score or more of the horses.

Mysterious Killing Near Terre Haute.

TERRE HAUTE, Ind., June 7.—The lifeless body of Chauncey F. Pickerell, with a bullet wound in his head, was found in a field, across the river from this city, yesterday morning. A pistol lay at his side. He was married on Tuesday of last week to Miss Lizzie Baird of this city. There are some mysterious features about the case and the police officials are puzzled to know whether death was the result of murder or suicide. Pickerell a few days after his marriage had his life insured in the Mutual Life of New York for $2,000.

Owners of Leased Distilleries Object.

CHICAGO, June 7.—The repudiation of a number of leases of distilleries by Receiver McNulta of the Whisky trust a week ago was attacked by one of the lessors in an intervening petition in the United States circuit court yesterday. P. H. Price, president of the Empire distillery, which was one of those cut off by order of the court on the petition of the receiver, questions the right of the receiver to make a default in the payment of the lease.

Cattlemen Preparing for Battle.

WOLCOTT, Colo., June 7.—Advices have been received by courier from Hayden to the effect that on June 5, 800 armed cattle men started from the Elkhead mountain country with the intention of driving the sheepmen out. It was rumored that the sheep herders were accompanied by 150 Pinkertons, who would resist.

Bulletins from Sick Beds.

WASHINGTON, June 7.—Miss Abigail Dodge is slightly restless, but otherwise her condition remains about the same.

Representative Hitt's condition is unchanged.

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INDIANS CHARGE FRAUD

Senator Allen Holds a Council with the Omahas and Winnebagos.

DECLARE THEY HAVE BEEN SWINDLED

Red Men Whose Signatures Appear on the Lease to Farley Assert that They Never Signed the Instrument.

PENDER, Neb., June 7.—(Special Telegram.)—United States Senator Allen held a council with the Omaha Indians at the Omaha agency today. The senator desired to personally inform himself in regard to the controversy on both the Omaha and Winnebago reservations, which is menacing the peace of this county. The great subject of contention among the Omahas is in regard to the disposition of their tribal lands, of which they have about 50,000 acres. The different parties interested have told Senator Allen many different stories in regard to the matter, each claiming the advice offered on the situation was for the best interests of the red man.

The senator, in opening the council, said he came to learn from their own lips what they desired him to do in regard to the vast tract of Omaha tribal lands now being used expressly for pasturage purposes, and that their interests were to be considered alone in the matter. Sinda-ha-ha, Big Elk, Wahaningu, Nebraska Simeon, Hallowell and other prominent Omaha Indians spoke, and told the senator that their people were unanimous in a desire for an immediate allotment in order that they might handle their tribal lands themselves, the same as other American citizens handle their property.

THINK THEY WERE SWINDLED.

Another of the Indian orators said he thought Contractor Farley had had the pasture so long that he would be tired of it by this time, but it seemed that he still wanted to hang on and control it. The subject of the five-year lease on a 23,000 acre tract of these lands to Farley was then brought up for discussion. Two of the Omaha councilmen, whose names are affixed to the consent according to the requirements of the law, said to Senator Allen in the presence of Farley that they never signed the paper at all, and all of the councilmen present whose names are attached to the five-year lease said it was interpreted to them as a one-year lease, and John Springer, one of the most reliable Omahas, boldly asserted to the senator that the present lease for five years was fixed up without the presence or consent or signature of any of the Omaha Indian councilmen.

The senator promised faithfully to visit them again in council some time this summer, as he could not give the time today to hear what they had to say, having made an appointment with the Winnebagos to be at their agency at 4 o'clock, for which point he started at the conclusion of the interview.

RED MEN WILL AID IN PROSECUTING

Wyoming Secret Order to Aid in Avenging the Death of a Member.

CHEYENNE, June 7.—(Special.)—The order of Red Men of Wyoming is making arrangements to engage special counsel to assist in the prosecution of Robert Dixon, who will be tried at Lander this month for the murder of William Harvey at Atlantic City, about a year ago. Harvey was a leading member of the order. At the time of the murder he was employed by the Diamond Development company at Atlantic City as engineer in charge of its machinery. While there he boarded and roomed at the home of Robert Dixon, who kept the company's boarding house. On the morning of the day on which the murder occurred, Harvey was followed by Dixon into the engine house, where, a few hours later, the dead body of the engineer was found with the head pounded and battered in a fearful manner. Dixon had already started for Lander, presumably to give himself up. He was met on the way by the sheriff, who took him into custody. Dixon's claim is that he killed Harvey in self-defense, a fight having taken place between them over Dixon's wife. Dixon has retained attorneys from Lander, Laramie and Nebraska to defend him.

MODERN WOODMEN TO HAVE A HOME

Head Camp Votes to Establish Headquarters at Rock Island.

MADISON, Wis., June 7.—The head camp of Modern Woodmen today decided by a two-thirds vote not to change the laws so as to make the head banker eligible for re-election. This insures the election of A. H. Hollister. A resolution was introduced and referred to appropriate $100,000 of the general fund for an emergency fund, to which $25,000 shall be added whenever available, the fund to be used when the number of annual assessments shall exceed fifteen. It was voted to increase the bond of the head clerk from $10,000 to $25,000. It was voted to appropriate $20,000 for a building for head offices at Rock Island. The report of the committee on laws recommended increasing the number of head physicians from three to five. The election of officers will be the last thing before adjournment Saturday afternoon.

PEACE OF WYOMING MENACED.

Trouble Between Cattle and Sheep Men Results in Murder.

CHEYENNE, June 7.—(Special Telegram.)—John R. Rafferty, sheep herder, was found dead with a bullet hole through his body yesterday at Barras' sheep camp, sixty miles north of Rock Springs. The coroner brought the body to Rock Springs this evening. A revolver was found about three feet from the body lodged in a sage bush. All the indications point to murder. The coroner's jury will not render a verdict until a post mortem is made. It is believed that the killing is a result of the troubles which exist between sheep and cattlemen on the range.

Give the Law's Limit.

CHEYENNE, June 7.—(Special Telegram.)—Private Isaac Chandler of the Eighth United States infantry, convicted in the district court of attempt to murder, was sentenced today to fourteen years imprisonment in the state penitentiary, the full limit of the law.

William Hathaway, another soldier, was sent to the penitentiary for one year for obtaining a bicycle under false pretenses.

Ranch Buildings Burned.

CHEYENNE, June 7.—(Special Telegram.)—The residence and ranch buildings of William Phillips, nine miles from this city, were burned yesterday morning. The loss will reach $5,000, with $2,645 insurance.

Likely to Deny the Application.

WASHINGTON, June 7.—The application of E. Chapman, the broker who declined to answer the questions of the senate committee investigating the Sugar trust for a writ prohibiting the district courts from trying him, was taken up in the court of appeals today. The court took the matter under advisement, but it is said undoubtedly will refuse the application of Mr. Chapman and permit an appeal to be taken directly to the supreme court.

Omaha Likely to Get the Rock Island Job.

WASHINGTON, June 7.—Bids for the erection and completion of the United States postoffice building at Rock Island, Ill., were opened at the Treasury department today. There were fifteen bidders, of whom O. J. King of Omaha, Neb., at $37,077, was the lowest.

Wilson Will Speak in Missouri.

WASHINGTON, June 7.—Postmaster General Wilson returned today from Mississippi and will leave here on Monday for Centralia, Mo., where he is to speak at a college commencement.