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Kansas Historical Society

SETTLED AT LAST.

TARIFF CONFEREES WILL PROBABLY REPORT TODAY.

The Date for It to Become Effective the Only Question Now.

No. 16 Likely to be Made the Dividing Line on Sugar and One Cent Duty on Twine.

The House Resolves to Investigate Alleged Corruption on the Part of Its Postmaster—Land Grant Forfeiture Conference Report Adopted — The Senate Proceedings—Items.

WASHINGTON, Sept. 25.—This morning the Democratic members of the committee on conference on the tariff joined their Republican associates in the room of the senate committee on finance and began an examination of amendments agreed upon by Republicans since they were last present. The situation is just as it was last night. No agreement has been reached respecting sugar and binding twine, although conferees said in answer to inquiries that they hoped and expected to come to an amicable understanding today and be able to report the bill tomorrow. Congressmen not connected with committee say they understand that the conferees have decided to make No. 16 the dividing line between free and dutiable sugars, lowest duty on the higher grades to be 6-10 of a cent a pound, and that a duty of 1 cent a pound will be imposed upon binding twine. This can not be confirmed by statement of conferees and yet may be correct. The clerks of the ways and means and finance committees are at work on the conference report, which is taken to be an indication that agreement is in sight at least. It was suggested that the report would contain a disagreement upon the disputed subjects, but one of the conferees said he expected the report to cover an affirmative position on all amendments. The next few hours will probably develop a solution of the situation.

The conferees separated without reaching an agreement. It can be stated with almost absolute certainty that the bill will be reported tomorrow morning, but upon what basis the expected agreement will be made is still unknown.

A DECISION REACHED.

The Republican conference on the tariff bill have definitely decided to report the bill back to the house. The conference reports will announce an agreement on each and every item in dispute between the two houses and will not, as has been stated, be only a partial report. It will be presented to the house of representatives very soon after that body meets tomorrow morning and there is a confident expectation entertained by the conferees that the report will be considered and disposed of before the house adjourns for the day, although there is a possibility that a vote to adopt the conference report may be delayed until the following day through the desire of members to make explanations of their views on the matters with regard to which it has been necessary to make concessions. All the Republican members of the ways and means committee got together this evening and the decision to make a report and move its speedy adoption was determined upon after a full consultation. There will be a meeting of the full committee tomorrow morning before the house meets to act upon the report before its presentation to the house.

The only question left open to be decided upon tomorrow is the date upon which the bill shall go into effect. The period intervening between the approval of the bill and its enforcement will be brief and it is thought will certainly not exceed two weeks.

THE HOUSE POSTMASTER.

Alleged Crookedness to be Investigated—Routine Work.

WASHINGTON, Sept. 25.—On motion of Mr. Lacey, of Iowa, a resolution was adopted directing the clerk of the house to forward to the governor of Arkansas a copy of the resolution declaring that there was a vacancy in the Second congressional district of that state. The house then proceeded to the consideration of the conference report on the land forfeiture bill.

After further debate the conference report was adopted.

Mr. Payson of Illinois, was then recognized to submit a conference report, when Mr. Enloe, of Tennessee, rose to a question of privilege which he stated was of higher privilege than the conference report.

Mr. Enloe said that he held a resolution relative to the investigation of certain charges made against the postmaster of the house of speculation in office.

The speaker ruled that the conference report was of higher privilege, and Mr. Payson submitted a report on the bill authorising entry of public lands by incorporated cities and towns for cemetery and park purposes. Adopted.

Mr. Morrill, of Kansas, submitted and the house agreed to the conference report on the bill granting a pension to the widow of General Hartranft. The amount granted is $100 a month.

Mr. Payson presented and the house adopted a conference report on the bill for relief of settlers on the Northern Pacific railroad indemnity lands.

Mr. Enloe then brought up his resolution.

It recites that it is alleged that the postmaster of the house, J. L. Wheat, whose duty it is to let contracts for carrying of mails, let the contract to one Samuel Culbertson for $5,000 a year, on condition that Culbertson should pay him (Wheat) $150 a month of the money received from the government for his services, and that Wheat did receive that sum for five months; and directing the committee on accounts to investigate these charges and such other matters as pertain to Wheat's administration of the post office of the House of Representatives.

Mr. Hopkins of Illinois, suggested that the resolution be made broad enough to include the action of the last postmaster in regard to the same matter.

Mr. Enloe remarked that if any gentleman had evidence that there was anything wrong in the action of the late postmaster, he would have no objection.

Mr. Hopkins remarked that he understood that this contract, which the gentleman claimed was unlawful, had come down from the postmaster of last congress.

Mr. Caswell, of Wisconsin, said that his information was that this practice on the part of the postmaster had been obtained during several congresses. The postmaster had become satisfied that this money was not proper and legitimate perquisite. He had therefore converted every dollar into the treasury.

Mr. Hopkins offered an amendment extending the investigation into the practice of the postmaster in the Forty-ninth and Fiftieth congresses.

Mr. Heard, of Missouri, desired to still further amend by extending investigation to all previous congresses, but a demand for previous question made by Mr. Hopkins precluded reception of this amendment.

Mr. Houk, of Tennessee, protested that time should be given for amendment. If a Republican had been stealing he should be exposed and punished. Let no one seek to shield him.

Mr. Hopkins said there was no attempt to shield any one, but the postmasters of the last and of the present house were so interlaced that one could not be investigated without the other.

Mr. Struble of Iowa, suggested that Silcott was also interlaced.

The previous question was ordered—yeas, 108; nays, 86.

Mr. Hopkins' amendment was adopted and the resolution as amended was agreed to.

Mr. Payne of New York, chairman of the special committee appointed to investigate the Silcott defalcation, called up the bill defining duties of the sergeant-at-arms. It enables the sergeant-at-arms to make requisition directly upon the treasury for pay and mileage of members and constitutes him in explicit terms a disbursing officer, limiting his compensation to his present salary. A bond in the sum of $40,000 is required. The bill was passed.

Mr. Boutelle, of Maine, chairman of the committee on naval affairs, reported a bill appropriating $1,000,000 to enable the secretary of the navy to purchase nickel or nickel matte for manufacture of nickel steel armor, and asked for unanimous consent for its consideration. After an explanation by Mr. Boutelle the bill was passed.

Adjourned.

BILLS FOR THE INDIANS.

The New York Tribe's Kansas Lands—Cheyenne and Arapahoe Claims.

KANSAS CITY, Mo., Sept. 25.—A special from Washington to the Times of yesterday says: The lands in Kansas known as the New York Indian lands, the sale of which is provided for in a bill that has passed the senate and is pending in the house has raised some interesting questions. According to the reports that have been made in congress from time to time, as early as 1810 the New York Indians of the Six Nations and the St. Regis tribe sent a memorial to the president asking to be removed west. In 1838 the United States set apart for the New York Indians in the portion of the country now known as Kansas 1,824,000 acres of land—about 320 acres for each one and agreed to appropriate $400,000 for removing the Indians to their permanent home in the west. None of the Indians, however, accepted the treaty, and it was not until 1846 that any went west. They numbered about 200 who actually settled in the west. Some died on the way and others returned to New York. It is believed that none of the lands assigned in 1860 have been actually occupied by the Indians since the certificates of allotment were issued to them. Finally all but thirty-two of the 200 who located in Kansas were driven out by the whites. Very few tried to occupy their lands. A bill was passed in the last congress to compel the settlers at present on the lands to pay $2.50 per acre, but President Cleveland vetoed it because he thought $2.50 was not a fair and equitable sum to be paid to the Indians. The message of Mr. Cleveland recommended a reapportionment of the lands and a conveyance to the settlers at the sum at which they should be appraised, or in case of a failure on the part of the settlers to pay for the same, the lands should be sold at public auction. Very few of the Indians to whom allotments were made are believed to be now living. The senate committee think, however, that their heirs should be paid and that $2.50 per acre is a very fair valuation. Ninety-two Indians receive certificate of allotment for 160 acres each. Indian Commissioner Morgan says in a report to congress that the settlers have had the use of the Indian lands for thirty years and that the Indians have been kept out of its usufruct for the same time. If 6 per cent interest should be added to the minimum price of public lands it would make the value $3.50 per acre next September. This interest the Indians have lost and the settlers have saved.

The bill introduced in the house by Mr. Morrill of Kansas to provide the adjudication and settlement of certain rights and claims of the Cheyenne and Arapahoe tribes of Indians set forth some interesting facts. It seems that by treaty concluded October 14, 1865, the United States ceded and set apart to the tribes, in exchange for other lands, district of country commencing at the mouth of Red creek or Red fork of the Arkansas river, thence up the creek or fork to its source, thence westwardly to a point on the Cimarron river opposite the mouth of Buffalo creek, thence due north to the Arkansas river, thence down the river to beginning. By the treaty of October 28, 1867, the United States ceded and set apart to the same tribe in exchange for the above described district of country a tract of land commencing at a point where the Arkansas river crosses the 37th parallel of north latitude, thence west on the parallel to the Cimarron river, thence down the Cimarron river in the middle of the main channel to the Arkansas river, thence up the Arkansas river in the middle of the main channel to the place of beginning. The last tract named is now claimed by other parties who assert ownership and right of possession. Major Morrill's bill, therefore, is intended, if it passes, to authorize the Cheyenne and Arapahoe tribes to institute suits in the court of claims against the United States to determine the rights of the tribes in and to the land ceded under the treaties mentioned; and also to the moneys received by the United States on account of the sale of the lands or any part thereof; and also to moneys collected by the Cherokee nation of Indians, or any individual on account of rents, leases or the sale of timber, or either or all, to which suit or suits the Cherokee nation, or any member thereof, or any other interested person may be made a party or parties defendant. It is required that the Cheyennes and Arapahoes shall within three months after the passage of the act file petitions in the court, verified by the agent and at least three of the chiefs and head men of the tribes, setting forth the facts upon which the claims are based. The United States and other interested parties shall make answer within three months. The secretary of the interior is to aid in every way by furnishing records, and the court is to send its findings to congress. The right of appeal to the supreme court of the United States is also given in the bill, in case all parties are not satisfied.

IN THE SENATE.

WASHINGTON, Sept. 25.—The request of the house for a conference on the deficiency bill was complied with, and Messrs. Hale, Allison and Cockrell were appointed conferees on the part of the senate.

Mr. Plumb reported a senate joint resolution authorizing the extension for one year of the time of the payment for land on pre-emption or homestead claims whenever for the reason of failure of crops payment is delayed, and it was passed.

The calendar was taken up under rule 8 and the next bill upon it being the house bill to prevent the product of convict labor from being furnished to or for the use of any department of the government and to prevent the product of convict labor from being used upon public buildings or other public works.

After a short debate the bill was passed over and the next bill on the calendar was taken up, being house bill to amend "an act to prohibit the importation and immigration of foreigners under contract or agreement to perform labor in the United States, its territories and the District of Columbia."

The bill was laid aside without action on objection by Mr. Gorman.

The senate resumed consideration of the senate bill to establish United States land court and provide for settlement of private land claims. Without disposing of the bill, the senate went into executive session and soon adjourned.

WELLINGTON BANK RECEIVER.

WASHINGTON, Sept. 25.—The comptroller of currency has appointed Fred R. Downs, of Belle Plaine, Kan., to be receiver of State National bank of Wellington, Kan.

MORE ARRESTS.

FURTHER PERSECUTION OF IRISH NATIONALISTS.

Tipperary Police Make a Descent Upon O'Brien's Self Constituted Guard.

Dillon, Morely and William O'Brien Arraigned With Patrick O'Brien Before a Prejudiced Magistrate.

Hard Work Necessary to Secure Permission for a Public Hearing—The Case of the Prosecution Presented—Nationalist Headquarters the Scene of Indigation — Irish Americans Give Comfort.

DUBLIN, Sept. 25.—Patrick O'Brien, who was arrested at Cardiff on Tuesday, was brought to this city yesterday and placed in prison. The police refused to give any information as to when he would be taken to Tipperary for hearing, but late last night the nationalists learned that he would be conveyed thither by the morning train today, when they at once made preparations to give him worthy escort. Much to the surprise of the authorities a large delegation of prominent nationalists boarded the train at the same time the officers appeared with Mr O'Brien. Among these were John Morely, who has been Ireland for some time studying the Irish question; John Dillon, Alfred Illingworth, member of parliament; T. M. Healey, Commoner, and Harrington and several others. On the arrival of the train at Tipperary the nationalists started for the court house in a body.

They had not gone far when they came to a street corner and entered into a conversation. While they were standing, in no way disturbing the peace there, they were ordered by the police to move on. John O'Connor, member of parliament for South Tipperary, took very vigorous exception to their order and showed his contempt for the police by calling on the crowd, which by that time had become large, to give three cheers for John Morley. The cheers were given with hearty good will, much to the exasperation of the police, who thereupon charged upon the group and attempted to make it move forward. In the melee that followed the policemen did not hesitate to use their batons. One burly constable aimed a blow at John Morley himself, but John O'Connor, who stood near, warded it off. The nationalists then continued their way slowly toward the court house. As this was the day fixed for the trial of the arrested nationalists the streets to Tipperary was full to overflowing with people interested in the case.

ANOTHER ARREST MADE.

Early in the day it became known that still another arrest had been made. The victim this time was Thomas J. Condow, member of parliament for Tipperary east. He was taken this morning to Limerick and also brought to Tipperary. When the hour for the sitting of the court arrived an immense crowd had collected before the court house ready to rush in the moment the doors were thrown open. The authorities thereupon decided not to open the doors to the general public, but to admit only those who were immediately interested in the trial. The crowd did not take kindly to this treatment but pressed forward, trying to force its way into the court house. The police stoutly resisted, charging repeatedly upon the crowd and using their clubs freely on whoever repeatedly happened to be within reach. For fully five minutes there was a stand-up fight between the now excited throng and the police. At last, however, the crowd was forced back and the police succeeded in maintaining a clear space in front of the court house. During the conflict many persons were wounded with blows from the policemen's bludgeons. Several men were so badly hurt as to require surgical attention. Among the wounded were Timothy Harrington, member of parliament for Dublin, and Mr. Halifax. Both received heavy blows on their heads.

BROUGHT INTO COURT.

Their appearance in court after the struggle created a profound sensation and lent an additional emphasis to the complaint which Mr. O'Brien was making to the court of the brutality of the police. At first Mr. O'Brien had refused to enter the court room unless the public could be freely admitted. He maintained this attitude for some time, but at last decided that he could accomplish more by appealing to the court, entered the room and bitterly denounced the wanton clubbing of the crowd of which he had just been a witness.

It was while he was speaking that the sensational entrance of Messrs. Herrington and Halifax occurred. Then John Morley arose and addressed the court, manifesting great agitation both in tone and manner. He earnestly appealed to the court to protect the populace against the wanton use of the club by the police. Meanwhile the Nationalists' leaders continued to protest against the exclusion of the general public from the court room. Both Mr. Morley and Mr. Dillon appealed to Col. Coddell, the presiding magistrate, to reverse his decision to keep the doors shut against the public. For some time he refused to recede from his determination. Messrs. Morley and Dillon, however, continued to labor with him and at last he yielded the point and ordered the doors thrown open. The room was at once filled to its utmost capacity and all the proceedings were followed with intense interest. At the outset Mr. Dillon objected to being tried before resident Magistrate Shannon. The grounds of his objection were that he had a personal encounter with Shannon on one occasion at Cashel. At the time he asserted Shannon had grossly insulted him. He urged, therefore, that there would be manifest impropriety in Shannon's sitting at the present trial. Mr. Shannon refused to admit the validity of Mr. Dillon's objections. He knew of no reason why he should not go on with the case. He declared he would perform his duty without bias.

Mr. William O'Brien also objected to Shannon. The last time he saw Shannon he said Shannon was at the head of a body of police who were using their clubs upon the people. Moreover Shannon had already tried him three times on similar charges. His sitting in the present case, O'Brien said, was an indescency and insult. The magistrate answered Mr. O'Brien's objections in the same way that he had disposed of Dillon's.

THE PROSECUTION BEGINS.

Mr. Roman, counsel for the crown, asked permission of the court to make some slight alteration in charges against the prisoners. The latter protested vigorously against such permission, urging that it would be illegal for the court to grant it. The court paid no heed to protests but permitted counsel for the crown to make desired changes.

Mr. Roman proceeded then to open the case for the prosecution. He reviewed the circumstances which led to the arrest of the nationalists. This he said went back to time when the plan of campaign was put in force on the Smith-Barry estate at Tipperary. That happened in May, 1888, and he proposed to present evidence to prove conspiracy on part of defendants from that time down to the time when the arrests were made. During all that period he proposed to prove that the defendants were conspiring to prevent payment of rents to Mr. Smith-Barry and were inciting the tenants of that gentleman not to pay.

The defendants protested against the introduction of evidence touching matters that were anterior to the dates specified in the warrants upon which they were arrested.

After considering these protests the court decided that the prosecution might produce testimony of a general character to prove the existence of a conspiracy prior to the dates given in the warrants, but that no evidence could be permitted concerning acts of defendants which were done anterior to those dates mentioned in the warrants.

Mr. Healy declared that the whole thing was a patent sham and demanded that counsel for the crown come to the particular acts upon which the defendants were charged. Mr. Conan in reply protested that it was clearly out of his power to shorten the proceedings.

At this point a proposal was made to adjourn, wherever Patrick O'Brien interposed an objection complaining that his time was being wasted in consequence of his illegal arrest.

To this, Mr. Roman took exception, declaring that the arrest of Mr. O'Brien became legal when the latter arrived in Dublin. Mr. O'Brien thereupon arose and was about to leave the court room, but several constables barred the way and he was compelled to remain. After a consultation with Mr. Healy, Mr. O'Brien consented to give bail. Alderman Dullon, of Dublin, here applied through solicitors for summonses against Sergeant Kenndy, of the police force, for assault upon him.

The magistrate declined to grant the desired summons but referred Alderman Dillon to another magistrate who will grant the summonses.

After the questions of the summonses had been decided, the presiding magistrate announced the adjournment of the case until tomorrow and the defendants and their lawyers, followed by the throng of spectators, left the court.

MUCH EXCITEMENT AT DUBLIN.

The excitement of a week ago, when the arrests of Messrs. Dillon and O'Brien were so suddenly made, had its counterpart in Nationalist circles today. The dispatches from Tipperary describing the clubbing of the crowd before the court house by the police created a profound sensation at the National headquarters. The action of the police was denounced as a gross outrage. The fact that John Morley is present at the trial is considered a subject for much congratulation. It is thought that the trial will afford him more insight into the true inwardness of the Irish problem which he came to Ireland to study for himself than weeks of ordinary travel and investigation. He will be able to tell the English Liberals with more force than ever what the Irish people have to put up at the hand of the people by his own rough experience at Tipperary. The Nationalists are confident that whatever the outcome of the trial may be the brutal police episode and the evident reinctance of the court to open the doors to the public will not increase the popularity of Mr. Balfour's rule.

COMFORT FROM CINCINNATI.

CINCINNATI, O., Sept. 25.—The news of the attack of the police upon the people of Tipperary aroused intense indignation among the members of the National council of the Irish National league now in session here. The members of the council when interviewed declined to express their feeling, but their reticence betrayed the indignation they tried to conceal.

The following cablegram was dispatched to Secretary Timothy Harrington, Dublin: "National council just read Tipperary atrocity. America abhors and resents the brutality. Tender our admiration to the honest Englishman, John Morley.

JOHN FITZGERALD, president."

THE WEEK'S PORK PACKING.

CINCINNATI, O., Sept. 25.—The Price Current says:

The total western packing for the week was 185,000, against 170,000 last year, and from March 1 to date 7,760,000, against 5,735,000 a year ago, an increase of 35 per cent. Special correspondence indicates a greater prevalence of maladies now among swine than earlier in the season as compared with a year ago. The packing at leading points compares as follows for the season:

	1890.	1889.
Chicago	2,055,000	1,870,000
Kansas City	1,214,000	884,000
Omaha	780,000	540,000
Sioux City	350,000	240,000
Indianapolis	322,000	242,000
St. Louis	290,000	355,000
Milwaukee	286,000	229,000
Cedar Rapids	232,000	156,000
Cincinnati	185,000	151,000
Wichita	181,000	60,000
Ottumwa	172,000	116,000
South St. Paul	115,000	105,000
Lincoln	94,000	88,000
All others	885,000	720,000

THE FLOUR OUTPUT.

MINNEAPOLIS, Minn., Sept. 25.—The Northwestern Miller says: The flour output fell off somewhat last week, though it was still large. The aggregate production was 164,540 barrels, averaging 27,423 barrels daily, against 172,060 barrels the week previous 125,300 barrels for the corresponding time in 1889 and 174,450 barrels in 1888. Reports of millers vary as to flour market the past week, though all agree that it has been far from active. Some of them have sold more or less patent for the east but in the aggregate sales have been a good deal less than the production. A few patents have been taken for export, but figures made were pretty low, and even on bakers, foreigners are usually unwilling to pay cost of manufacture. Prices are 10@25 cents lower.

SEIZED UNDER THE LOTTERY LAW.

MONTGOMERY, Ala., Sept. 25.—Under instructions from Chief Inspector Sharp, Inspector Booth today seized all the issue of the Birmingham Age-Herald of this date and the issue of the Weekly Atlanta Constitution of this week, and all other papers coming here for that place and distribution in that section, which upon examination were found to contain lottery advertisements. The officers of The Advertiser company, of this city, were also required to give bonds for their appearance at the November term of the United States court for publishing Sunday lottery advertisements, although they announced in the next issue that having learned the law became operative at once the lottery advertisements would not again be inserted in their columns.

BIRCHALL'S DECEITFULNESS SHOWN.

WOODSTOCK, Ont., Sept. 25.—Court convened this morning at 9:30, in order to push the Birchall trial through in shorter time. The prisoner was in the dock fully twenty minutes before the judge arrived. There was a greater attendance of ladies than on any previous day. The first witness was S. B. Fuller, manager of the Imperial bank here, who identified certain checks signed by F. A. Somerset as having been signed by the prisoner, who opened an account with the bank in December, 1888. Certain letters addressed to Mellerish through whom the prisoner had carried on a systematic deceit on Benwell and his father and young Fuller, who was with them very anxious about Benwell not appearing.

During the reading of these letters exposing his fraud Birchall's usually pale complexion was suffused with a slight flush of red.

BOUCICAULT'S WILL PROBATED.

NEW YORK, Sept. 25.—The will of Dion Boucicault was offered for probate late this afternoon. It was executed March 17, 1887, and bequeaths all his property, real and personal, "of every name, nature and description and wherever the same may be situated," to his beloved wife, Josehine Louise Thorndyke Boucicault. It is expected that objection will be filed immediately on behalf of the actor's divorced wife, who is on her way to this country on board the Servia.

THE REQUISITES.

POWERS AND DUTIES OF COUNCILLORS DEFINED.

Eligibility, Privileges and Settlement of Contest Cases in that Body Fixed.

The House Discusses Proper Reference of Bills and Bickers Over the Cost of Printing.

Resolutions Asking for Relief in Lot Contests to be Acted Upon Today—The Agricultural College Matter as it Stands—Capitol Location Still of Great Interest.

Special dispatch to the Daily Eagle.

GUTHRIE, Ok., Sept. 25.—The entire time of the working session of the council was spent in committee of the whole considering council bill No. 12, which provides for the election of the members of the two houses of the legislature and defining their powers and duties and the privileges of the members.

By its action the names Council and House of Representatives were retained as the names of the two houses. The qualifications require the age of 21 years, to be a male citizen of the United States and an inhabitant of the territory at least a year, and of the district at least six months. Conviction of a felony was made a bar to membership.

Holding any government or territorial office, civil or military, excepting precinct or township offices or the state militia were also prohibited to aspirants for the possession of legislative honors. It was agreed by the committee that the next election for members should be held at the time of the general election in 1892 and biennially thereafter.

The question of contests of members seats and payment of salaries provoked a storm of discussion and dissention participated in by almost every member. It was finally decided that contestants must have their cases prepared and their evidence filed with the clerk within five days after the house to which they have been elected has assembled and that the victor in the contest shall alone receive salary for the entire session—but not until after the contest has been decided.

PRINTING OF BILLS DISCUSSED.

In the house this morning Mr. Tritt asked for the absentees names at afternoon session read the second time.

Mr. Campbell—The committee on apportionment of legislative work wish the privilege of making a report. The committee made an assignment of subjects to the proper committees. The report was adopted.

Mr. Campbell asked consent to introduce the following resolution:

Resolved, That a committee of five be appointed to assign legislative work among the various standing committees of the house; said apportionment agreed upon by committees of both houses.

Mr. Terrill—When a bill is introduced the one who introduces it should state to what committee he wishes it assigned.

Mr. Campbell—The member does not understand the condition of affairs. The object of this is that the committee may assign different subjects to proper committees. It need not interfere with the gentleman introducing 100 bills.

Mr. Terrill—The explanation is satisfactory. The resolution was adopted.

Messrs. Campbell, Clark, Waggoner, Barker and Peery were made the committee.

Bill 31 and 32 were laid on the table.

The committee of the whole house reported house bill No. 14 as amended and it is recommended it pass. The bill relates to protection of game.

Mr. Terril moved the report be adopted and the bill be ordered to lie on the table until we have legislation on school matters.

Mr. Merten—Is the school question before the house; if not let's act on the bill now.

Mr. Adair—We are ready to report on school bill at any time.

Mr. Waggoner—I wish to add another section and hope it will be voted down.

Vote: 14 to 12. Lost.

Mr. Terrill—I am sorry that the protection of game is more important than a provision for school children.

Mr. Merten—I am ready to take actio on school matters.

Mr. Waggoner—Please have section 5 read. The clerk reads it.

Mr. Waggoner moved to amend by striking out "Shall be the duty."

Mr. Peery—Is the bill open to amendment?

The Chair—No.

Mr. Merten—The question is on the adoption of the report of the committee. If it does not suit the committee it can not be amended now, but it can be amended when the report of the committee has been adopted. I wish to offer an amendment to the report of the committee and ask that it be ordered printed.

Mr. Trosper—I am opposed to printing the bill as an unnecessary expense.

Mr. Daniels—I would like the gentleman to quote a section of the bill.

Mr. Trosper—I know the contents well enough to vote on it.

Mr. Daniels—First legislature I ever saw where important bills were not printed and laid on the desk of each member. I have not voted on a single bill as a whole intelligently. Carried.

Mr. Waggoner—Is my amendment in the bill?

Mr. Merten—The bill is on second reading and subject to amendment.

Mr. Clark—I expect to get in owls and eagles yet.

Mr. Merten—The object in having the bill printed is that we may get one bill off our hands in perfect shape. Two bills have come back to us. We can not act intelligently without the printed bill is before us. This does not cut off amendments. The question is on report of committee of the whole as amended.

Adopted.

Mr. Daniels—I move the whole subject matter lay over until after we pass a school law.

Mr. Terrill—It will take two weeks to get it printed. Why not have it done at once?

Mr. Daniels—It is ordered.

Mr. Campbell—A motion to lay over will kill the bill.

Mr. Daniels—The question of fish and game is not important at this time.

Mr. Waggoner—Can't see why it is that the gentleman wishes to clog business.

Mr. Daniels—We can take it up at any time.

Mr. Merten—I do not know any way to postpone action on the bill unless you name a fixed time for its consideration.

Mr. Campbell—Let it go to the printer. Motion of Daniels lost.

Council substitute for joint resolution No 17 was presented and council asked concurrence, memorializing "e secretary to relieve the contestants on town lots from the burden of depositing money for costs pending contests before town site commissioners.

Mr. Neal—I desire to have the resolution passed by this house read.

Mr. Campbell—I am not prepared to endorse some statements in the substitute. I move concurrence in the substitute offered by the council.

Mr. Terrill moved to amend by referring the substitute to the committee on judiciary. This house passed the resolution and the council has sent a substitute. The substitute should go to the committee. I don't believe in concurring in everything council sends up. There is little difference between the resolution passed by this house and the substitute.

Mr. Neal—I think that it is unwise for the house to act hastily in this matter. No member on this floor knows what effect this would have on the awarding of lots in this territory. Any man can contest a lot without a shadow of a claim. The rightful owner would pay a sum of money to the man who contests for blood money rather than be annoyed with a contest.

Mr. Daniels—Exactly what I want. I know the "sooner" element took possession of the town; they organized this town; they put police behind this organization and an arbitration board behind this. They declared by ordinance that a certificate should be prima facie evidence. Soonership cuts no figure. Under the instructions of the secretary of the interior the person who has been put off the lot can hold the lot because the honest settler has not the money to put up for contest. Every man in this town knows it will work an injustice. What we should do is take off the statute that congress has put on. Nearly every representative of Oklahoma lobbying in for this townsite bill was a "sooner." Every man should have equal treatment. Under the provisions of this law the poor man is left out.

Mr. Terrill—I withdraw my objection. Let her go, Gallagher.

Mr. Trosper—Don't work a hardship on the many. Whenever you discriminate against any man by compelling the man to give up his case because he has no money, you do.

Mr. Campbell—I will withdraw my motion and move that said committee report at 10 a. m. tomorrow. Carried.

The council returned house bill No. 36 amended, regarding storage of relief supplies and payment of freight on same.

Mr. Terrill moved the resolution be concurred in.

Mr. Campbell—This section 9 was a bungling affair. The council has constructed a better section. Concurred in.

House bill No. 39 as amended passed unanimously. Council bill No. 10, an act to regulate the practice of pharmacy in Oklahoma territory was referred to the committee on pharmacy.

The committee on education reports house bill No. 16, and recommends that it be passed.

Mr. Waggoner moved the bill be printed as reported by the majority.

Mr. Post—The bill has been printed once. It will not take twenty minutes to correct the bill. We should go to work at once on this bill.

Mr. Campbell—I have looked around for this bill and could not get it. At last I have secured a copy that is interlined in such a way that we can gather some idea of its meaning.

Mr. Terrill—Which report is adopted?

The Chair—Action is on the majority report.

Mr. Adair moved, as a substitute, that the minority report be adopted and ordered printed.

Mr. Terrill—The minority proposes to amend a certain section.

Mr. Merten—I rise to a point of order. The committee seems not to be before us.

Mr. Campbell moves as a substitute that the bill, as reported by the majority, and the minority report on section 12, be printed.

Mr. Currin—This substitute provides for separate schools. I do not favor it being printed in this way.

The motion was carried, however.

Mr. Adair—It should be printed first.

The committee on printing reports the resolution and amendments. It provides that all bills introduced into this House shall be printed at the second reading, on favorable reports from the committee.

Mr. Daniels—Does the gentleman understand the cost of printing bills?

Mr. Merten—The secretary has contracted at a low price. The gentleman is laboring under a mistake if he thinks the resolution provides for the printing of all bills. The resolution presented yesterday provided for the printing of all bills. The committee on printing reports an amendment. Only bills are to be printed that are reported favorably from the committee.

Mr. Daniels—What will they cost?

Mr. Merten—If you will give the number and length of bills I will inform the gentleman.

Mr. Campbell—I move we reject the resolution. This house is able to decide when it wants bills printed and there need be no procrustean rule.

Mr. Terrill—It is not wise to reject the bill. The gentleman seems to be inclined to take up the time of this body with reading bills. This costs far more than the printing. He reads a communication from Secretary Martin which states that the printing of bills has been awarded to The State Capital, and printing of the journal to The Guthrie News. It is economy to have these bills printed.

Mr. Clark—These bills should be printed. Don't want to go home and have the people say we were a set of jackasses sitting up there all winter and giving us a pretty code of laws.

Mr Merten—I am not in favor of printing unnecessary bills.

Mr. Waggoner moved to recommit the bill to the committee on printing. Carried—16 to 10.

THE SITUATION GENERALLY.

Payne county has thus far been successful. The house bill providing for the location of the Agricultural college passed the house by a unanimous vote. This practically gives Payne county $229,000 government gratuity. The bill which passed congress appropriated $15,000 and $1,000 additional each year for ten years. The debate in the house was acrimonious, personalities being freely indulged in. The Payne county delegation is divided as to its location, and the champions of the respective parties—one favoring Stillwater, the other Perkins—were bitter in their denunciations. It goes without saying that Mr. Mathews made a strong fight. He had odds against him. The balance of the house were, so to speak, "up a tree."

Indications are that a heavy pressure is being brought to bear on the capital interests. The combine has delivered the goods, but Guthrie voted solid for Payne. The Oklahoma City fellows are in high spirits, and the Guthrie contingent say the thing is fixed. That boodle is now cutting a figure there is no doubt, but just where the boodle goes is a mystery to the fellows not in the scheme. Large sums of money are ready to be placed where "it will do the most good." It looks as if Oklahoma City and Guthrie were letting the plums in the way of state institutions slip from their grasp.

The house today showed more life than at any previous session. The committee on education is nearly ready to report on the bill establishing public schools. The clamor that has arisen all along the line has accelerated their movements. The game law as it passed the house was fair, but it will probably meet with some amendments in the council. The lobby was filled yesterday with interested spectators.

"When will the capital bill come up?" is the question which is uppermost with the masses. There is great doubt whether any careful work will be done until this question is settled.

The council runs smoothly and works hard, both as a body and in the committee rooms.

The time of the house was consumed in bickering over unimportant points. The house fears to grapple with the main question, i. e., the capital question. The strongest benchmen of Oklahoma City, Kingfisher and Guthrie are in the field and Aurora looked upon many a tired schemer this morning.

The secretary of the territory paid off the judges and clerks of election of Payne county today. There seems to be great difficulty in making out the pay rolls.

Chief Walter Ballou, of Sac and Fox, and Mr. Neal visited the legislature today.

ANYTHING TO WIN.

MURDER AND ARSON OVER A COUNTY SEAT.

Two Rival Towns of Baca County, Colorado, Engaged in Bloodshed.

Springfield Adherents Make an Attempt to Steal the Court House From Boston.

The Latter's Henchmen Drive Them Away with Winchesters and Burn the Building—Both Sides Arming Themselves—A Fatal Shooting at Guthrie Between Saloonkeepers--Crime News.

LAMAR, Col., Sept. 25.—Word has been received of serious trouble between the towns of Boston and Springfield, in Baca. Since Baca county was made from Las Animas county, by the last general assembly, there has been strife between these towns as to which should have the county seat. The act organizing the county provides that Springfield should be the county seat, and at the election held last fall it is alleged that by manipulation of ballots, it was made the permanent county seat. The people of the town of Boston claim that Springfield has not the $15,000 worth of county property necessary to prevent the county seat from being moved by a minority vote this fall. The only available building for court house was a hotel building in Boston. A few weeks ago this was sold at sheriff's sale and was bought by the Springfield parties.

Saturday night a party left Springfield for Boston with machinery costing $1,000 intending to move the building to the former town and court house, thus preventing the county seat issue being raised this fall by reason of permanent improvements being made. Rollers were put under the building and twenty teams were hitched to it. Inside the house were stationed twelve men with Winchester rifles. The building was moved about five miles towards Springfield, which is about twenty-five miles from Boston, when the people of the latter place discovered the trick and immediately organized all available horses and rifles were brought into requisition and pursuit was made. Upon overtaking the party they commanded "halt," which was answered with a volley of shots from the men in the building. The Boston crowd then fired and a fierce battle raged, which ended in the Springfield party being driven from the building. Coal oil was then procured and the floors of the building were set on fire and it was entirely consumed.

Great excitement prevails but owing to isolation of the towns, news is hard to get. Several parties arrived here from Springfield last night and departed hurriedly after buying all the cartridges they could find in town. It is reported that several parties were seriously wounded and two killed during the fight, but the news is not authentic.

PROBABLY FATAL.

A Guthrie Joint Keeper Badly Cut by His Partner.

Special Dispatch to the Daily Eagle.

GUTHRIE, OK., Sept. 25.—This noon William Davidson was arrested for assault with intent to kill one John Michael. The affair occurred up-stairs in the new Lips building. The men were partners in the saloon business. Davidson said to Michael "How many does it take to run this bar?" Michael said: "I will counsel with you, but I wont be run out of my own house." Davidson then told him that if he stepped behind that bar he would kill him, and stabbed Michael with a common lemon knife with a blade five inches long, and then struck him.

Michael was cut in the abdomen in two places, two or three inches apart. One wound is thought to be fatal. The wounds were dressed by Drs. Hiatt, Cotteral and Kelchum. The wounded man is still alive tonight.

The Tobee stage on its return to Guthrie, overturned today, injuring several persons. A farmer brings the information and vehicles have been dispatched for the passengers.

STRIKE ON THE MACKEY SYSTEM.

EVANSVILLE, Ind., Sept. 25.—There is a troublesome strike on the Mackay system. The operators, station agents, clerks and platform men went out this morning. A committee was in the city last night to present grievances to President D. J. Mackey, in which it demands the standard prices paid by other railroads. Mr. Mackey referred it to General Manager Saul, who refused the demands. Upon receiving Manager Saul's reply a telegram was sent to headquarters along the lines of the system ordering a strike at 7 o'clock this morning.

ON THE CHICAGO AND EASTERN.

CHICAGO, Sept. 25.—The telegraph operators and station agents on the Chicago and Eastern Illinois road between Evansville and Terre Haute, Ind., went out on a strike this morning, demanding an advance in wages to the standard price paid by other railroads. The station agents and telegraph operators on the Peoria, Decatur and Evansville railroad are also reported to have struck for the advance. These two roads are part of the Mackey system. It is not known how many men have gone out or whether the strike will be general over the whole system or not. Several of the officers in this city have gone to the scene of the strike to effect, it is said, a compromise with the strikers.

AT TERRE HAUTE.

TERRE HAUTE, Ind., Sept. 25.—Sometime ago a federation was formed of a number of operators and clerks employed on the Mackey lines with a view of demanding an increase of pay. Last Sunday the organization was completed at Evansville with the following officers: B. M. Hopkins, of Fort Branch, president; W. S. Sears, Princeton, secretary and treasurer, and O. P. Williams, Princeton, corresponding secretary. Mr. Hopkins is the company's agent at Fort Branch. It was given out of an intention to make demand for increased pay and to give the company five days to consider it, but yesterday learning that Mr. Sears had been discharged the men decided to strike at once. A demand was made on the company for his reinstatement and for an increase