SINGLE COPY FIVE CENTS.

SITS ON SOCIALISTS

Upper House of the Frussian Diet Passes Association Bill.

MEASURE IN LINE WITH GOVERNMENT IDEA

Gives Police Power to Dissolve Socialistic Gatherings at Will.

LITTLE CHANCE OF PASSING REICHSTAG

Two Bodies Hurl Approbrious Epithets Eack and Forth.

CABINET CHANGES STILL IN THE AIR

Dame Gossip Still Continues to Wag Her Tongue Concerning Them, but Nothing Definite is Accomplished.

(Copyright, 1897, by the Associated Press.) DERLIN June 26 -The Reichstag has adfourned for the summer, but the Prussian Diet will remain in session until late in July. The association reform committee of the upper house of the Diet passed the association bill on Friday in the mutilated form adopted by the lower house, but with poor reward for a great and danger- British Parliament, and will shortly become a an addition to the effect that associations in overthrow the existing organizations of state, or movements preparatory to a separation of a part of the territory of the state from the whole, come to light in a manner dangerous to public security, especially to the security of the state, may be dissolved by the police. The Diet is almost certain to pass the bill in this form, which is more consonant with the wishes of the government, which desires a measure repressing all meetings, but there is no chance of the Reichstag agreeing to the measure in its amended form.

It was interesting to note the cropping out the deep-seated animosity between two bodies-the Reichstag and the Diet. Baron von Sedlitz, the conservative leader, referred amid applause, to the "misguided, blinded majority of the Reichstag." and speakers in the Reichstag repaid the attack in kind. Herr Richter, the radical leader, spoke in scathing terms of "the almost permanent cabinet crisis."

He said Dr. Miquel is virtually the new chancellor, adding: "What does he believe in? We ought to invite him to appear before us and divulge his plan. It is not by military men and the reactionary Cuban enough for us to know the ideas of the June government. We ought to know also those of the July government. As to the autumn government nobody knows anything about

This sally was received with applause by the members of the left.

CABINET CHANGES. In government, parliamentary and press circles the conviction remains that cabinet changes are impending exactly as previously cabled, namely, that Dr. Miquel, the min ister of finance, will succeed Dr. von Boettleher as vice president of the council of ministers and imperial secretary of state for the interior, with increased functions, no only in the Paussian but in the imperial cabinet. Prince Hohenlohe will retain the chancellorship, although he is anxious to retire to private life, Dr. Miquel taking most of the burden of the office upon himself. Dr Miquel's sphere of duty will be enlarged by creating for him the office of chancellor of the exchequer, with similar scope and influence to the British chancellor of the exchequer.

Baron von Marschal Bieberstein, the minister for foreign affairs, will remain in office for a while longer, it being understood that his portfolio has been offered to Count von Eulenberg, the German ambassador at Vienna, and to Count von Hatzfield-Wilden berg, the German ambassador at London, and that they have both declined. Now it is asserted that Herr von Bulow succeeds Baton von Marachal Bieberstein, and that Dr. von Boetticher, refusing a government appoint ment, is negotiating for the position of president of one of the largest of German banks at three times his present salary, just a Herr Boediker, who a few days ago resigned the presidency of the imperial insurance in stitutions, becomes chief of Herr Krupp' private laborers' insurance institutions a four times the salary he was getting.

In private conversation, Prince Hohenlohe the imperial chancellor, has expressed him self as being tired of office, adding that he counted upon retirng in the fall.

KING TO MEET EMPEROR. The meeting of Emperor William and Kin Leopold of Belgium at Kiel is not entirel devoid of political significance. They wi discuss the Congo and other African prob lems touching both Germany and Belgium such as the slave question. King Leopol will invite the emperor to personally atten the Brussels exposition.

By rejecting the invitation of the Ham burg senate to attend the horticultural show and by avoiding Hamburg territory on b present trip, Emperor William testified hi displeasure at the recent failure to toast him at the banquet tendered to the members of the Reichstag at Hamburg.

A comical mistake of the emperor In recent speech has been discovered. Speak ing at the unveiling of the monument t his grandfather at Cologne, his majesty re ferred to "Neptune with the trident." Th symbolical figure in the monument, however was meant by the sculptor to represent Wather Rhine and it has not a trident, bu garianded vines and grapes where trident might have been.

The Kruez Zeitung warns the German farmer against the invasion of emigran agents to settle in the southern states America, and calls on the government issue a strict prohibitive decree against such emigrations, since German farmers are t compete with the black labor in the cotto and rice fields.

Much amusement has been aroused by the fact that the jubilee portrait of the queen issued by the London Times was "made in Germany.

AMERICA WORRIES THE KAISER Germany's Ruler Does Not Like Out

Foreign Policy. (Copyright. LONDON, June 26 .- The Spectator publishes a long leading article on Emperor William's remarks as recorded by the Paris ing to represent the views of the emperor

anxiety as to the future of Europe, he said that he did not fear Chinese ambition or the anarchists, but he did fear the expansion of one of the great powers and the intervention of the United States in the affairs of the old world.

The Spectators says: "This is so important that we would give much to know precisely what is in the kaiser's brain. The kaloer has displayed at times singular gleams LOUIS S. CHANLER'S GREAT AMBITION of insight. The facts of the moment ap pear to justify his enigmatic saying. The Americans are exhibiting a tendency to depart from their policy of sectuation and interfere very strongly in the affairs of the old world. Continuing, the Spectator instances Vene-

zuela, Samoa and Hawaii, adding: "And

they are apparently going to interfere with there is any truth in the account of the instructions given to General Woodford, the United States intends to immediately offer an ultimatum to Spain by practically refusing her permission to suppress a revolt in DILLONITES OPPOSE THE PROPOSITION her own dominion. The last event seems to have very badly impressed the kaiser and the emperor's remarks throughout dealt with the perils which was his object to avert. Does he proposes himself to avert American intervention in the affairs of the old world? If he does President McKinley must be cautious in his diplomacy, for the German and Spanish fleets combined would but in ships and sailors. The union is ir- mond's political following. It is said that realstible only ashore, and Cuba would be a Mr. Chanler is ambitious for a seat in the which there are anarchists or social demo- Germany has not a motive for such which is an essential condition precedent to cratic movements, or movements aiming to an alliance for the United States entering the House of Commons. At present with Monroeism, is nearly as much in the he is the mysterious man of the Irish politicolony suddenly and amazingly enlarged."

SENOR SAGASTA FALLS SHORT. His Liberal Manifesto a Disappoint-

ment to Friends and Foes. enswered the general expectation in Spain, ago. It seems that great pressure was an accession to its funds and naturally Mr. brought upon Sagasta and Gomazo, Moret Chanler is believed to be the succoring angel. and Abarzuza, who drew up the manifesto,

policy and at the same time lay more stress against impenitent rebels. The manifesto is It is couched in bolder and less respectful terms toward the monarchy than usual. It is a brilliant and powerful criticism of the home and colonial policy of the present

government. The manifesto has much elated the conculated to improve the prospects of the liberal party nor to satisfy the Cubans and the United States, because the formula for their contemplated colonial autonomy is too vague. The press of all shades echoes this disappointment caused by the manifesto, when the nation had been led to expect that Sagasta would show that the liberal party was at last ready to step in and assist the meen regent in carrying out the home rule policy in the West Indies.

The conservative papers, especially the Epoca and Nacional, say that the manifesto alls short even of Canovas' reforms, and de ide the idea of recalling Weyler or altering his repression and war policy. They say that that would be tantamount to playing into the hands of the rebels ARTHUR E. HOUGHTON.

AUDICATION IS QUITE UNLIKELY.

Queen Victoria Not Ready to Leav

Nor Her People to Spare Her. Convelight, 1897, by Press Publishing Company LONDON, June 26 .- (New York World Cadegram-Special Telegram.)-Sir Ashmead Bartlett in his paper repeats the rumor of the queen's abdication. He says informa tion reaches us from a source usually reli able that it is the intention of her majesty o retire at an early date from active rule n favor of the prince of Wales. Stories are life of a proposed abdication on the occasion of the jubilee, but are generally discredited Many important official steps are to be take

before it would be possible. Abdication would upset things more her than a presidential election does in America. There are even those who predict a business panic in case the prince of Wales becomes king. The jubilee showed the queen the only woman on earth with 600,000,000 lovers, and while Wales is undoubtedly popular, it is not likely that his peculiar life has given the British public confidence in his ability EDWARD MARSHALL.

WILL BURN NELSON'S PLAGSHIP. In Its Present Position it is a Menne

Copyright, 1897, by Press Publishing Company.) LONDON, June 26 .- (New York World Cadegram-Special Telegram.) -Nelson's flaghip, the Foudroyant, now a wreck at Black Pool, is to be soaked in oil and burned. An mposing spectacle is expected. In its prent position a storm might ruin the dock EDWARD MARSHALL.

RUMOR THAT GOMEZ IS KILLED.

Insurgent Commander Reported HAVANA. June 26.-Rumors have been emanating from official circles, that Gen eral Maximo Gomez, the insurgent commander-in-chief, has been killed in a fight car the military line in the province of tuerto Principe. The reports have not been

No Sympathy with Chapman Crusade LONDON, June 26 .- (New York World Ca blegram-Special Telegram.)-The Chapman crusade in New York arouses much interes here. The British public would not tolerate such a thing for a moment. Every time similar affair has been planned here the socalled reformers have been ignomineual; squeiched. There are 60,000 women on the streets of London whom the police can only molest on the complaint of citizens actually correspondent of the Times on Monday last interfered with and who must then appear and then cabled to the Associated press. The in the police court as witnesses. Such cases correspondent reported a conversation affect. are very care. The police kere are not permitted to incite to crime for the purpose of in the course of which, speaking of his making arrests,

Wealthy New Yorker the Latest Element of Farty Disturbance.

Eager to B come a Member of the British

Parliament.

HAS THE BACKING OF JUHN REDMOND

His Man Forward.

Unwilling to Allow a Seat to Go to a Foreigner, No Matter What His Financial Ability or Inelination.

(Copyright, 1897, by Press Publishing Company.) LONDON, June 26 .- (New York World Cabe more than a match for any fleet America | blegram-Special Telegram.)-Louis Stuyvecould produce, without an effort which would sant Chanler of New York is the latest and tax the resources of the union, not in money, most noteworthy accession to John Rodsea war. It is not certain naturalized subject of her Britannic majesty, way of powers desiring to expand as Great cal situation. Every one is asking, as in the Pritain. Overcrowded Europe finds that the case of the fly in the amber, how he got foreign policy of the United States debars there. He came over from America on the them from colonizing South America with same steamer as John Redmond did early this their surplus population. But the natural year, and he has been the constant complace for Germans is in South Brazil, and | panion of the leader of the Parnellite party now that the government is in a position to since then. Whenever an Irish debate is direct the tide of immigrants west we should on in the House of Commons in which Mr. not be surprised to see the already powerful Redmond figures, Mr. Chauler is almost an unfailing occupant of the distinguished strangers' gallery. He has become a member of the organizing committee of the new Independent League in Dublin, which Mr. Redmond has been trying to establish in Ireland since Timothy Harrington's defection. More 2opyright, 1897, by Press Publishing Company.) significant still, Mr. Chanler has become a MADRID, June 26.-(New York World member of the board of directors of Mr. Cablegram-Special Telegram.)-The mani- Redmond's Dublin Daily Independent (newsesto of the liberal party has not at all paper). Until Mr. Chanler's accession to the directorate there were ominous rumors because it is much toned down from the that the Redmondite party was in dire finanfamous declarations of Sagasta, made a week clai straits. Since then, it undoubtedly got

HIS PLACE IS WAITING. He is filling at present a large space in enators and deputies, to induce them to Irish political affairs, the curiosity concerntone down their allusions to the central ing his mysterious connection with the Redmondite party being widespread. It is even upon the necessity of military action tumored today in Irish political circles that Mr. Chanler may be Mr. Redmond's candigenerally considered to be a bid for power. date for the vacancy which has just occurred in the parliamentary representation of South Roscommon, caused by the death of Luke Hayden, who had been a member since Parnell's time. The difficulty about Mr. Chanler's American citizenship is not an insuperable obstacle, as two months ago ministerial candidate of a Fenian family was only naturalized the day before his nomnation for a parliamentary vacancy. The Redmondites stand so well with the present unionist government that the home secretary would make no difficulty about granting naturalization papers to Mr. Chanler imme diately if they were demanded. But, Mr. Chanler may not be ready to take the plunge so hurriedly on account of his extensive in-

erests in the United States. The parliamentary vacancy in South Roscommon is exciting deep interest among Irish politicians. Mr. Hayden was a supporter of Redmond and got the largest majority any Parnellite member had outside of Dublin at the last general election. The constituency has been a Parnellite stronghold and if Mr Redmond's candidate should suffer defeahere it would be a sure portend of the total extinction of his party at the next general

WHERE DILLON STANDS. The attitude of Mr. Dilion and his friends the matter was explained to me today in this way: "If Mr. Redmond brings forward

as a candidate some tried nationalist, preferably one of Parnell's old party who lost his seat after the split-there are several of them o choose from-we will not provoke a contest, but will allow such a candidate to be returned unopposed. But if some stranger to nationalist politics is put up by Mr. Rednond in resurn for or in expectation of financial help we will oppose such candidate." This obviously points to the contingency o Mr. Chanler's candidacy or that of Mr. Roch-

fort Maguire, who was a member of Par uell's party for a short time before the Irish leader's death, and whose desire to get into Parliament for an irish seat is not to promote the Irish cause, but to safeguard the interests of the British South Africa company, of which he is a leading spirit. It is not improbable that the contest may be complicated by the appearance in the field of the O'Connor-Don as a home rule candidate, in dependent of both the Dillon and Redmond parties. He was in Parliament formerly as a home ruler under Isaac Butt's leadership, but was defeated when Parnell assumed the reins, and has repeatedly falled to regain a seat, since he is a landlord of vast property in the Roscommon and is generally descended

from the ancient Irish kings. AMERICANS ARE VERY PROMINENT.

Take Up a Good Deal of Attention During the Jubilee Week. Copyright, 1897, by Press Publishing Company, LONDON, June 26 .- (New York World ablegram-Special Telegram.)-Americans a England have been very prominent during Jubilee week, but they have been canny too. None, with the exception of W. W. Astor affoat here since yesterday morning, probably and Miss Van Wart, gave extravagant prices and instead of entertaining generally, they entertained only at the last moment. Lady Naylor Leyland, who was invited to Mr. Astor's, and also to the Bachelor's club, deided to take a house herself and enter-Prices at the last were not very high. Had Mr. Astor and Miss Van Wart waited until almost the last, they would not have had to spend one \$7,500, including refreshments and stand, and the other \$2,500 for

entertaining. So far as the gala opera is concerned, th Americans seemed also to have avoided fancy prices. The duchess of Mariborough, Lady Colebrooke, Mrs. Parkinson Sharpe, Mrs. Eaten, Mrs. Bradl. y-Mar. in and Lilly, ou hera of Marlborough, all had their own boxes and paid no more than the actual price fixed by the opera committee, 50 guiness opiece, while Mrs. Goelet, Mrs. Eugene Kelly and others were wise enough to take stalls rather than pay from \$100 to \$150 for a box. The committee in no case received more

than 50 guineas for a box and 10 guineas for a stall, although in the end stalls fetched 640 apiece, while I personally know two ladies who paid half that sum. Speculators

made money, no doubt,

DISPLAY OF DIAMONDS. The most jewels were in Mrs. Bradley-Martin's box, although not worn by heraelf, but by a lady at first supposed to be Mrs. the drawing room and was expected to make another sensation-but who turned out to be Mrs. William Astor, who in New York is quite an uncrowned queen and in London almost utterly unknown by the smart peo ple. Her jewels were superb. In her hale were two tall, white feathers and a diamond frown, topped by enormous round pearls. Her necklaces were legion. They seemed to Spain in the most peremptory manner. If Leader of the Parnellites Anxious to Push run like streams of liquid fire all over. Her frees was adorned in front by a magnificent historical jewel given by Cardinal Mazarin to Marie Leszinki of France, composed of one huge diamond set in a brilliant shell, with a falling fringe of diamonds. It is sup prosed to have cost originally something like \$100,000 or \$125,000. It was the most superb thing seen in the whole house, although one woman, a very fashionable duchess, wore a necklace of diamonds like a net, which quite covered her neck. The young duchess of Marlborough were all her fewels: the duchess of Portland, the duchess of Leeds, the duchees of Montrose, other great women, and both the Ladies Dudley were all blazing with jewels. Perhaps the loveliest woman in the house was Lady de Gray. She was dressed in gray tulie, with a diamond belt, diamond

> WINANS SHUT OUT. Mrs. Winans would not have been absent on such a great occasion had it not been for the sudden death of old Mr. Winans on Jubilee day. Mr. and Mrs. Walter Winans have taken Downshire house for a term of years from Lord and Lady Downshire. It is said that Mr. Winans leaves one of the big-

chains looped up with a bunch of beautiful

diamond necklaces and on her beautiful

head was poised a gorgeous, queenly crown.

gest fortunes of the century. This has been a gorgeous week. Among the very great parties was the one given by Mr. and Mrs. Leopold Rothschild for the prince and princess of Wales, at which a great many Americans were present, including the young duchese of Marlborough, Lady Randolph Churchill, in white with white roses pinned into a wonderful bodice of silver and a big diamend aigrette in her hair; Lady Essex, all in white silver, with a diamond coronet in her pretty dark hair; Mrs. Arthur Paget, in white with a magnificent diamond reviere, as well as a necklace of diamonds and two splendid single-stone earrings, and Lady Naylor Leyland, in the prettiest white lace with a diamond crown and beautiful diamonds around her neck.

Mr. Harmsworth's political party was a great success, with the loveliest arrangement of flowers, pink geraniums and pelargoniums with a latticework of roses. There was also a great display of beautiful diamonds. Many great women were there, as well as the merely pretty ones, but the end and aim of the entertainment were the colonial premiers, who arrived in uniform "Sweet Bird," received the most applause. MINIATURES THE RAGE

Miss Kussner, the American miniature painter, is having another marvelous success in London. She has already painted the young duchess of Marlborough three times, Lady Warwick twice, Lady Colebrooke, Mrs. Arthur Paget, Mme, von Andre, the young Lady Dudley, Miss Muriel Wilson and several others, and now is painting Mrs. Ogden Goslet and is to paint others. Now she is busy with Lady Sophie Scott, the viceroy of Ireland's beautiful young daughter. Afterward she is to paint Lady Naylor Leyland, whose portrait will also be painted in the utumn by Carolus Duran.

The success of the great gala night of opera is acknowledged to be due to an American, Maurice Grau. The syndicate controlling affairs here is more than pleased with the New York impressario's work. Although he has had some discouraging experiences with artists, yet the stason has been successful and very profitable. It is almost certain that ie will return here next season.

AMERICA IS DISTINCTLY IN British Lion Takes Off Its Hat to the

American Eagle. (Copyright, 1897, by the Associated Press.) LONDON, June 26 .- The Britons' colossal pageant, one of the greatest the world has ever seen, has been completed without conretemps to mar its success. This has been an anxious week for those in authority, but the whole scheme for the celebration of the queen's jubilee was largely planned, carefully carried out and has been a triumph for the management and an object lesson in unity for the hosts of guests. The latter have seen in the gathering respective contingents from all parts of the empire, who gave meaning and a purpose to the procession

generally lacking in similar displays. A pleasant feature of the week was the Americans' complete success. The United States special embassy was easily the most prominent and the most honored throughout the celebrations by all. It is almost needless to add that Colonel John Hay, the United States ambassador, is equally gratified. Both he and the rest of the regular embassy have done all in their power to insure Mr. Reid's success. One of the secretaries of the United States embassy said to a reporter of the Associated press:

"It goes without eaying that the British court officials were all polite to their guests, but, in Mr. Reid's case, all, from royalty downward, have gone out of their way to show that something more than official courtesy was intended. Every possible means was taken to show Mr. Reid the appreciation feit here of the compliment President McKinley had paid to the queen.'

The feeling in the press is indicated by the editorial of the Standard of Friday which said: "It would be a most ungraciou omission to forget to offer sincers thanks t all foreign countries that have participated in the jubilee. They have added materially y their never-to-be-forgotten kindness. So far as the Americans are concerned, we believe they are almost as well pleased and proud as though the jubilee was their own. In short, nothing is too good for Americans n London today. The British are also nugely pleased with the way the Americans

Huminated their houses on jubilee day. At the state banquet on Monday at Buckogham palace Whitelaw Reid led in Princess lictoria of Wales, and the other guests at the same table were the duke of Saxe-Coburg and Gotha, who was scated opposite the United States special envoy, the Princess Louise of Lorne, daughter of Queen Victoria Grand Duke Cyril of Russia, the duchess Fife, Prince Ruppert of Bavaria, the duche:

of Connaught, Princess Frederick of Saxony (Continued on Fourth Page.)

OMAHACHARTER GOOD

Supreme Court Upholds the City's New Bill of Rights.

Drexel-who were \$250,000 worth of Jewels in DISMISSES THE ACTION AGAINST IT

Attack on Its Constitutionality is Not Broad Enough.

ALL THE OFFICERS LEFT IN POWER

Term of the Police Judge is Shortened to

Two Years, GIVEN AT AN ADJOURNED SESSION

Opinion Handed Down at Lincoln Yesterday Afternoon Removes a Block from Prosperity's Path.

LINCOLN, June 26 .- (Special Telegram.)-The supreme court met today in adjourned session, all the members being present, and handed down decisions sustaining the Omaha and Lincoln charters and declaring against the new Fire and Police commission of the city of Lincoln. white lilies. Around her neck were several

In the Omaha councilmanic cases the demurrer to the answer of the respondents is overruled and writ denied and the action dis. missed. The opinion in the Omaha case is by Justice Harrison, and the notation is made that Justice Norval had no part in the act and no surreptitious legislation is the final deliberation on the case.

In the opening of the opinion the case is the relators in which it was averted that of councilmen in and for the city of Omaha that their offices were being and had been unlawfully invaded and usurped, the powers and duties performed and the emoluments and privileges thereof enjoyed by the respondents. The relief sought was the ouster of the respondents and the establishmen of the relators to the offices involved To this the respondents had made answer, setting up their election under the provision of the new charter of 1897 and claiming the right to hold their offices under this act. To this the answer relators interposed a general demurrer, bringing in question the constitutionality of the new charter.

POLICE JUDGE COMES FIRST. The first point taken up by the opinion is a relation to the police judge and the provisions of the new act the time of the election of said officer and the duration of his term of office. The court holds that the part of the charter providing for the election of the police judge and from Buckingham palace, bringing their for his holding office until March, tion 1 of article vi of the constitution is uoted, which says: "The judicial power o this state shall be vested in a supreme court dietrict courts, county courts, justices e the peace, police magistrates, and such other courts inferior to the district courts as may be created by law for cities and incorporated towns." Section 4 of the same article is quoted, which sets forth the duration of the terms of office of supreme and district judges, and section 20, which pro vides that all officers provided for in this article shall hold their offices until their successors shall be qualified and they shall respectively reside in the district, county or precinct for which they shall be elected or appointed. The terms of office of all such officers when no otherwise prescribed in this article; shall be

two years."

COULD NOT EXTEND THE TERM. The opinion therefore holds that police nagistrates are constitutional officers, whose that the legislature cannot extend or shorten hence the act of 1897, to the extent it pursuch portion of it as makes the term of ofof the constitutional term of two years, is of no effect.

The opinion then holds that the invalid portions were but minor parts of the law law in its entirety and that the fixing of the exact time for the police judge to hold office did not operate as an inducement for the passage of the act. It is held that the invalid parts do not invalidate the whole act, or a section thereof, no amendment is

The opinion further says: "Turning our attention now directly to the enactment, inasmuch as it affects the police judgeship which is clearly amendatory in its nature and the term thereof, it is clear that there is police judge whose term of office being extablished by the constitution cannot be interfered with or shortened by the legislature; hence he will hold office until January, 1898, and if it is said that there be a vacancy in the office it may be suggested that possibly the charter of 1897 bears within itself the temporary relief or expedient wherein it states in section 184 that in case vacancy in the office of police judge by feath, resignation or otherwise, or in case of his absence, disability or inability to perform his duty, it shall be the duty of any acting justice of the peace within the city, who shall be designated by the mayor in writing, to act as police judge during such vacancy."

MORE LEGISLATION SUGGESTED. The opinion suggests that it will be th

bounden duty of the legislature of 1889 to remedy the defects in the law, especially the pleasure of the queen and her people that relating to the term of office of the police judge. In regard to the contention that the act of 1897 is a piece of specia legislation, it is held that question must depend upon the substance of the acts and not orm, expressions or terms contained therein ect. The substance alone must give charac-

ter to the act. The contention that the act could refer to but one city in the state, was, and therefore, special, is held not good, as at a future time other cities might come under the same class without additional legisla-

It is held that if the law of 1897 is unonstitutional because of special features, the law of 1887, under which the relators claim title to the offices, was also unconstitutional, and that this being true, relators could not be heard in this action

THE BEE BULLETIN.

Veather Forecast for Nebraska-

Showers; Northeast Winds 1. Prussian Diet Passes Association Bill. American Mixes in Irish Politics. Omtha's Charter Held to Be Good.

Barrley Scatenced to Twenty Years. 2. S. H. H. Clark on the Reorgania 3. Fremont Man Falls to Steal HE

Bad Railroad Wreck in Missou 4. Last Week in Omaha Speinl C 5. British War Ships on Parade

Early Hearing on the Union. 6. Connell Bluffs Local Matters 7. Saturday on the Base Ball .

Events on the Ru ming Tra S. Tramps Hold Up Three Pv - 3 ers. 10. Echoes from the Ane R

11. Woman: Her Ways and ve World.

12. Editorial and Commeat, 13. Some New Zoological Ideas.

14. Birds that Help the Farmers. 15. Commercial and Financial News.

16. Tuncel Under the Thames. 17. Western Roads Hustle for Coaches.

18. Weekly Grist of Sporting Gossip. Value of Talking Spanish

19. In the World of Whirling Wheels Sons of Revolutionary Sires. 20. "Shrewsbury."

tion the constitutionality of the act of 1897 on account of its special character. It is held that the act of 1897 could not be attacked because different portions of it became operative at different times. The act as an entirety took effect on the date prescribed by the legislature, and that the terms of the elective and appointive officers commenced at different dates did not change the taking effect of the law as a whole. The opinion holds that the title of the act is conattempted. Some details in the organization of the government of the city may not reviewed, showing that an information in have been foreshadowed by the title, but the nature of a quo warranto was filed by they are distinct and separable and not inducements to the enactment of the act as a they had been elected and assumed the duties whole, and might be rejected without interfering with its enforcement generally, and under the provisions of the act of 1887 and do not affect the validity of the act as a whole. It is also held that the act of 1887. under which the relators claimed title, was open to the same argument, and the relators could not avail themselves of this ob-

jection.

HAS NO DIRECT BEARING. In regard to the claim that the section providing for the appointment of members of the Fire and Police commission was class legislation because it prohibited the appointment of any one who is or has been within the past year in the sale of liquor, tobacco or in the business of soliciting fire insurance, the opinion says: "In regard to the portion of section 168, which we have quoted, speaking of it as a general proposition and not in a legal sense, personally I should con demn it as opposed to the true genius and spirit of the republican principles of our government, both state and national; but we need not discuss or decide whether it is vicious and hence unconstitutional, for if so it would not affect the due enforcement of the other pertions of the law or of the wives and daughters. Paderewski played, 1900 is invalid for the reason that the parts of it in relation to the fire and police but Melba, when she sang her favorite song, police judge is a constitutional officer. Sec- commissioners. Consequently the determination of such questions does not enter nto the decision of

iercin." In regard to other objections made to por ions of law, it is held that "these are with reference to parts of the law which if one or all are determined invalid it would not affect the validity and force of the other por tions of the law, and masmuch as the relators cannot prevail in this litigation un less the whole act is declared unconstitutional, the questions under these objections are but collateral to the main issue, and we need and prefer not to discuss or pass or their validity at this time or in this action. CONSIDERS THE CITY'S CREDIT.

Near the close of the opinion reference made to the argument in the respondent's brief in regard to the importance of a decision in this case as affecting the credit of the largest city in our state, and its business transactions. The opinion says: "Courts cannot be unmindful of these things. As we term of office is prescribed at two years and understand it is from a consideration of these combined with other reasons the general rule the terms of such officers. A police judge has arisen that all presumptions are in favor having been elected under the old charter, of legislative acts, and that no act will be his term to expire in January, 1893. His declared invalid unless plainly and unreconterm could not be abridged by a statute, cilably so. By this, it is not meant that courts will go beyond the rule quoted, for ports to affect such term is invalid; also if laws are clearly unconstitutional, there is, and will be, no healtancy in so declaring fice of a police judge three years, instead when the question is presented for adjudication."

LINCOLN'S POLICE COMMISSION. The court in an opinion by Justice Norval declares the section of the Lincoln charter and not governing in their nature, when creating the Fire and Police commission to viewed in the light of the purpose of the be unconstitutional, for the reason that the subject matter in the section is not germain to the section amended, and is not expressed in the title. The opinion says that "where the title to a bill is to amend an existing permissable which is not germane to the sub ject matter of the original act, or section in dicated. An act not complete in itself, but and scope must set forth the section or sec tions as amended, and repeal the original sections."

The section creating the Fire and Police commission, purported to amend section 91 of the act of 1895, which referred to an entirely different subject.

REGARDING LINCOLN'S CHARTER. The syllabus in the case of the Lincolt ity council is as follows: State ex rel William B. Comstock et a

It is competent for the 'egislature to amend a statute by a proper reference to its title or the number of the chapter and section as sublished in the Compiled Statutes 2. The title to senate file 176 (Laws 1897. hapter -), with sufficient particularity de signates article 1 of chapter xiii-a of the compiled Statutes of 1895 as where amendattory sections were intended

3. Where an amendatory act contains lause plainly indicating the purpose of the egislature to repeal the original sections imended, it meets the requirements of seion 11, article iii of the constitution, which leclares that an amendatory act shall "conain the section or sections so amended and recealed," although the intent to repeal may being cufficient to make it a special by inartistically and awkwardly express and such repealing clause was drawn in the

clause of the act amended. 4. The constitutionality of a portion of statute does not invalidate the remainder when the different parts are separable the void portion was not the consideration to he legislature to adopt the part that is valid 5. When the invalid portion of an act is s nterwoven with the rest that the ot be operative with the void part elimina

of the act that the invalid part formed th (Continued on Third Page.)

GETS TWENTY YEARS

Bartley's Sentence Lacks but One Year of Reaching the Maximum.

TIME IS TO BE SPENT AT HARD LABOR

Fine is Also Imposed of Double the Amount of the Embezzlement.

DEFENSE ASKS THAT FINE BE VACATED

Also Applies for a Stay in the Execution of the Judgment.

JUDGE BAKER REFUSES BOTH REQUESTS

Supreme Court Admits the Appeal and Fixes the Ball at \$125,000 Pending a Review of the Case.

"It is the sentence of this court that you be confined in the penitentiary of this state at hard labor for the period of twenty years and pay a fine of \$303,768,90,"

This was the sentence pronounced yesterday upon Joseph S. Bartley, the ex-state treasurer, convicted of embezzlement, by Judge Benjamin S. Baker of the criminal branch of the stitutional, inasmuch as it fairly expressed district court before whom Bartley was tried. It closed the record in the most noted criminal trial on the dockets of Douglas county.

The session of court at which this result was reached was marked, like all the other proceedings in this case, by legal skirmishing invoking all the technicalities known to the law for the delay of the progress of justice. The court room was well filled with members of the legal profession and laymen. and during the progress of the legal battle which marked the close of this case in the district court the most intense silence prevailed.

DEFENSE MAKING A RECORD.

The entire morning was taken up by the lefense in making a record, motion after motion being made, some verbal and others written, and even after sentence had been pronounced a motion to vacate a part of the sentence was filed. These motions were all overruled, and after these tedious legal formalities had all been disposed of sentence was imposed upon the defendant,

The bill of exceptions for an appeal to the supreme court is about completed. According to the plan adopted by the defense, no time will be lost in filing these papers with the clerk of the supreme court and application will be made to one of the judges of the supreme court to grant order staying the sentence and admitting Bartley to bail Az the supreme court has adjourned for the summer, this application will have to be made to one of the judges of the court. The defense is very confident that bail will be allowed and that Bartley will be liberated within a few days.

Attorney General Smyth will at once file with the clerk of the supreme court objections to admitting the defendant to bail. The rule adopted by the supreme court is to admit persons to bail on appeal only record that error exists. The attorney general will contend that no error is apparent on the face of the record and will object to

bail being allowed. ORAL TESTIMONY RULED OUT.

When court convened Attorney Mahoney filed a motion asking to be allowed to call Captain P. H. Mostyn, chief of the Mostyn Detective agency, for oral examination in support of the motion for a new trial. In support of this motion Mr. Mahoney filed his own affidavit to the effect that he had asked Captain Mostyn to make affidavit that his agency had been employed to furnish detectives to watch the Bartley jury and had furnished such detectives. The affidavit of Mr. Mahoney stated that Mostyn had refused to make any affidavit in the matter.

introduction of oral testimony in support of a motion for a new trial and also objected to calling Mostyn to the witness stand for the reason that he was exempted by the statutes from disclosing the business of his Judge Baker stated that he did not see how

the employment of detectives or additional bailiffs could affect the jury in any way. He said the jury had been instructed to inform the court if there was any complaint to be made, and if they had been intimidated in any way by these additional bailiffs or detectives they would undoubtedly have informed the court to that effect. The motion was, therefore, overruled.

Mr. Mahoney then asked permission to call County Attorney Bald: ige to the witness stand against Alex Stewart et al. Opinion by Nor- for the purpose of establishing the fact that such detectives had been employed.

The court overruled this motion for the same reason.

DEMANDS AN AFFIDAVIT. Mr. Mahoney then made a formal demand upon the attorneys for the state for an affidavit, showing whether or not Al Keysor and J. J. Mahoney were employed by the state as detectives to watch the Bartley jury as stated in the affidavite of Jurors Stiles, Roberts and Shipley.

The attorneys for the state made no reply to this challenge and Mr. Mahoney renewed his demand for permission to call Captain

Mostyn for examination. This demand was also overruled.

The defense asked that the county attorney be called to the stand for examination spon certain matters alleged in the motion or a new trial.

stating that he had not been asked to make an affidavit and expressing his readiness to make an affidavit to any facts connected with the case.

This was overruled, the county attorney

The defense then requested the court to have the county attorney called to the witness at and for the purpose of being examined