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LITTLE HOPE FOR DURRANT.

No Legal Obstacle Between the Condemned Man and the Gallows.

Everything in Readiness for the Executio at San Quentin To-day.

Justice Brewer of the United States Supreme Court Denies Both of Attorney Boardman's Applications for a Stay of Execution and Governor Budd Refuses to Interfere.

SAN FRANCISCO, Jan. 6.—Unless something unforeseen intervenes to prevent it, William Henry Theodore Durrant, the condemned murderer of Blanche Lamont, will expiate his crime upon the gallows at San Quentin Prison to-morrow morning. This morning his attorneys were still confident that they could save him from the hangman's noose, but after Governor Budd had announced his refusal to interfere with the execution, and the news flashed over the wires from Washington that Attorney Boardman had failed in his mission to the Supreme Court of the United States, they were compelled to acknowledged themselves nonpulssed.

Attorney Deuprey, as a forlorn hope, resorted to the expedient of applying to the Judges of the Federal Court for a bill of exceptions to their ruling denying his petition for a writ of habeas corpus yesterday. After a consultation Judges De Haven and Morrow decided that the allowance of the bill of exceptions would not act in the nature of permission to appeal to the Supreme Court, and after examining the documents affixed their signatures to the bill of exceptions as requested.

Immediately thereafter Attorney Deuprey secured from the Clerk of the Circuit Court a certified copy of said bill of exceptions, and called upon United States Marshal Baldwin to serve it and a notice of appeal upon Warden Hale at San Quentin. It was claimed by Attorney Deuprey that this notice acted as a stay of proceedings, and that the Federal Judges having signed his bill of exceptions, nothing could prevent him from perfecting his appeal thereon.

Marshal Baldwin at first demurred to being pressed into service, but acting upon the advice of the United States Attorney, he accompanied Attorney Deuprey to San Quentin and served the documents upon Warden Hale. That official at once referred the matter to the State Attorney-General, who advised him that the acceptance of service of such documents as had been submitted to him did not act as a stay of execution, and that there was no legal reason why he should not proceed with the execution.

Returning to this city Attorney Deuprey at once repaired to the United States Circuit Court, in order, if possible, to perfect his appeal; but acting under the instructions issued by both Federal Judges yesterday in passing upon the question of Durrant's alleged right to appeal, the Clerk refused to accept the necessary notice of appeal, and the attorney was compelled to retire without having gained the point for which he had been striving all day.

Governor Budd deferred his decision upon the appeal for executive clemency which had been submitted to him yesterday until a late hour this afternoon, in the belief that Durrant's attorneys would call upon him; but either they were too busy to do so, or considered that it was waste time, for they failed to appear.

Meantime Durrant's parents announced their determination to call on the Governor for the purpose of making a final appeal for their son's life, but the Governor absolutely refused to see them, and they then left the city for San Quentin, in order that they might spend the night with their son and bid him farewell.

BOARDMAN'S MISSION FAILED.

WASHINGTON, Jan. 6.—Justice Brewer to-day refused both of Attorney Boardman's applications for interference in the Durrant case.

Immediately after the adjournment of the Supreme Court at 4 o'clock, Justice Brewer repaired to the Attorney-General's room, where he received Mr. Boardman and went over the case in detail with him. He first considered the application to sign a citation upon the appeal which was sought to be taken from the judgment of the Federal Circuit Court of California denying the issuance of a writ of habeas corpus, the object being to perfect the appeal.

This application was refused, and then Mr. Boardman presented an application for a writ of eror from the judgment of the Supreme Court of California upon the appeal from the last order of Judge Bahrs fixing the date for Durrant's execution, the object being to secure a writ of supersedas which would act as a stay of proceedings. In this matter Mr. Boardman sought to have the order denying this appeal considered as the final judgment of the Supreme Court in the case.

In denying the application upon the habeas corpus proceedings, Justice Brewer said that under the construction by the court of the Constitution, the Federal Courts had no power of limitation upon the right of appeal in habeas corpus proceedings, the opinion being that such appeals should not be allowed where the appeal operates to suspend the power of the State authorities, and especially where the case has already been heard and one appeal in a habeas corpus proceeding.

With reference to the writ of error, he considered especially the representation of Mr. Boardman upon the claim that as the Constitution of California grants an appeal, such appeal becomes a vested right. The Justice considered this point carefully, but said that as he could not accept the court's judgment on this point as its final action, he could not therefore see his way clear to interfere on this account.

Mr. Boardman pointed out that the probable execution of Durrant to-morrow would have the practical effect of making the judgment final so far as it should bear upon his fortunes, but the Justice held to his original determination in the matter.

In presenting the matter, Mr. Boardman was armed with a long list of documents which he used especially in his effort to secure the review of the court's action in the habeas corpus proceedings. These related to alleged errors in denying the prisoner his rights under the Constitution.

The interview lasted forty minutes. After its conclusion Mr. Boardman stated that he was undecided as to whether to make an application to the full Supreme Court to-morrow for a writ of prohibition staying the execution. As the court does not convene till noon, and the execution is set for 10:30, he was fearful that the difference in time would not be sufficient to save Durrant, even if he should be succesful in having his motion granted.

This evening Mr. Boardman had a conference with Justice Harlan, and in the morning will see such other members of the Supreme Court as he can before the noon session. Owing to the urgency of the case he will be given instant hearing when the court convenes at 12 o'clock. Allowing for the difference in time, this will give him an hour and a half for a telegraphic stay of proceedings in case of favorable action.

Mr. Boardman will apply either for a writ of prohibition, on the ground that the jurisdiction of the United States Supreme Court has been usurped by the lower court, or else for an original writ of habeas corpus. The first method would necessitate a motion for his admission to practice before the Supreme Court, and arrangements will be made to have this done in the shortest possible time, if it is needed at all. But the appeal for a writ of habeas corpus would not necessitate the admission of formalities, so that it is the form in which the action will be taken.

In case Mr. Boardman can secure the signature of a single Justice out of the eight to his petition, this will act as a summary stay of proceedings, and the case will then come up for argument on its merits. Owing to the very scant time at the attorney's disposal, arrangements have been made with the Postal Telegraph Company to have a through wire to San Francisco ready at noon, so that no time will be lost in forwarding the message.

As to the legality of a telegraphic stay of execution one of the Justices of the Supreme Court said to-night:

"It is a matter that, so far as I know, has never been legally tested, but in case of a telegraphic stay being sent, properly attested by the Clerk of the Court, I should think it would be most unlikely that the Warden in charge of the execution would disregard it. In case of such disregard, the court might very properly take cognizance of the matter afterward, but in this case it would be too late to benefit the prisoner. Owing to the peculiar urgency of the case, I should say that every facility will be given the attorney for the condemned for a speedy hearing, whatever the action of the court may be."

WARDEN HALE ADVISED TO PROCEED WITH THE EXECUTION.

SAN QUENTIN PRISON, Jan. 6.—On the eve of the execution of Theodore Durrant, the only indications of the nearness of the final scene in his life's tragedy are the presence of the grim gallows near the condemned cell, and of the unusual number of civilians who are to witness the hanging to-morrow morning.

Durrant passed the day, as he has spent most of his days lately, reading his Bible, praying and pacing to and fro across the condemned cell. Chaplain Drahms administered spiritual consolation this morning, the prisoner joining him in prayer.

This afternoon Attorney Deuprey, of counsel for Durrant, accompanied by United States Marshal Barry Baldwin, came over from San Francisco and served on Warden Hale a certified copy of the bill of exceptions taken to-day in the United States Circuit Court, together with a notice of appeal from the order denying the application for a writ of error. The Warden was asked to defer the execution on the ground that the appeal acted as a stay.

The Warden took the 3:30 boat for San Francisco to consult with Attorney-General Fitzgerald, who advised him to proceed with the execution, disregarding the service, as the questions raised had already been settled, and the new application was frivolous.

This left Durrant only one hope, the Governor having declined to interfere. This was the possibility that Attorney Boardman's mission in Washington might be successful and that he might secure a stay from the United States Supreme Court. Late this afternoon, however, word was received that Justice Brewer had denied the application, and that there was at last absolutely no legal obstacle between the condemned murderer and the gallows.

The prison officials on the receipt of the news were greatly relieved, and everything is now in readiness for the carrying out of the sentence, four times pronounced on the murderer of Blanche Lamont.

Amos Lunt, the hangman, visited Durrant's cell this afternoon for the purpose of taking his measure and determining upon the length of the drop. The machinery of the gallows was tested, and everything found to work smoothly to-day. About 150 invitations have been issued by Warden Hale.

DURRANT PREPARED FOR THE END.

SAN QUENTIN, Jan. 6.—At the request of Theodore Durrant an Associated Press correspondent was brought to-night to the cage-like structure surrounded by a close wire netting in which the condemned man is confined. His mother sat outside conversing with her son in whispers.

Durrant looked well, but his eyes were red from weeping, and his lips were parched. The failure to-day of the various moves in his behalf was referred to.

"It was a great surprise, but I am prepared for it," replied Durrant.

"How do you feel?"

"Hopeful, buoyant, and ready to meet my Maker," answered the condemned murderer. "I know the Lord is with me. No one knows what faith is until it is tried. I am going to a Judge who has never committed a wrong, and who cannot. My faith has been so strong that I have been kept up and will be sustained to the end."

Then, turning to his mother, he said, "Mother, I have come to the conclusion that it needs trial to know God. And you may say that to the world," he added.

A sudden thought seemed to strike Durrant, for he added in a voice different from the earnest religious ac-

(Continued on Eighth Page.)

FOR THE REFORM OF THE CURRENCY.

Representative Overstreet Introduces a Bill in the House

Which is Designed to Carry Out the Plan of the Monetary Commission.

A Comprehensive Measure Embodying in Legislative Form Every Feature of the Recommendations Adopted by the Commission, of Which Ex-Senator Edmunds is Chairman.

WASHINGTON, Jan. 6.—Representative Overstreet of Indiana introduced in the House to-day a comprehensive bill for carrying out the plan of the Monetary Commission for the reform of the currency. The bill was referred by Speaker Reed to the Committee on Banking, and Chairman Walker has arranged to give an early hearing to Senator Edmunds, Chairman of the commission, and perhaps to other members.

The bill contains forty-seven sections and embodies in legislative form every feature of the recommendations adopted. In the early portion, relating to the maintenance of the gold standard, the creation of the Bureau of Issue and Redemption and the gradual retirement of the legal-tender notes are embodied in the bill in almost the same language as in the report. The banking features are more elaborate, and carefully define the character of the guarantee fund for the protection of notes issued upon assets and the manner of redeeming the notes of failed banks. The section dealing with the guarantee fund is as follows:

"Section 2—That every National Banking Association shall at all times keep and have on deposit with the Division of Issue and Redemption, for the purpose hereinafter specified, a sum in gold coin equal to 5 per cent. of its outstanding circulation. The amounts so kept on deposit shall constitute a fund to be known as "the Bank-Note Guarantee Fund," which fund shall be held for the following purpose, and for no other, namely:

"Whenever the Comptroller of the Currency shall have become satisfied by the protest of the waiver, and a decision specified in Section 2556, or by the report provided for in Section 5227 of the Revised Statutes of the United States, that any association has refused to pay its circulating notes on demand in lawful money, he shall direct the redemption of such notes from the Bank-Note Guaranty Fund aforesaid, and such notes shall thereupon be so redeemed. After the failure of any National Banking Association to redeem its notes shall have been thus ascertained the bonds deposited with the Treasurer of the United States shall be sold as provided by law and the proceeds of such sale shall be paid into the Bank-Note Guaranty Fund. The Comptroller of the Currency shall forthwith collect for the benefit of the fund from the assets of the bank, and from stockholders thereof, according to their ability, as declared by this Act, such sums as, with the bank's balance in the Bank-Note Guaranty Fund, shall equal the amount of its circulating notes outstanding. And for this purpose the United States shall, on behalf of the Bank-Note Guaranty Fund, have a paramount lien upon all the assets of the association, and such fund shall be made good out of such assets in preference to any and all other claims whatsoever, except the necessary costs and expenses of administering the same."

The next section of the bill provides that whenever the Comptroller of the Currency shall ascertain what deficiency, if any, lies between the aggregate collections for the benefit of the bank note security fund in the case of any failed bank and the amount of its outstanding notes redeemed and to be redeemed from the said fund, he shall assess such deficiency upon all the National banks in proportion to their notes outstanding at the time of the failure of such bank.

The provision for the assessments of the tax upon the circulation above the authorized limit is as follows:

"Section 25—That every National Banking Association shall pay on or before the last day of every month to the Division of Issue and Redemption a duty imposed at the rate of 2 per cent. per annum upon the average daily amount of its circulating notes outstanding in excess of 60 per cent. of its capital stock, and not in excess of 80 per centum of such capital stock, and a duty imposed at the rate of 6 per centum per annum upon the average daily amount of such notes outstanding in excess of 80 per cent. of its capital stock. Circulating notes of any National Banking Association shall be deemed and held to be outstanding whenever they shall have been supplied by the Comptroller of the Currency of such association in blank, registered and countersigned according to law, and shall have not been returned to the Controller for cancellation or covered by an equal amount of lawful money deposited with the Assistant Treasurer in charge of the Division of Issue and Redemption for the retirement of such notes."

CENTRAL PACIFIC ROAD.

No Steps Yet Taken by the Government Looking to Foreclosure.

WASHINGTON, Jan. 6.—It is said on good authority that up to this time the Government has taken no steps looking to the initiation of proceedings in foreclosure against the Central Pacific Railroad, which is said to have defaulted in its payment to the Government on January 1st.

It is said, however, that a representative of the company recently had a conference with the President, Secretary Gage and Attorney-General McKenna with a view to a final settlement of the company's obligations without placing the road in the hands of a receiver. No definite proposition, it is understood, was made either by the company's representative or the Government, and nothing has occurred beyond the recent informal conference which would indicate that a serious effort was making to avoid a foreclosure suit.

What the Government ultimately will do in the matter cannot be authoritatively stated, but there are good reasons for the belief that it has been the intention for some time to begin legal proceedings soon after the first of the year, in the absence of a satisfactory proposition for a settlement.

Owing to the many claims and counter claims involved, it is not possible at this time to state the exact amount in which the company defaulted on January 1st, but the amount of the due and unpaid principal on that date was $10,614,120. The other items in the account are: Balance of interest due the United States, $35,852,719; bonds redeemed by the Government prior to January 1st, $6,074,000; accrued interest, $504,333. Against this total of $53,045,172, the company has $7,713,050 in cash and bonds in its sinking funds. There also are judgments and claims against the Government unpaid amounting to $2,473,366, which leaves a net balance on January 1st of $43,058,156. On January 1st, 1899, bonds will mature to the amount of $9,197,000, exclusive of accrued interest.

TO IMPROVE THE SACRAMENTO

Colonel Suter's Report Submitted to Congress.

WASHINGTON, Jan. 6.—The Secretary of War has sent to the House the report of Colonel Suter on plans for the improvement of the Sacramento River below Sacramento. The report says to give seven or eight feet of water below the Capital there should be employed both dredging and a system of wing dams and jetties. The points at which the improvement must be made are Iron Horse shoals, at the head and foot of Ida Island, near Clarksburg; Heacock shoals, and opposite and below Sacramento. There is, the engineers say, abnormal width of the river at these points, and the construction of works of piling and brush held in place by rocks would be almost sufficient to give the required depth of water.

The plan advocated is to place parallel rows of piling, between which there shall be masses of brush and rocks. Above these jetties there should be wing dams of brush. These works are contemplated to be supplemented by dredging at points where the natural work of the waters will not scour out a channel.

The engineers estimate that the aggregate length of the works including wing dams, will be 18,650 lineal feet at $261,000. The dredging contemplated would add to this $18,750, or a total expense of $280,000. The report also says the surveys above Sacramento and on the Feather River have not been completed.

A ROBBER KILLED.

Body of Charles Dayton Found Under a Railway Trestle.

ST. LOUIS, Jan. 6.—Charles Dayton, who is supposed to have lived at 115 Fourth avenue, New York, was found dead under a railroad trestle across Canokia Creek in East St. Louis, Ill., to-day. He is supposed to be the robber who was thrown from an Illinois Central train last night after attempting to rob a passenger in the smoking car.

Two men got on the train at East St. Louis just as it was pulling out of the relay depot and took a seat back of the smoking car. After the train had passed the viaduct and was going at considerable speed, the men arose and approached a prosperous looking man who sat about the middle of the car. They asked him to change a bill, and when he drew a roll of money from his pocket for that purpose, one of the robbers grabbed it. In the fight that followed between the robbers and passengers, one of the former jumped from the train and the other was hurled to the ground.

The conductor was informed of the robbery, but did not stop the train. Only $12 was secured by the robbers.

AN EXPRESS COMPANY ROBBED.

DETECTIVES HUNTING FOR A TRUSTED CLERK.

Suddenly Disappears, Taking With Him Money and Bonds Amounting to Over $10,000.

NEW YORK, Jan. 6.—The American Express Company was robbed to-day of $10,502, and Clark Braden, Jr., a trusted employe, is missing. Central officers and private detectives are hunting for him.

Three days ago the night manager in charge of the office at Forty-seventh street and Madison avenue was taken ill, and Braden, a clerk of the company for more than ten years, was temporarily substituted. This office the company uses as a clearing house for all its matter sent or received from the Grand Central Station.

Among the parcels to be sent out on the 6:30 train on the Hudson River road this morning were several containing cash to the amount of $5,582, and one containing five $1,000 Chicago gas bonds. It was Braden's place to take these packages to the train, return to the office and remain on duty until 7 o'clock.

When the day employes arrived Braden was not in the office. There were no receipts for valuable packages by the morning train, although the books showed that several such parcels had been received at the office. At first the absence of Braden and the receipts were set down to be carelessness. But a few minutes later the leather bags which had contained the packages were found under some other freight. They had been cut open and the money and bonds taken.

That the robbery was hastily carried out is shown by the fact that $25,000, mostly in cash, was left in the safe, and that the bonds were taken.

Notices were sent to every bank and financial institution in the country warning them against purchasing the stolen gas bonds. These bonds have a face value of $5,000, but are worth in other markets $5,580. They are for $1,000 each, issued in 1896, and bearing 5 per cent. They are numbered 1603, 1827, 2859, 4000 and 4191.

Braden about three years ago left the company's employ to go West, and for a time was a fish dealer in Oregon. Last summer he returned to New York.

LIVELY DEBATE IN THE HOUSE.

Friends and Enemies of Civil Service Exchange Broadsides.

The Heaviest Guns on Each Side of the Question Brought Into Action.

Grosvenor of Ohio Makes an Elaborate Speech in Opposition to the Law, Paying His Respects to the National Civil Service Reform League and to Carl Schurz, Its President—Johnson of Indiana Defends the Law.

WASHINGTON, Jan. 6.—The friends and enemies of the civil service law exchanged broadsides in the House to-day. The heaviest guns on each side were brought into action. Grosvenor of Ohio and Johnson of Indiana each made exhaustive speeches and kept their respective sides in a constant furore. The interest in the debate was much more lively than yesterday. The crowded galleries, which were plainly in sympathy with the opposition to the law, became so very noisy in their demonstration of approval at one juncture that the Chair was compelled to call them to order. Johnson was warmly sustained by the friends of the law on the floor, but he got very little applause from the galleries. Lloyd of Missouri was the only other speaker. He favored the repeal of the law.

When the House met it promptly resumed the debate on the civil service question. Grosvenor of Ohio took the floor with an elaborate speech in opposition to the law. Grosvenor disclaimed any leadership of the anti-civil service reform forces and any purpose to speak for any officer of the Government, executive, legislative or judicial.

"All efforts to entangle me in a collision with the President," said he, "is as so much powder. If I believed that my relations to the Executive would be changed or modified because I differ with him in any reparative capacity, I would despise him, as he would despise me if I faltered in my convictions."

Grosvenor said he had watched with admiration the President's public career, and one of his most prominent characteristics had always been that he not only did not demand subserviency, but despised a man who sought favors by sycophancy.

Grosvenor proceeded to pay his respects to the National Civil Service Reform League, and to Carl Schurz, its President. His excoriation of the latter was the most scathing that had been heard on the floor of the House in months. He denounced unsparingly those who sought to read out of the Republican party those who did not believe in the civil service law.

With riotic language he sketched the political career of Mr. Schurz, which he characterized as "the checkered, spotted, leprous career of one who betrayed every party and every duty to which he was bound, and whose betrayal should be his only stock in trade in the arena of politics."

He traced Mr. Schurz's political history and defied anyone to point out a spot in his trait which was not tainted with political corruption. Yet, he said, this was the man who with other "political demagogues at Cincinnati, under the name of the National Civil Service League," had denounced him and those who thought with him on this question. He read the resolutions adopted at the Cincinnati meeting, branding them as infamous beyond description.

Grosvenor's description of the habits of the "cuckoo" teemed with and kept the House in a roar.

Grosvenor, in replying to the charge made against himself and his colleagues that they were betraying the Republican party, adverted to what he called the list of traitors among the high priests of civil service reform, at the head of which he placed George William Curtis, who abandoned the Republican party in 1884. He reviewed the platform declarations of the Republican party to show that the present position occupied by the majority of the House was not inconsistent with these declarations.

"For I give the members of the Civil Service Committee notice," said he, "that we have a majority on this floor, and you cannot strangle a majority in the American Congress." (Applause.)

He argued that when the St. Louis platform was adopted the extensions contained in the Cleveland order of May, 1896, had not been understood. It was not until November, 1896, that the enormous scope of that order covering 46,000 officials was publicly declared. The Republicans, coming into power on a platform adopted by these vast extensions, were not in honor bound to agree to them, and it was proper that the President should announce in his message to Congress that there were portions of these orders which never ought to have been made.

Mr. Grosvenor discussed the practical effect of the law and the examinations of the committee, giving many illustrations of applicants who, through years of service, had proved their ability, but who failed to answer questions asked.

One of Mr. Grosvenor's statements which evoked an enthusiastic outburst from the galleries was in the nature of a remark that if members refused to listen to the voice of the people in hostility to this law they would not be members of the Fifty-sixth House of Representatives.

He argued that the people were overwhelmingly opposed to the law, but said that hundreds of thousands of Republicans felt a secret sympathy with Mayor Van Wyck of New York, who announced that none but Democrats would be appointed to office under the new city government. Governor Black had said a few days ago, when the late "unlamented" Republican Government came into power, there were 15,000 Tammany men in office, and when it expired there were still 15,000 Tammany men on the pay roll. The Republicans, Mr. Grosvenor said, had been justly punished for keeping these enemies in their camps.

Mr. Grosvenor professed his adherence to the people of the merit system and theory of examinations for office within certain limitations. "But," he exclaimed, in conclusion, addressing the defenders of the law, "I want to serve notice on you that unless you join us in the correction of the abuses and the reformation of the law, that we will join any portion of the community, legislative, executive or judicial, and destroy the law, root and branch." (Uproarious applause in the galleries.)

Johnson (R.) of Indiana, one of the ardent defenders of the law, followed Grosvenor with an extended argument in support of the merit system. He took occasion to review the history of the civil service, pointing out that previous to the time of Jackson the spoils system did not exist. Men were appointed to office for fitness, yet never was party feeling stronger than then. In England, where the merit system prevailed, party spirit was most vigorous.

It was absurd, he contended, to say that party spirit must be fed upon the bribe of office. He repudiated the statements of the adversaries of the law that Lincoln and Grant believed in the spoils system.

In his review of the records of eminent men on this subject, Johnson became involved in a controversy with his colleague, Landis (R.) of Indiana, and during the cross-firing the galleries became so obstreperous in their approval of the position of the latter that the Chair was obliged to suspend the debate and admonish the spectators that such demonstrations must cease.

In enumerating the evils of the spoils system, Johnson said it made cowards of legislators, stormed the White House, interfered with the departments, stretched into the Capitol and shaped legislation; it exalted the office broker, and attacked, villified and calumniated the conscientious man. Words, he declared, could not do justice to the infamy of this prolific evil, which had debauched the civil service.

It seemed incredible to him that men could dare advocate a return of this saturnalia. The talk of a civil pension, he said, was a bugaboo designed to frighten the defenders of the merit system. A proposition for a civil pension could not command half a dozen votes in either house or secure the executive approval.

Speaking to the Republican side of the House, he told his colleagues that the merit system was a Republican child. While George H. Pendleton was its author in inception, it was a Republican measure. Every Republican Senator and all except seven Republican members of the House voted for it. It has been indorsed by State and National conventions. Cities and States were adopting it. The American people were behind it.

Johnson attributed the present "discordant and the disgraceful scene" now being enacted in Ohio, with its "visions of Senatorships going glimmering," to the scramble for spoils, State and National, and said that the surest way to put Bryan and his black banner in the White House in 1900 would be for the Republican party to be recreant to its trust, and slap in the face those who believed in an honestly conducted service.

Without desiring in any way to reflect upon the present occupant of the White House, Johnson said he was convinced that there could be no genuine civil service reform until by constitutional amendment the President was made ineligible for re-election. As long as he was eligible for re-election he must necessarily be more or less under the domination of machine politics.

After expressing his confidence in President McKinley, Johnson concluded with an eloquent appeal to him to stand by the principle upon the perpetuity of which the permanence of our institutions depended.

Johnson was given an enthusiastic demonstration of approval when he concluded.

Lloyd (D.) of Missouri followed in opposition to the law, which he argued was an attempt to establish an aristocratic Government by establishing an office-holding class.

At 4:50 p. m. the House adjourned.

SENATE PROCEEDINGS.

WASHINGTON, Jan. 6.—While the Senate was in session two hours to-day, practically no business was transacted beyond the passage of a few bills. Among the measures which received favorable consideration were the bills providing for a congress of the representatives of the Indian tribes of the United States to be held at Omaha during the progress of the International Exposition this year; bills providing for the erection of public buildings at Fergus Falls, Minn., and Newport News, Va., and a measure to protect the name and insignia of the Red Cross Society.

When the Senate met Allen of Nebraska called up, and the Senate passed, the bill providing for the holding of a congress of the representatives of different Indian tribes of the United States at Omaha in 1898, and appropriating $45,000 therefor. Some minor amendments to the bill were adopted.

A bill appropriating $175,000 for a public building at Fergus Falls, Minn., was passed.

The bill to protect the name and insigna of the Red Cross Society was passed, Gray of Delaware explaining that Miss Clara Barton several years ago asked that the insignia of the Red Cross Society be protected from those who would use it for commercial or perhaps fraudulent purposes. Under treaty entered into by a majority of the civilized nations of the world, the sign of the Red Cross is known as an insignia of hospital corps or charitable organizations. Other nations had protected the insignia of the society and the United States ought also to protect it.

After some routine business the Senate, on motion of Quay, went into executive session.

COSTLY FIRE IN MICHIGAN.

Eight Million Feet of Lumber Destroyed at Saginaw.

SAGINAW (Mich.), Jan. 6.—Eight million feet of lumber was burned on the docks of the Saginaw Lumber and Salt Company, at Crow Island, eight miles below the city, early this morning, causing a loss of about $120,000. The docks held about 16,000,000 feet, and a large quantity of lumber was piled in the mill yard which the flames did not reach. The mill and salt block was saved with difficulty. The docks and drill house were destroyed. About three-fourths of the loss is covered by insurance. The origin is unknown. There was very little fire fighting force available.

CUBANS IN ARMS WILL NOT GIVE UP.

Gomez Asserts That They Will Never Yield

Until Absolute Independence Has Been Established in the Island.

They Will Admit of No Other Solution of the Present Conflict Than That Whereby Cuba Shall be Recognized as a Member of the Sisterhood of Free Nations.

NEW YORK, Jan. 6.—The "Herald" to-day prints the following letter from General Maximo Gomez, Commander-in-Chief of the Cuban army, dated "In the field, December 26, 1897:"

"You ask me for my opinion regarding what effect the autonomous regime about to be implanted by Spain in Cuba might have toward the pacification of the island. The Cubans in arms do not purpose to give up; shall never yield in their struggle with the metropolitans until they have established their absolute independence. No matter what number of liberties is granted to Cuba by any Spanish Government, even in case Spain should reserve for herself no other right than to keep the Spanish flag over Cuba as a symbol of nominal sovereignty, she will not succeed in ending the war. The Cuban people will admit of no other solution of the present conflict than that whereby Cuba shall be recognized as a member of the sisterhood of free nations.

"In this attitude of absolute radicalism we are sustained by two great motives, which, unified as one single force, impel the Cuban people as a whole as wel las individuals, to adopt the grand resolution of their existence—sentiment and interest; the former because the Cubans feel that they have been profoundly hurt by the horrible war methods employed against them by Spain; the latter because they are all firmly convinced that only as free men will they be able to enjoy peace and command the necessary credit to reconstruct their country which has been devastated by Spain herself. In short, Cuba not only wishes but needs to be free. It is about time that Spanish statesmen should recognize this fact, and, leaving aside all chaotic autonomy, should manfully confront the true problem.

"Let the Spanish nation acknowledge Cuba's independence, which she justly claims, and receive a compensation which is right and equitable. And, even let her claim from our Government some advantages in the Cuban tariff to foster her own industries. Then, and only then, will the rainbow of peace lighten the horizon which is now reddened by the glare of the burning fields and the firing of the cannon."

The "Herald" also prints an interview with General Gomez at a date later than the writing of the above letter. The correspondent found General Gomez in the best of health and spirits and fully convinced that the long struggle is drawing to a close.

"The intransigeants of Cuba," said General Gomez, "have been the only ones willing to continue the struggle, because they feared that Cuban triumph would result in their persecution and the confiscation of their property. They are utterly mistaken. I, Maximo Gomez, whose word has never been broken, assure them of absolute protection.

"I know these people represent the thrifty business element of the island and believe they are destined to rank among the most valued citizens of the republic. The triumph of our cause will bring to them assurance and permission to follow their vocations in peace. There will be no persecution, either political or social. All we ask of them is to help us in building up the fortunes of the island and repairing the waste of war.

"I say the same thing, too, to the Spanish officers in the field. They have been fighting us, not because they hate Cuba, but because they love Spain. They have proved themselves to be loyal sons of the motherland, and when they have laid down their arms we will gladly extend to them the right hand of fellowship. We will bury the bloody past and go forward shoulder to shoulder to build up.

"Cuba's laboring classes have been almost destroyed and we shall need men to till the soil. The rank and file of the Spanish army will fill the gap."

Speaking of terms on which Cuba might win freedom, General Gomez reiterated his statement that Cuba is still waiting to purchase her liberty. It is believed that $250,000,000 would be an equitable amount now. He said he had no doubt that an arrangement could be made with American capitalists to form a syndicate, collect customs duties and pay Spain in installments. In this way, the General said, there would be a positive end to the war by the establishment of friendly relations with Spain.

"When peace is declared," he added, "we want to reckon Spain among our friends."

Referring to the ability of Cuba to carry on the war, General Gomez said his forces were ample and declared that Cuba could continue the fighting even if the soldiers had to go naked; that the war cost the Cubans nothing, whereas Spain's lifeblood is being rapidly drained by her enormous expenses. He spoke in terms of affectionate admiration for America, describing her as the light of Cuba, and said he would welcome intervention as affording an instantaneous solution of the problem, but deprecated annexation, although willing to accept a protectorate.

Bird Again in Custody.

LOS ANGELES, Jan. 6.—R. A. Bird, who was tried a short time ago for forging the name of G. J. Griffith to a check and got out by a hung jury, was arrested again to-day. It was claimed before that Bird had forged a large number of checks with the name of his employer. The contention of Bird's attorney at the former trial was that Griffith, who is a capitalist, could not identify his own signature. Bird was released on $1,000 bail.