THE OMAHA DAILY BEE.

ESTABLISHED JUNE 19, 1871.

OMAHA, THURSDAY MORNING, JUNE 3, 1897.

SINGLE COPY FIVE CENTS.

DEFUCES TO DIEAD	was illegal and void because the appropria-	CHICORY CETS PROTECTION	agreed to as reported, amendments offered	COMMERCIAL LEADERS DINE	great economic truths and are prepared to	CANOVAC CIVEC UD
REFUSES TO PLEAD	tion in question was not referred to in the title and that the act was therefore uncon-	United and anotherion	by Mr. White of California embadying the Wilson rates being rejected without division.	COMMERCIAL LEADERS DIVL	pursue them to their successful conclusion. Its generous support will increase its use-	CANOVAS GIVES UP
	stitutional. From this he argued that the	and the second	A contest arose over tin plate in para-	and the second se	fulness, One national industrial undertaking pre-	Charles and the Cr
	warrant for \$180,101.75, which Birtley is		graph 130. The house rate was 11/2 cents	and the second se	pares the way for another. A great exhibit	
Bartley Maintains Silence When Asked to	charged with embezzling, had no value and	Senate Committee on Finance Will Look	per pound, senate 1 4-10 cents." Mr. Vest moved an amendment reducing	Representatives of the Western Hemisphere	like this is an education and an inspiration. It concentrates the attention of the Maans.	Sectors Describer W. A.S. in T. 1999
the second s	committed.	After the Industry.	the rate to 1 2-10. He characterized the pro-	Gather Round Festive Board.	It broadens their ideas, strengt, eir	Spain's Premier Now Admits Inability to
Answer the Charge.	At the conclusion of Mr. Mahoney's argu-	the second s	posed rate as indefensible and outrageous.		co-operation and rivalry, awake 2.	Control the Cortes,
	ment Judge Baker discussed the points	DECIDED TO LEGART DURALEY DIRLODINU	Whatever had been the condition of the tin	Preserves of an all success of the designed of the second se	mendable ambition and encourts sort	
EX-STATE TREASURER FINALLY ARRAIGNED	raised by the defense. He held that the charge that Bartley "did embezzle" was	DECIDES TO ADOPT DINGLEY PARAGRAPH	plate industry it was now on its feet. As an eminent republican authority had exid,	NOTAELE BANQUET AND NOTABLE GUESTS	in the utilization of all the force z iro-	
EA-STATE THEASUREN FINALLT ANNAIGHED	sufficient as contained in the information.		when these infants grew to the size of seven		World's exposition at Chicago w	HANDS THE QUEEN HIS RESIGNATION
	Regarding the constitutionality of the legis-	Will Put One Cent Per Pound on the	feet high, they were ready to kick your head	Fifteen Hundred Persons Participate	nent contribution to the world'sical	i i i i i i i i i i i i i i i i i i i
Real Trial of the Accused Embezzler is Just	lative act making the appropriation, Judge Baker held that it was constitutional. He	Raw Chicory and Two and a	off if you did not give them what they want. The senator said he had been informed by	and President McKinley is the	advance. Many of the Chici hits	All Members of the Cabinet Go Out with
and the second	thereupon overruled the demurrer.	Half on the Ground	tin plate mey that they controlled the market	Principal Figure and Speaker	gently supplemented to such and a that	
Beginning.	The county attorney again announced that	Article.	and needed no more protection. But the		the management of the Phile" 2 mu-	Their Chief.
/	he was ready to arraign the defendant. Mr. Mahoney repeated the statement made		habit of protection was like the drink habit, Mr. Vest said, the more you have the more	-other addressed	exposition possesses the most cars and	
EFFORTS AT DELAY PROVE UNAVAILING	in the morning, that the defendant would	and a second	you want, and if you stop there is delirium		ence.	PRESENT CRISIS IS EXTREMELY GRAVE
	not be ready to plead until the motion for	WASHINGTON, June 2(Special Tele-	tremens. There is no cure for it.	PHILADELPHIA, June 2 The commer-	Not only has a wonderful (fation been made of the products and array ement	THESENT CHISIS IS EXTREMELT GRAVE
	a new trial on the plea in abatement had	gram.)-Chicory interests will be partially	"Not even the gold cure," suggested Mr. White, to which Mr. Vest assented.	cial leaders of the western hemisphere as-	of our country, but those of all the Ameri-	
Obstacles Raised by the Defense Are Ewept	been filed, argued and passed upon, and would object to being arraigned until this	taken care of by the senate committee on finance. Senator Thurston has labored untir-	Mr. White also spoke against the rates on	sembled in the great exchange room of the	can republics. A spirit of friendly and mu- tually advantageous interchange and co-	Queen Christina Finds Herself in a Most
Away.	had been done.	ingly with members of the committee to Pe-	tin plate. He pointed out the effect of the		operation has been exemplified which is in	1000
I way.	Judge Baker announced that this objection	cure the concessions desired by his con-	high rates in the canning of fruit and of sal- mon on the Pacific const. The senator read	most notable banquet ever given on this con-	itself an inspiring help, not only to trade and commerce, but to international comity	Awkward Predicament.
	would be overruled. BARTLEY DECLINES TO ANSWER.	stituents. The finance committee has agreed		tinent, nearly 1,000 persons participating.	and good will.	
COURT ENTERS THE PRISONER'S PLEA	Bartley and his attorneys held a short con-	that a tariff of 1 cent per pound will be	saying the industry would have been wiped	President McKinley was there and he spoke	OPENS AVENUES OF TRADE.	SAGASTA MAY BE CALLED TO POWER
	sultation and then Bartley approached the	placed on chicory root dried or rozated but	ocut if it had not been for the rebate allow-		The producer and consumer of both con- tinents are here, brought together in close	
	bar of the court, where the complaint against	not ground and 21% cents on manufactured	Mr. Gray of Delaware followed in the same	were Secretary of Agriculture Wilson, Attor-	touch, and are taught to work together for	
Judge Baker Overrules the Demurrer	him was read aloud by County Attorney Baldrige.	preparation. This is substantially the Ding-	lines, saying this tin plate rate was one of	ney General McKenni, Congressmen Ding- icy, Dalzell, Grosvenor, Heatwole and Taw-	the common weal. In order that new mar- kets may be opened and a larger trade be	Indications Point to the Formation of
to the Information and Makes	At the conclusion of each of the eight	ley bill.	the flagrant features of the bill.		profitably conducted, the manufacturer must	a Liberal Cabinet and a Re-
an End to the Tech-	counts the county attorney asked the ques-	There will not be any new sugar schedule,	Mr. Jones of Arkanass said an association of tin plate manufacturers had been formed	Chile Argentine Venezuela and other South	have the opportunity of becoming familiar with the character of the goods desired by	versal of Polley in Re-
nical Objections.	tion, "What do you plead to that, guilty		and had advanced rates on their goods, while	American governments, the Chinese minister	the consumer, And so, too, the consumer	gard to Colonies.
And	or not guilty?" Instead of answering, Bartley simply stood	ators interested in this branch of the tariff.	refusing to advance the wages of labor.	and a number of other eminent officials from	should have the opportunity to examine	
and a second second of the second second second second	silent, refusing to plead or to make any	He said that there might be some modifica- tions made in the paragraph as reported by	Mr. Vest's amendment on tin plate was disagreed to, yeas 21, nays 32.	the capital	to dispose of the him. It follows then that	
After exhausting a fertile supply of re-	statement. Under the statute silence under such circumstances is taken as a plea of not	the senate committee, but if made they would	In paragraph 131, covering steel ingots	The hall in which the dinner was held	a recognized central institution, such as this is, of real stability, whose integrity of man-	LEAD CANOVAS puMay2inutes,Wjrm
sources in delaying the arraignment of their client, the attorneys for Joseph S. Bartley,	guilty and is so entered upon the record.	be an additional hurt to the Sugar Trust.	1 Jooms, Flats, etc. Mr. Ailison for the com-	covers an entire block in area. It was gor- geous with light and color. Ensconced in a	agement cannot be questioned, and with	(Copyright, 1897, by Press Publishing Company.)
the ex-state treasurer charged with the em-	Following the arraignment Judge Baker	He suggested as the most likely change that			ample means, can be made of inestimable advantage, not only to a generation in a	
bezzlement of public funds, were compelled		ad valorem must pay duty on prices at the	and piston rods. The balance of the para-	end of the hall was the Marine band, under		Canovas handed to the queen regent today
to allow him to be arraigned in the criminal		port of entry instead of port of export, as now on the statute books through the Wil-	graph was agreed to as reported.	Director Fanciulii, which alternated with the	Ability as well as capital are essential to	his resignation as premier and the resigna-
court of this county yesterday afternoon.	next Monday morning.	son bill. If this is done it will permit the	Parigraph 132, relating to wire rods, was agreed to as reported.	end. Owing to the great number of guests,	the success of trade, and fortunately with	tions of all the members of his cabinet.
The case was set for trial next Tuesday		secretary of the treasury to fix the price at	On paragraph 133 a provision was added by	nearly an hour was occupied in getting them	both of these the museums are well equipped. It is said that the data which can be found	The crisis is extremely grave. The ev-
morning, but whether the trial will be	did not think the defense would "be ready in the near-future or at this term of court."	stated intervals, say once a week, based on the price of 96 degree test sugar in London,	the committee that all of the foregoing	scated, and almost immediately after this had been accomplished a great shout from	ready for quick and accurate reference is	citement in political and financial circles is
allowed to proceed or whether every delay	He further stated that he could not tell just		(round iron or steel wire) valued at 5 cents per pound shall pay 40 per cent ad valorem.	the castern end of the hall announced the ar-	obtainable to a degree not even attempted anywhere clee in the world. Under the cir-	intense. Never since the death of King Al-
allowed by law will be invoked remains to		change, grades would lower or raise in pro-	Mr. White offered a substitute for paragraph	rival of the presidential party. Eccorted by	cumstances, and even at this early date,	fonso XII in 1885 has Queen Christina
bo seen.	Attorney General Smyth insisted that the case should be set for some time early next	It is thought that Comptroller Eckels will	133 and 134, which was rejected without	Mayor Warwick and Dr. J. M. Pepper, presi-	of this kind is in its general scope national-	found herself in so serious and difficult a
The case was taken up before Judge Baker	week He said the defense had been noti-	appoint Peter O. Hedlund of Holdrege re-		dent of the Commercial Museum, and fol- lowed by Secretary Porter, the cabinet office:a	aye, more than that, international in char-	position. She feels that all eyes abroad, as well as in Spain, are turned toward her at
yesterday morning, the first proceeding being	I ned repeateury that the state would unge the	ceiver of the First National bank of Orleans,	Mr. Allison 50 gs to omit wire cloth ato	and foreign ministers, the executive passed	wisely conducted, will surpass even the an-	this juncture. She perceives that the faire in
a motion by Bartley's attorneys to compel	commencement of the case next week, and he urged the court to set the case for Mon-	Neb., which recently closed its doors. Hed- lund has strong recommendations.	i to per cear au valorem, and adding a pro-	I TO DIE SEAL AMIN & STOTHE OF CHECKS.	THE PERCENTERS OF THE PERCENT CHILDREDICAL ALTERNATION	of the Canovas administration and the op-
counts in the information the state would	da.	It is rumared that ex-Congressman		a subsected and an and a set of the set of t	ciples looking solely to the welfare of the	position all look to her for a solution of the
stand. This motion was discussed at some	After a lengthy discussion Judge Baker	induce of rithout ching to reactington in	I UNITY UN LINU WIFP, BUR IN ARAUTIAN 1 Aust non	presiding officer, Dr. Pepper, and on his other side sat Theodore C. Leach. The secretary	country at large, benefiting other nations	crisis, because in a country where elections
length and was finally overruled by Judge						
Baker.	morning at 9:30 o'clock.	master at Aurora, who is an applicant for reappointment.	porvisions relative to 137, making general			
As a further means of delay in preventing	HOUSE PASSES EXPOSITION BILL.	F. A. Clark of Iowa has been reinstated		Strong of New York, Mayor Warwick and a number of the foreign ministers occupied the same table.		bodies are packed to suit the purposes of
Bartley from standing before the bar and	Illinois Annountation Figure Figure	to a clerkship in the Treasury department, and promoted from \$1,400 to \$1,600 per an-	Mr. Allison withdrew the committee	It was nearly 10-20 o'clock when the	I assure the promoters of this enterprise	the powers that be, all classes naturally ex-
answering to the charge filed against him	Thousand for a Building.	rum.	amendments to paragraph 127, and it w.s. restored as originally in the house bill.	epeechmiking began, Governor Hastings	the people in its success. I congratulate the	pect from royalty the supreme decision in
his attorneys gave notice that they would	SPRINGFIELD, Ill., June 2 (Special	LINCOLN'S NATIONAL BANKS.	There was something of a second in the	opened the fist by responding to A welcome	LULIZEDA OF L'ALIAGEDALA, JUSTIV FENOWNED	hours of peril, when rival parties seek to enter the councils of the regency or when
file a motion for a new trial on the plea in	Telegram.)-The house today passed the sen-	Comptroller Eckels today gave out an ab-	agraph 138, relating to anvie, Mr. Vest	from Pennsylvania." Theodore C. Leach fol- lowed with "Our Manufacturing Industries."	demonstrated to the world the marvelous	public opinion, the press and the opposition
abatement and would not allow their client to plead to the information until this motion	ate, or Crawford, bill to provide for the	three national banks in Lincoln Neb. The	2 conta to 13/ conta and during the rate from	The Brazilian minister cpoke and ex-Secre-	has been intrusted the care and completion	seem adverse to the policy of the party in
had been heard and passed upon.	participation of the state of Illinois in the	principal items of abstract are as fol-	the use made of these antioles he bit	tary Olney then responded to "International	of this great work. Philadelphia contributed	office.
County Attorney Baldrige, however, pro-	Transmississippi and International Exposi-	lows: Loans and discounts, \$1,501,982;	smiths. Then a viva vote was taken on	Law." The Chinese minister answered to	mmeasurably to the triumph of liberty; it would now aid in the triumphs of labor	When Senor Canovas obtained from the

cceded in the case without regard to this tion to be held at Omaha in 1898. The bill announcement and called to Bartley to stand before the court. Mr. Mahoney told Bart-ley to keep his seat and dictated to the court stenographer a notice that he would within three days file a motion for a new trial on the plea in abatement. He then stated that he would not allow his client to plead until is tenographer a notice that he would within three days file a motion for a new trial on the plea in abatement. He then stated that he would not allow his client to plead until this motion had been argued and ruled upon. the fair. In addition, the governor is authorized to appoint a commission to be known as the

URGES AGAINST DELAY.

Illinois Transmissiscippi and International Exposition commission, which shall consist of twenty members and shall have power to Judge Baker said the attorneys for Bartley could file anything within reason, but said it was not necessary to delay the ar-raignment of the defendant. devise and execute plans for the display of all exhibits from Illinois as may, in the opin-

The next step taken was the argument on the demurrer filed by Bartley's attorneys. This demurrer was aimed at the information and charged that the document in question did not charge a crime under the laws of Nebraska. Nebraska. The argument on this demurrer was

Mr. Whedon asserted that the information did not set up the several steps which the law provided must precede the issuance of a warrant by the proper steps which the commission must make, to the severe the

ion of the commission, be advisable and to secure, encourage and assist exhibitors to pected he will sign the same tomorrow, on his return from Philadelphia. Adam McMullen of Lincoln arrived in make exhibits, and shall have general directhis city today to take the place in the house folding room made vacant by the trans-fer of Captain Phelps Paine to the Bureau to serve without compensation, but each member will be allowed his necessary exof Animal Industry, South Omaha. R. Jenkins of Glasgow, Scotland, arrived here today direct from the old country and

due from banks, national and state, \$139,650; reserve on hand and deposited with reserve agents, \$491,036, of which \$105,795 was gold: total resources, \$2,528,439. Liabilities: Cap-

Close attention, Mr. Fryc, who was in the chair, hesitated, and then decided that Mr. Vest's amendment was agreed to. There was a hearty laugh at the unexpected result.

tal stock, \$\$50,600; surplus fund and undi-vided profits, \$57,827; due to banks, national and state, \$241,200; deposits, \$1,245,761. The average reserve held was 37,21 per cent. Drs. J. W. Cox, J. W. Huff and D. Glass were today appointed members of the Board of Examining Surgeons at Onawa, Ia. Dr. John O. Skinner was appointed a member of the board at Des Moines. The sundry civil bill, carrying \$200,000 for the Transmissispipi Exposition, is now in the hands of the president, and it is ex-

the amendment. The response was listless McKinley's speech, in response to the toast on both sides, as few separators were giving "The Preident of the United States." "The President of the United States."

PRESIDENT M'KINLEY SPEAKS.

Mr. Fryc, who was in the chair, hesitated, and then decided that Mr. Vest's amendinent was agreed to. There was a hearty laugh at the unexpected result.
Mr. Allison looked puzzled, but said he would not call for the ayes and the nays. This change was the first to be made with-the sancflue of the finance committee.
Paragraph 139, as to axlea, went over.
The succeeding paragraphs, up to 147, were agreed to as reported.
On paragraph 147, relating to chains, Mr. White moved to substitute the previous question of the faw, but the anoton was rejected with the acpublicants in the negative.
Mr. Chilton of Texas protested against the rates in pafagraph 148, relating to pipes, flux, tubes, etc. He caid these articles were treed in blcycles and the only result of the patented was to add to the profits of the patented monopoly. The committies amendment to the paraty cap with the action was to add to the profits of the patented monopoly. The committies amendment to the rate from 25 to 30 per cent was to add to the profits of the patented monopoly. The committies amendment to the patented monopoly. The committies amendment to the patented monopoly. The committies amendment to the paraty cap with the action was to add to the profits of the patented monopoly. The committies and the patented the patented monopoly. The committies and the patented the patented the patented monopoly. The committies and the patented monopoly. The committies and the patented monopoly. The committies and the patented the

GOLDEN JUBILEE OF THE MEDICS. resident McKinley Visits the Body and Talks Two Minutes. PHILADELPHIA, June 2.-The second day's session of the golden jubilee of the American Medical association showed an in-

crait recprocity in trade required recprocity of information. And it was his genius, with that of many gentlemen I see around thi beard tonight, that originated the bureau of American republics located in this city which has already done much good and which I believe will yet play an important part in our trade relations with the rovern-ments supporting it. My fellow citizens, there is no motive to make a product if you can't find somebody to take it. The maker must find the taker. You will not emp oy labor to make a product if you cannot find a buyer for that product after labor has made it. When the main body had been called to order by President Senn, Dr. Austin Flint ead a paper on "Medicine." The convention was transacting some or-inary business when President McKinley intered, accompanied by Dr. Senn. The deleplauded for nearly five minutes. This again broke out when the chief executive was ormally introduced. President McKinley spoke just two minutes. He said:

would now aid in the triumphs of labor. When Senor Canovas obtained from the queen today a royal decree suspending the sitings of the Cortes indefinitely because to was unable to carry on the government longer on account of the liberals refusing omity and a higher prosperity for all. May God's blessing fall upon this worthy interprise and upon those who shall labor for its welfare. I now declare the Philadel-phia museums formally opened. When Senor Canovas obtained from the queen today a royal decree suspending the sitings of the Cortes indefinitely because to was unable to carry on the government longer on account of the liberals refusing to attend the queen asked him if there was no way to re-establish harmonious relations. Senor Canovas replied that he could not see Senor Canovas replied that he could not see any way to do so, and therefore tendered the resignation of the whole cabinet in order to give full scope to the regency in arriving at a decision. The queen requested him to come to the palace again tomorrow with all his ministerial colleagues to confer crease in attendance over the opening of the session. During the opening hour an air of ault the leaders of all the principal parties expectancy prevailed, due to the arrival of President McKiniey. Prior to the session of the main body, sections in the practice of medicine, surgery and anatomy, opthal-mology and laryngology were held. When the main body had been selected to the selected because the selected beca The queen has played her part as the constitutional ruler of Spain admirably for twelve years. Therefore, most Spanlards respect her and have great confidence in her judgment. Nevertheless she naturally feels a hesitancy in making a decision fraught with such momentous consequences to not only the home policies of Spain, but, what is far more serious, the relations between and international consideration. Her majesty knows beforehand that the gravest sigprehends that any change in policy and government must be dictated chiefly by colonial and international considerations. Her majesty knows beforehand that the gravest significance will be attached at home and abread to her decisions. She may keep Senor Canovas as premier with his conservative cabinet. intact or modified, and keep General Weyler in Cuba to persevere in his present policy with the ample means recently voted by the Cortes. She may call upon Senor Sagasta to form a liberal cabinet, in which Senor Morel, probably, would be minister of foreign affairs with opportunity to follow his well known inclination to come to an understanding with the United States; Senor Maura, the great home ruler, minister to the colonies; Marshal Lopez Dominguez, war minister; Spain's best financier, Senor Gamzo, minister of finance; and which probably would send Marshal Campos to Cuba with full power to conciliate the insurgents and loyalists by establishing more radical home rule than Senor Cinovas contemplated and thus disarm the United States.

warrant by the proper state officers. He said that the statutes provided how warrants might be legally drawn and took the position that the information should set up each o these legal steps in order to show that the warrant in question had been properly drawn and was a legal warrant. Mr. Whedon read the act of 1895, appropriating various sums for specific purposes, among these being an appropriation of \$189,101.75 to reimburse the sinking fund. The act provided that this money should be paid "upon presentation of the proper voucher." He charged that the presentation of this voucher was a question of fact and should be set out in the informa tion. He alleged that there was no allega-tion in the information which would give warrant referred to any value whateve and, consequently, no crime could have been committed. He further argued that no allegation was made that a demand was ever made upon Bartley for the payment of this money, nor a showing that payment had been refused. From this he charged that there was nothing to show that any crime had been committed.

Taking up the count in the information which charged Bartley with converting the money to his own use Mr. Whedon said that the charge that the money had been con-verted was simply a conclusion. He said that the information should state what was done with the money, that the facts might be proven and thus prove the conversion. He quoted numerous cases from other states in support of this position.

Just before court adjourned Judge Bake suggested that during recess Mr. Whedor look up the point of whether, in a case where conversion was charged, a demand was neces or whether the charge of conversion did not imply that the money had passed out of the possession of the party and a demand thereby rendered useless.

WHEDON ON CONVERSION.

When court convened in the afternoon Mr. Whedon resumed his argument. Taking up the question suggested by Judge Baker as to whether a demand was necessary if there had been conversion of the public funds, he took the position that a public officer would only be guilty of conversion in the ways named in the statute, viz: Either by loan-ing it to others or by investment. He as-rerted that putting the money into his pocket would not constitute conversion within the meaning of the law, but it must be shown that the money in question was either leaned, and to whom, or that if had been invested, and in what. He reiterated his claim that it must be shown that a mand had been made by an officer qualified to make it and payment of the money refused. In support of this contention Mr Whedon made frequent references to the decision of the supreme court in the Bolli

The argument against the demurrer wa opened by County Attorney Baldrige. He said it was a well known rule of law that it is not necessary for a pleader to plead the evidential facts, and hence it is not necessary to set out the several steps necessary to establish these facts. He said the proceedings in hand were on demurrer and that in such proceedings the defense admits the truth of the allegations in the complainand that it is not necessary to set out the steps necessary to establish the value of the warrant.

The county attorney also took the position that it is not necessary to show a domand for the money. He said that if an officer charged with the safe keeping of money uses any part of this money for private purposes. that act constitutes the crime of conversion He held that it was unnecessary to show that a demand was made for the money but all that is necessary is to establish the fact that the money was converted.

WARRANT LEGALLY DRAWN.

Atterney General Smy h follow d the county attorney. He argued against the claim of Mr. Whedon that the act of the legislature making the appropriation of \$180,101.75 was unconstitutional because this item wa not covered by the title of the act, and that there was, therefore, no authority for draw-ing a warrant for such amount. Mr. Smyth claimed that the title of the act was ample to cover the appropriation in question and that the baue of the warrant was authorized

Mr. Mahoney closed the argument for the clense. He opened by referring to the act defense. He opened by referring to the act of the legislature containing the appropria-tion to reimburse the sinking fund for the amount tied up by the failure of the Capitol National bank. He charged that this act the

report of its proceedings, including a list of all disbursements. Chicago members of both branches of the

assembly took a deep interest in the measure and it met with little opposition, except Omaha are in the city. Postmasters were commissioned today as follows: Nebraska-Charles A, Long, North from country members with pronounced ideas of economy. A number of Chicago manufacturers have already expressed the intention of exhibiting, and there is no doub that the state will be well represented.

DURRANT DEMANDS HIS LIBERTY Preliminary to Another Appeal te

the Supreme Court. SAN FRANCISCO, June 2 .- There will be

200 invitations issued for the execution of Durrant. Warden Hale has fixed 10:30 a. m. as the hour of execution. Twenty-five medical men will be permitted to witness the tragedy at the request of his attorneys. Durrant yesterday made a formal demand for release, setting out that he was unjustly imprisoned. This will be part of the appeal to the supreme court and is to cover the point which might be made that by failing to protest and demand his liberty he had lost his right to the claim. This point must be decided before Durrant can be hanged. The contention is that Judge Bahrs inflicted two penilties—imprisonment and death—while the law says one or the other is illegal Counsel will hold that Durrant's life in San Quentin is not detenion, but imprisonment; that the position of attorney general is untenable, as life in

he county jail carries with it no shaving tripes and no indignity other than deten-tion. This statement will also be heard i the federal court, where it is expected the same action will be taken as in the Worden case-that of securing a writ of habeas

tion.

Durrant's first effort to gain a respite by appealing to the federal courts has failed, United States Circuit Judge Gilbert having refused today to issue the writ of habeas corpus for which his attorney applied. Notice of the intention to appeal to the United States supreme court has been filed and to morrow application for leave to appeal will be made formally. This, however, may be refused, as in the Butler case, although Durrant's attorneys are confident that the leave will be given.

PROMPTLY QUELLS A MUTINY Warden of a California Prison Gives

Orders to Shoot. SACRAMENTO, Cal., June 2 .- An attempted mutiny at the state prison at Folsom today was stopped by the prompt and decisive action of Warden Charles Aull, who

directed that the guards should at once shoot down the seven ringleaders at the first sign of revolt. About 300 convicts are employed at the rock crusher, and the plan agreed upon by the revolters was that when they returned to the rock crusher at noon today they should refuse to work. Warden Auli learned of the projected mutiny and secured the names of the seven ringleaders n the movement. The warden waited until within a few

minutes before the hour for the 300 convicts about to become the masters of the situation. Then he gave the order that at the first sign of the threatened revolt the guards should shoot down the seven ringleaders.

whose identity the warden had communi cated to the guards. The convicts com cated to the guards. pletely collapsed at this thoroughly unexpected turn of affairs. There was no signa to strike and they went about their work trade

Cages for Penitentiary Guards

SAN QUENTIN, Cal., June 2 .-- Warder Hale has decided to build cages in the jute mill in order that armed guards may be placed in them to watch the convicts when they return to work. The cages will be arranged in such a manner that they cannot easily be reached by the prisoners in case of riot. Each guard will be armed with a rifle and will be given orders to shoot in the event of another revolt in the mill.

Detectives Guard Barouess Turkheim MONTREAL, June 2-Operatives of the Canadian secret service are said to be guarding Jeannie Young, also known as Baroness Turkheim, of San Francisco, lest an attempt be made to abduct her on her way to the west

eaves tomorrow for Lincoln to take a course n mineralogy at the University of Nebraska. Mr. and Mrs. Adolph Meyer and son of

Bend. Iowa-Henry L. Chesley, Sutherland Charles J. Wonzr. Tama; John W. Proctor, Liberty Center; Israel Trout, Libertyville Melvin Matson, Persia; John J. Little, Ticonic. South Dakota-Michael Ryan, Jr. Jefferson; Burt Fuller, Summit. BRINGS UP THE DISPENSARY LAW

Tillman Asks for Legislation to Make it Effective.

WASHINGTON, June 2 .- Mr. Tillman South Carolina, soon after the assembling of the senate, asked consideration of a resolution reciting the circumstances of the enactment of the South Carolina dispensary law, its effect in reducing intemperance, the reent decision of a federal judge, overthrowing the law and requiring the state to "reopen the bar rooms." The resolution then directs the judiciary committee to consider and report what legislation is necessary t restore to South Carolina its right to reguate the liquor traffic in its own way.

Mr. Tiliman spoke briefly in support of the resolution, saying the public impression that the dispensary law was a money making de-vice was errcneous and that it had accom-plished much good in regulating the liquor traffic traffic. There was objection to the preamble and finally Mr. Hoar of Massachusetts, chairman of the judiciary committee, proposed a sub-stitute omitting all the preamble and simply

directing the judiciary committee to consider and report by bill or otherwise what legislation, if any, is necessary to carry out the statute of 1890 relating to commerce between between the states. Mr. Tillman accepted the sub-stitute and it was agreed to.

stitute and it was agreed to. The first formal notice of a tariff speech was made by Mr. Mantle, eilver republican of Montana, who said he would address the sen-ate Friday on the wool schedule. The tariff bill was then taken up. Mr. Aldrich, who has been in charge thus far, Aldrich, who has been in charge thus far, Aldrich, who has been in charge thus far, Aldrich, who has been in charge thus and Mr. Platt of Connecticut sat together and directed the course of the bill. Mr. Stewart, populist of Nevada, prefaced the debate by offering an amendment proposing the mainoffering an amendment proposing the main-tenance of a treasury reserve.

The first paragraph on iron ore went over at the request of Mr. Quay. The paragraphs on iron in pig and bar iron were the same in the house and seven bill

in the house and senate bills. Mr. Jones of Arkansas took occasion, how ever, to make a statement to show the ab-surdity, he said, of keeping up the taxes on these products, when the American pro-ducer had absolute control of the market and shipped large quantities abroad. Mr. Jones reviewed the dissolution of the steel rail combination. This reduced the price of steel rails 50 per cent, he said, and why should a law protect producers who could. by combination, double their prices on steel rails? He spoke also of the effect of this

accerated, which should arouse the people from ocean to ocean, until they stamped to pieces the combinations. Mr. Caffery, democrat of Louisiana, also spoke generally against the rates of the metal schedule. He maintained that our manufactured goods were being shipped abroad in enormous quantilies and they the abroad in enormous quantities, and that the tariff on the raw materials embarrassed this

The paragraphs were agreed to on round ron in coils or rode, beams, girders, etc., boiler or other plate iron or steel, iron or

steel anchors, etc. A discussion arose on paragraph 125 relat-A discussion arose on paragraph 125 relat-ing to hoop, band and scroll iron, including the banda used in baling cotton. Mr. Vest offered an amendment to strike cotton ties from the dutiable list. The amendment was

defeated-yeas, 21; nays, 28; and the para-graph was agreed to as reported. On the Vest amendment on cotton ties Messrs. Pritchard of North Carolina and De-

boe of Kentucky were the only men from southern sections voting in the negative. Mesare. Harris of Kanaas, Heitfeld and Kyle voted with the democrats in the affirmative, and Senator Jones of Nevada and Stewart with the republicans, in the negative. sataphs on sheet iron and steel were

nonopoly. The committee amendment to the aragraph was agreed to-yeas, 31; nays, 16. The cutlery paragrpahs were then consid-

The first one, relating to penknives, pocketknives razors, sciesors, etc., was contested, Mr. Vest offering a substitute embodying the rates of the present law. Mr. Vest read a statement from a large cutlery house, showng a comparison between the Wilson rate and the proposed rate, calculated on actual import prices. From this the senator said the duties were increased from 45 per cent

to 339 per cent, the heaviest per cent coming on the common grade of goods. Mr. Platt of Connecticat pointed out that 1,266,000 dozen knives were imported last year and 250,000 dozen were made in the United States, showing that only one-fifth of the demand was supplied for by this country. Mr. Vest's substitute for graph 149, knives, razors, etc., was disagreed

The further consideration of the paragraph was deferred at the request of Mr. Janes, who at 5:10 o'clock suggested an adjourn-

Mr. Allison said he would be glad to secure an agreement for daily sessions, beginning at 11 a. m. Mr. Jones responded that he could not con-

sont to this. The bill was not being delayed and after considering it five hours dally sentors were so fatigued that extended sessions should not be pressed. At 5:20 p. m. the senate went into execu-

tive session and soon after adjourned. ENDORSE CANVASS OF BRYAN.

Kentucky Democrats Affrm Their Faith in Silver Candidate. FRANKFORT, Ky., June 2.-Harmony characterized today's two sessions of the silver democratic state convention on local issucs, except whenever any point came up involving the interests of one of the six candi-dates for appellate clerk. The convention nearly split wide open when the election of responded to appropriate toasts. a permanent chairman came up over the question upon what ballot the hindmost can-didato should begin to a be dropped. The platform adopted in part was as follows:

Resolved, That we hereby reaffirm our faith in the principles set forth and enumer-ated in the principles set forth and enumer-ated in the principles set forth and enumer-ocratic party in antional convention held at Chicago in Juty, 1596, and we adopt said platform as that of the democracy in Ken-ucky.

platform as that of the democracy in Ken-tucky. 2. That the principles adopted and set forth in that platform are the true principles of democratic faith, and we urge upon all true democratics to stand by them at all times and under all circumstances and conditions. 3. We endorse the canvais made by Wil-iam J. Bryan, the nomines of the democratic party for the presidency in the late election. We commend its wisdom, approve it as just and fair to all parties and all interests of our common country, we recognize in him the fearless orator and statesman, and the great champion of the people's rights against the money power, the monopolists, the syn-dicates and trusts. We pledse him the sup-port of the united democracy of our state. The remaining half of the platform is de-voted to a denunciation of the republican state administration; to the allowing of con-viet-made goods to compete with free labor by combination, double the effect of this combination and that on wire nails in raising the price to American consumers, while the same goods were being sold at lower prices to foreigners. It was a condition, he arserted, which should arouse the people from ocean to ocean, until they stamped to pieces of 1,000 to the adoption of the resolutions.

HALIFAX, N. S., June 2 .- The expedition fitted out by the Canadian government to investigate the possibility of the Hudson Bay route from the northwest to Eurcee for the shipment of grain sailed from here today on board the steamer Diana.

Reid Sails.

NEW YORK, June 2.-Whitelaw Reid, the pecial ambassador to the Court of St. James as the representative of President McKinley during the queen's jubilee, sailed today on the White Star liner Majestic.

Movements of Ocean Vessels, At Copenhagen-Arrived-Island, from New York.

At Rotterdam-Arrived-Maasdam, New York. Sailed-Sparrndam, : for York.

At Antwerp-Sailed-Illinois, for Philadel

At Liverpool-Sailed-Carinthia, for Bos-ton; Rhineland, for Philadeiphia, At Southampton-Sailed-Saale, for New York.

labor to make a product if you cannot find a buyer for that product after labor has made it. Gentlemen. I am glad to meet the repre-emtatives of the American rejublics here tonight. I am slad to meet representatives of the governments of all the world here tonight. I have met the manufacturers of Philadelphia and the state of Pennylvania before. I met you in the days of your high-est prosperity. I cannot avoid meeting you if I would and I would not if I could. But et me tell you, my countrymen, that re-suscitation will not be promoted by recrimi-nation. The distrust of the prezent will not be removed by distrust of the future. A patriot makes a better citizen than a pessi-mist, and we have got to be patient, for much as we want to move out of the old house we should not di I until the new one is finished. The tariff law half made is of no practicable use except to indicate that in a little while a whole tariff law will be done, and it is making progress. It is reach-ing the end, and when the end comes we will have business confidence and industrial steady heads. The country is not going backward, but forward. American enersy has not been destroyed by the storms of the past. It will yet triumph through was and well emiloyed labor can do to make a great city and a large population. They don't mean to accept the present conditions as permanent and final. They will meet embar-rassments as they have braved them in the past, and in the end will restore the systen well dudy have brave the magnificent labor to progerity, and, gentiemen. Philadelphian bay to the type of American pluck and courage everywhere throughout the United States. Following the president, Minister Perez of Mexico, Ferdinand of Costa Rica, the Ar-Mr. President, Ladies and Gentlemen: Al-though summoned to this city for another purpase. I deem myssif most fortunate to ind this honorable association in its semi-centennial convention meeting on the same lay and I could not refrain from taking Iay and I could not refrain from taking rom the busy program mapped out for me by Dr. Pepper, whose as urance I had before coming here that it would be a day of rest daughter), which I have already begun to realize (renewed laughter.) I could not re-frain from pausing a moment, that I might ome into this brilliant presence to meet the learned gentlemen here assembled and to pay my respectful homage to the noble pro-cession which you so warthally represent (Applause.) You have my best wishes and 1 um sure the best wishes of all our country-men, for the highest results of your profes-sion, and my warm and hearty congratula-tions upon this, your fiftleth anniversary. Dr. H. C. Woods of Philadelphia presented a resolution which was adopted protesting against the passage of the bill known as the anti-vivisection bill, in the senate. It applies only to the District of Columbia. Dr. Wooda asserted that in the event of the bill becom ing a law, the progress of practical medicine would be seriously interfered with. The convention then adjourned until tomorrow.

GAINS STRENGTH AND INFLUENCE.

Report of President Lee of Travelers' Protective Association. NASHVILLE, June 2 .- There was a large

ttendance at the Travelers' Protective asociation today. The principal business of Following the president, Miniater Perez of Mexico, Ferdinand of Costa Rica, the Ar-gentine minister, and Congressman Dalzell the morning session was the delivery of the annual report of President Lee, who said in

part: President Lee said he was pleased to ac-vise that the association, despite unfavorable business conditions, had made an increase in membership and a financial gain and considerable progress in the various depart-

OPEN THE COMMERCIAL CONGRESS Men of Affnirs from Various Nations

Meet to Exchange Views.

PHILADELPHIA, June 2 .- The Internaional Commercial congress was formally opened at 2:30 this afternoon with about 350 delegates present, representing commercial and industrial bodies in all sections of the

United States and many foreign countries the foreigners coming principally from Mexico and the Central and South American

dition to President McKinley, were W. A. Pepper of this city, Ministers Calvo of Costa Rica and Romero of Mexico. The president

Rica and Romero of Mexico. The president in his address said: Ladles and Gentlemen: To have assem-bled the representatives of great commercial and industrial interests at home and abroad in such large numbers is so unprecedented as to make this a most memorable event. Chambers of commerce and boards of trade, mayors of cities and governors of states, together with official visitors from fifteen other nations, unite in teatrying the impor-tance attached to this undertaking. Every one of our sister republics of this contaent is here represented through its special min-ister, and in a number of instances large del-exations of prominent citizens have made long journeys at great personal sacrifice to participate in this significant occasion. To all we give a hearty welcome. No ordinary object could have produced such an industrial convention. Interstate and international interests and courtesy have contributed to its success but nothing less than a deep conviction in the minds of the ecopic represented that the movement can be international interest and courtesy have contributed to its success but nothing less than a deep conviction in the minds of the ecopic represented that the movement can be in their commercial relations can ac-count for its wide and distinguished charac-ter. The avowed aim of the Philadelphia mu-

count for its wide and distinguished charac-ter. The avowed aim of the Philadelphia mu-seum is to ald in the development of com-mercial and industrial prosperity. No worthier cause can engage our energies at this hour. It is a most praiseworthy pur-pose-the extension of trade, to be followed by wider and better fields of employment and easier conditions for the masses. Such an effort commands the mstant approval of all lovers of mankind, for with it is linked the prosperity of the humblest toiler and the we fare of every home and fireside. ON BROAD LINES. The movement is inaugurated on broad

The movement is inaugurated on broad and progressive lines. Its authors and pro-moters believe that the conditions of inter-rational commerce can be directly promoted by systematic study and scientific methods. The distinguished body of men who have planned this organization have grasped planned

LOOKS LIKE SAGASTA.

The queen can only pursue the latter course after duly considering all the prespects, because it would be virtually staking everything on the success of a liberal government and policy. The liberals seem confident; the conservatives are downcast. In the military clubs and in political circles, the majority believes that Senor Sigasta will be called upon to organize a liberal government.

The conversation of Cano as with the queen lasted more than an hour. Canovas clearly stated that the moment had arrived when the crown should decide if the ministers still possessed the full confidence of the regent to persevere in the colonial and home policy, or whether it were better to confide the reins of government to other hands. The queen calmly replied she would take time to consider the question, meanwhile accepting the resignations of the ministry. The general impression tonight is that Sagasta is likely to come in, as Canovas could hardly reverse

his colonial policy or recall Weyler. ARTHUR E. HOUGHTON.

De Lome is Silent.

WASHINGTON, June 2 .- The Associated press dispatch announcing the resignation of the Spanish cabinet was shown to Mr. Dupuy de Lome, the Spanish minister, tonight. In response to an inquiry he said he had no news on the subject and declined to make any statement for publication.

TURKEY TO INCREASE ITS NAVY.

Reconstruct Ironelads and Build Six New Men-of-War.

LONDON, June 2 .- A dispatch to the Daily Mail from Berlin says that the Turkish government has opened negotiations with an English firm for overhauling the entire Turkish fleet. All the ironclads will be reconstructed and six new men-of-war built.

Turks Will Confiscate Goods

CONSTANTINOPLE, June 2. - Edham Pasha has given all merchants fifteen days in which to withdraw their goods from the custom house at Volo. At the expiration of that time all goods remaining in the custo house will be conflocated by the Turkish authorities.

<text> The afternoon seesion was opened by the (Continued on Third Page.)

states. Among the speakers this afternoon, in ad

in his address said: