she could not be identified and bystanders supposed it to be the body of one of the servants. As soon as Dr. Huth had been relieved at the secretary's bedside he went with Lieutenant Commander Brown to the undertaker's for the purpose of identifying the body, but it was so changed by the action of the smoke and fire that every familiar trace had left her face. Her hair was entirely burned and her features were distorted in the most horrible manner. The only means of identification were the rings upon her fingers and a gold neck chain with which both gentlemen were somewhat familiar, and to be certain they made careful measurements of the body. The identification was corroborated shortly afterward by intimate lady friends and the body taken to the residence of Attorney General Miller, where Mrs. Tracy had been carried a short time before. Miss Tracy wore nothing but her night dress and her stockings. It is presumed that she was aroused by the fire and was trying to make her way to her mother's room when she was overtaken by smoke and suffocated before the flames reached her. The head was singed and blackened and bloody. The hands and wrists were almost destitute of skin and on the contracted and reddened fingers of the left hand glistened four rings. One was a diamond ring, another simply plain gold. A third was a narrow band of blue enamel set in gold and the third was the edge of a $10 gold piece. There was no expression of pain on the features and death must have come before disfigurement.

Mrs. Wilmerding, the secretary's daughter, was picked up from the pavement after she leaped from the window of the second story, and was carried senseless to the residence of Dr. Baxter on Connecticut avenue, in the same block. The body of her daughter, who leaped from an adjoining window, was carried with her. Both were unconscious. Examination showed that they were suffering from the shock and from severe contusions in various parts of the body. The little girl was somewhat burned on her hands and legs and bruised on her right shoulder, where she seemed to have fallen, but no bones were broken. The mother's right arm was badly fractured from the elbow to the wrist. Mrs. Wilmerding did not recover consciousness for some time, but her daughter soon came to herself and went into hysterics. Mrs. Morton, Mrs. Senator Hale, Mrs. Lieutenant Mason and several other intimate friends of the family were soon at the house and took charge of the two patients, who were taken by Mrs. Morton in her carriage to the residence of Lieutenant Mason, in charge of Dr. Rixey of the navy, who has been with them all day. The daughter is rapidly recovering from the effects of the shock, but Mrs. Wilmerding is still lying in a precarious condition. She knows that her mother is dead, but has not asked after her sister, and is not able to explain anything. She can only say that she fled from the fire and smoke and finding the stairway was cut off was compelled to leap from the window.

The bodies of Mrs. and Miss Tracy have been taken to the white house and the funeral services will be held there as soon as the secretary is able to tell his wishes. He will be taken to the white house tomorrow also. The president insists upon it. The president wanted him to go there at first, but it was found impossible to take him any farther than the residence of Mr. Davis.

It rained all day yesterday and all night, and at 7 o'clock this morning when the fire was discovered it was drizzling gently, but by 10 o'clock the sky had cleared, and the streets in front of the ruined house and the residence of Mr. Bancroft Davis, where the secretary lay, were filled with crowds of curious people. Carriages were driven there incessantly to see the occupants or to leave cards and make inquiries. On the steps of Mr. Davis' residence stood a sergeant of marine who received cards, answered questions and prohibited the intrusion of all except the members of the cabinet and other prominent men. Within the ruined house were groups of sailors and marines who had been called from the navy yard, removing to the store rooms of the department such furniture as had not been injured by the flames and water.

RIGHT OF WAY WANTED.

G. W. Holdrege of Omaha, general manager of the B. & M. railroad, is in Washington in reference to procuring a right of way through the new Fort Omaha.

The following statement, which will be laid before the secretary of war by Senator Manderson, explains what is wanted: The B. & M. company has had for several years a line located between a point on its main line about two miles north of La Platte and South Omaha, making a cut-off saving eight miles in distance for freight and passenger traffic between South Omaha and eastern points and forming a direct line between the United States military post and Omaha. Under an agreement with the Union Pacific the B. & M. company will use four miles of the main track of that company, which will be a double track from South Omaha. The Union Pacific will have the privilege of using the B. & M.'s new line between the point of junction with their line and the new post south of Bellevue. The B. & M. company desires at once to construct this cut-off line to accommodate the business of South Omaha and also to furnish better facilities for the business of the new post. The line cuts a few feet into the new fort grounds on the west side, and a careful survey and examination of the topography of the ground convinces the B. & M. company that the interests of the United States post will be best subserved by the construction of the track as now located upon the ground and shown by accompanying maps. The ground slopes so rapidly westward that our line if constructed outside of the west boundary of the post will be on an embankment twelve or fifteen feet high at the point best adapted for a passenger depot for the convenience of the post. The line selected on the other bank fits the surface of the ground in very desirable shape for a depot and such side tracks as the government may want. The land wanted for a right-of-way is in the northwest ¼ of section 2 of the fort grounds and covers four and one-third acres. Other fractions are here described as being desired. A tract of seven and one-third acres between the right-of-way and the west line of the fort forming the west boundary of the southwest ¼ of section 2 the company proposes to buy and give the government in lieu of the ground used as a right-of-way. General Brooke has examined the ground personally and finds no objection to the plan as proposed. The company asks immediate action by the war department on its proposition.

TWO FAVORABLE REPORTS.

The senate committee on public lands today directed Senator Paddock to make a favorable report upon his bill amending the timber culture act. The opposition which the senator met to his bill was when the clause was reached providing that the time for preparing ground and consumed in planting trees shall be considered in the time required for cultivation. Thus the interim beginning with the day on which breaking and preparation for tree planting is begun till the time for cultivation is to be completed in the eight years required by the statute for cultivation of timber culture tracts. The senator overcame this objection and the report of the committee will be united. There is little doubt that the bill will ultimately pass both branches of congress.

THE ARMY.

By direction of the secretary of war the superintendent of the recruiting service will cause twenty-five recruits to be assigned, when available, to the Second infantry and forwarded under proper charge to Fort Omaha for distribution to the companies of the regiment.

MISCELLANEOUS.

A favorable report was today ordered by the house committee on public lands on the bill which has passed the senate creating two additional land offices in Nebraska to be know n as the Broken Bow and Alliance districts. Holman of Indiana, the cheese paring economist, made a bitter fight against the proposition as interpreted to THE BEE dispatches. He presented a protest from people at North Platte and in Logan county and contended that the creation of the two additional districts was simply a scheme of town site boomers and the people were not asking for it. He said further that it was a scheme of the Nebraska delegation in congress to create additional political patronage. The committee, however, decided to sit down upon Mr. Holman and the bill will be reported favorably and passed by the house.

Representative-elect Posey of the First Indiana district arrived tonight. His contest is on the calendar of the house committee on elections to come up this week. There is no doubt that he will be seated.

George C. Greiner was today appointed postmaster at Vistula, Elkhart county, South Dakota, vice W. H. Shellenbarger, removed.

Congressman Pickler has obtained an order from the secretary of war which will send a colored map of all the battle fields to citizens in South Dakota who desire the maps.

Representative Dorsey was today notified by Assistant Postmaster General Clarkson of the change of site for the postoffice at Capsy, Neb., and the appointment of Thomas McAlexander as postmaster; also the appointment of Frank Farrell, postmaster at Carns, Keya Paha county, Neb.

PERRY S. HEATH.

AFTER A LONG SEARCH.

Capture in Chicago of a Notorious Foreign Swindler.

CHICAGO, Ill., Feb. 3.—[Special Telegram to THE BEE.]—After a search of over two years the government, aided by detectives, has run to cover an alleged criminal refugee from Europe and have him in custody. The prisoner's name is Johann Kepowski, alias Rudolph Schulze, and he is wanted on the charge of robbing the German government of 15,000 marks. The robbery is said to have been committed over two years ago, when the accused was in the employ of the German government in the royal court district of Schneidemuell, Prussia. After hiding in his own country for a while he fled to America and succeeded in eluding the vigilance of the detectives until last night he was captured on Milwaukee avenue by a Pinkerton man. He was taken to the Pinkerton headquarters, and, it is reported, has made a full confession. He was kept in custody at Pinkerton's until this afternoon, when he was brought before Commissioner Hayne. The prisoner made no defense and was committed to jail to await the action of Secretary of State Blaine.

EXCITEMENT AT PIERRE.

Two Men Arrested for Entering the "Mile Square."

PIERRE, S. D., Feb. 3.—[Special Telegram to THE BEE.]—Today a great sensation was caused when it was learned that W. H. Keppart, a reporter on the Daily Free Press, had gone across the river to Fort Pierre with Fred Pettigrew, a resident there, and brother of United States Senator Pettigrew, and had been arrested by a sergeant by orders from the colonel commanding troops there, and escorted to this side by a detachment of soldiers. The officer commanding, Colonel Tassin, has also issued a public warning against any newspaper reporters or representatives whatsoever crossing the river on to the reservation, with orders that if they disobey they will be put in the guard house. Recently Colonel Tassin published a communication in the daily papers in this city, stating that all public improvements of every nature had been prohibited on the "mile square," and no new settlers would be allowed to go on, but that those already there would not be molested. It was discovered, however, that certain Fort Pierre men were going ahead with improvements and building houses on the best lots on the townsite for the purpose of holding them, contrary to orders.

JUST ABOVE WATER.

An Engineer Pinned in a Cab—Trying to Save Him.

PEORIA, Ill., Feb. 3.—This evening as the Ohio, Indiana & Western freight train started to go over the bridge spanning the river at Bridge junction, the first span suddenly gave away, precipitating the engine, tender and three cars into the river. Fireman O'Brien and Brakeman Lewis were instantly killed. The engineer was pinned in the cab with his head just above water. Physicians have worked all night doing all they could for him. He is still alive, but there are no hopes of getting him out. The surgeons would cut his legs off if they could reach them, but cannot on account of the wreckage. As it is they are applying hot water and administering brandy in the hope of possibly keeping him alive until something can be done.

It is said the passengers on the Peoria, Decatur & Evansville train, which went over the bridge fifteen minutes ahead of the wreck, felt the bridge sagging.

ON ITS FEET AGAIN.

The Sixth National Bank Opens for Business Today.

NEW YORK, Feb. 3.—The new board of directors of the Sixth National was elected today and Leland, who has taken back all his stock, was elected president, and Colson cashier.

The Sixth National bank during the day reorganized its directory, Leland being restored to the presidency. The bank is now solvent and will be open for business tomorrow. Examiner Hepburn, upon his own suggestion, received permission from the comptroller to turn the securities over to the new directory.

A secret meeting of the New York bankers with federal and state officials was held tonight. As a result of the conference it is announced that the Equitable bank will be opened tomorrow and the Lenox Hill two days hence.

EIGHT HUNDRED FEET HIGH.

A Steamer Reports a Terrible Voyage and a Big Iceberg.

HALIFAX, Feb. 3.—The steamer Washington City, from Hamburg to Philadelphia, put in here short of coal and reports a terrible voyage. A number of sailors were badly injured. On January 18 the chief officer was swept overboard by a tremendous sea and miraculously returned by another. He was, however, thrown against the rail and received terrible injuries. The steamer's fires were put out by the heavy seas and she nearly foundered. She passed through vast ice fields and saw an iceberg 800 feet high and a quarter of a mile long.

Nebraska, Iowa and Dakota Pensions.

WASHINGTON, Feb. 3.—[Special Telegram to THE BEE.]—Pensions issued to Nebraskans: Original invalid—John Urvin, Omaha. Increase—Joseph A. Walsh, Franklin; Brice P. Munns, David City; James Neary, Decatur; Henry G. Rise, Omaha; J. T. Conklin, Niobrara. Original widows, etc.—Roxa A., widow of John Smith, Lincoln.

Iowa pensions: Original invalid—Andrew P. Lief, (deceased) Salina (navy); Merritt Dawson, Forest Mills; John Sullivan, Missouri Valley. Restoration—Abraham Yondt, Dumont. Increase—William H. Canfield, Lake City; Harrison T. Lathrop, Bidwell; William Williams, Manchester; Robert C. Ryder, Mt. Ayr; John Bandy, Fairfield; James J. Chew, Logan; Samuel Donaldson, Audubon; Westerly Shanafelt, Martinsburg; Charles A. Conger, Seymour; Benjamin Owen, Iowa City; James Gardiner, Baxter; William Bishop, Onawa; John W. Moore, Des Moines; Thomas G. Gibbons, Saratoga; William Ratch, Elkport; Joshua Crudred, Wyoming; John A. Phillips, Knoxville. Reissue—Charles H. Brookshare, Eldon; George W. Carr, Independence. Reissue and increase—Levi Sylvester, Albia. Original widow, etc.—Ellen Lackey, former widow of Destirg J. McCallister, Clear Lake; Caroline C., widow of Andrew P. Lief, Silma.

South Dakota pensions: Original invalid—Charles H. Gates, St. Lawrence; Horace S. Cook, Huron. Increase—James W. McCarthy, Deadwood; William O. Main, Wilmot; Erick Iraen, Palisade. Reissue—Richard J. Hewett, Wakond. Original widow, etc.—Maramie T., widow of Amasa J. Dickenson, Huron.

A San Francisco Murder.

SAN FRANCISCO, Feb. 3.—Mark M. Herr, a son-in-law of John A. Benson of this city, was shot and killed this evening by J. J. Naughton, secretary of the Guarantee endowment loan association. Herr was the agent of the company. He was at one time assistant sergeant-at-arms of the national house of representatives. The cause of the killing is believed to involve the funds of the company.

Bloodier Than the French Duel.

BROWNSVILLE, Tex., Feb. 3.—Last night two Mexicans, Leodoro Munez and Diego Agullan, fought with Eugene Sanchez and another party unknown and both of the former were mortally wounded.

Passenger Cars Destroyed.

OTTAWA, Ont., Feb. 3.—Fire this morning burned a shed belonging to the Canadian Pacific Railway company in which were a number of passenger cars. The total loss is $60,000; insured.

CONTESTANT SMITH SEATED.

For the First Time a Republican Quorum is Present.

IDAHO'S TEST LAW UPHELD.

Sectarian Sanction Cannot Make Polygamy a Virtue—The Hearing Resumed in the Ohio Ballot Box Case.

House.

WASHINGTON, Feb. 3.—In the house today the journal having been read in extenso at the demand of the democrats, O'Ferrall of Virginia and McKinley of Ohio were upon their feet, the former with a motion to correct the journal and the latter with a motion to approve that document. The speaker recognized McKinley, but subsequently, on O'Ferrell's statement that he was acting in good faith, recognized that member, who stated that the journal contained no reference to the fact that the speaker, Saturday last, would not allow him to read the evidence in the election case as a part of his remarks. The speaker said that that was not exactly in the form of a ruling, but that the journal would be amended to show the fact. Mr. McKinley then demanded the previous question on his motion to approve the journal. The vote stood—yeas, 154; nays, none, and the speaker entered upon the journal the names of a dozen democrats present and not voting. He then declared the previous question ordered. On motion to approve the journal the same practice prevailed, the democrats refraining from voting, and the motion was carried by a vote of yeas, 158; nays, none.

The Smith-Jackson contested election case was then resumed after the speaker had refused to entertain dilatory motions, O'Ferrell of Virginia was recognized to continue his argument in support of the claims of the contestee in the Smith-Jackson case. After arguing the case, O'Ferrell said he did not believe the time had yet come, and God grant it might never come, when the American people would tolerate autocratic power, whether wielded by the president or by the speaker of the house. He protested against this cruel and wicked and unconstitutional violation of the rights of the majority. Let it go out and let all give ear to the declaration that necessity, the tyrant's plea, was offered as the only excuse for this unseemly, unprecedented and unconstitutional proceeding of him who for a brief season would preside over the deliberations of this body. He said "brief season," for as sure as the sense of justice still dwelt in the hearts of the American people, as sure as the citizens of this land were still jealous of their rights and looked with alarm on the slightest encroachment upon them, just so sure would the democrats return to power in the Fifty-second congress, or there would be no usurper, autocrat or dictator occupying the speaker's chair.

Mr. Greenhalge of Massachusetts said that after the distribe of the gentleman from Virginia, it might be well to consider the question before the house involving the right of a member to his seat. He then proceeded to present the claims of the contestant.

Mr. Outhwaite, after arguing in support of the contestee, defended the democratic party in attempting to postpone consideration of the case and argued that it was perfectly proper for it to seek protection under a code of rules.

Mr. Lacey of Iowa advocated the claims of the contestant, and Mr. Moore of Texas those of the contestee.

Mr. Wilson of West Virginia, while not addressing himself especially to the consideration of the election case, made an entirely good humored speech in criticism of the recent rulings of the speaker which elicted great applause and laughter from both sides and the speaker could not himself repress an occasional smile.

Mr. Wilson said he could now tell what parliamentary law was. General parliamentary law made it possible not only for a one-eyed man to be speaker but for him to be at an advantage, especially if the blind eye happened to be toward the side of the house where the minority sat. In the new era under general parliamentary law the lobbyist would not be obliged to go around and give checks to individual members. The speaker passed the bills, the speaker approved the journal, and the lobbyist would not bother with the members but "see" the speaker. At the conclusion of Wilson's remarks the question recurred on ordering the previous question on the adoption of the report of the committee on elections and it was ordered—yeas, 166; nays, 0.

This is the first time since the meeting of congress that the republicans have had a quorum voting, and the result was received with applause. The only absentees on the republican side were Mr. Caswell and Mr. Wilber, both of whom are sick. Four roll calls were required before the final vote on the seating of Smith, the contestant, but at the end he was declared entitled to his seat by a vote of yeas, 166; nays, nothing. Amid republican applause Smith appeared and took the oath of office, whereupon Mr. Springer sarcastically inquired whether this was the proper time to make a motion to adjourn. With a similar intention of sarcasm the speaker replied in the affirmative and the house accordingly adjourned.

Senate.

WASHINGTON, Feb. 3.—Immediately after the reading of the journal Mr. Cameron announced the recent deaths in the families of two members of the cabinet and moved an adjournment, which was agreed to unanimously.

IDAHO'S TEST OATH.

The Supreme Court Decides That It is Constitutional.

WASHINGTON, Feb. 3.—The supreme court of the United States today rendered an opinion affirming the constitutionality of the Edmunds-Tucker idaho test oath, intended to prevent Mormons from voting.

The court in the opinion says: "Bigamy and polygamy are crimes by the laws of the United States and Idaho. They tend to destroy the purity of the marriage relations, to disturb the peace of families, to degrade woman and to debase man. Few crimes are more pernicious to the best interests of society and receive more general or more deserved punishment. To call their advocacy a tenet of religion is to offend the common sense of mankind. To extend exemption from punishment for such crimes would be to shock a moral judgment of the community. It is assumed by counsel for the petitioners that because no mode of worship can be established by law or religious tenets enforced in this country, therefore any form of worship may be followed and any tenets, however destructive of society, may be held and advocated if asserted to be part of the religious doctrines of those advocating and practicing them, but nothing is further from the truth. While legislation for the establishment of religion is forbidden and its free exercise permitted it does not follow that everything which may be so called can be tolerated. Crime is not excusable because any particular sect may designate it as religion."

The court also rendered an opinion directing the court of claims to enter judgment for $11,788 in favor of John S. Mosby in his suit against the United States for consul fees turned over to the government which he claimed belonged to him.

OHIO BALLOT BOX CASE.

The Investigating Committee Resumes—Campbell Testifies.

WASHINGTON, Feb. 3.—The house committee investigating the Ohio ballot box forgery began its hearings again today. Representative Whiting of Michigan denied the genuineness of his signature to the ballot box contract. He told what he knew about Walters, who procured a number of signatures for Wood. He had no suspicion that anything was wrong with Walters, and had confidence in his character.

Powell Crossley, formerly associated with Butterworth in the practice of law, said Wood told him in 1888 about his ballot box scheme; that John P. McLean and T. C. Campbell were engineering it and were going to have a democratic congressman introduce the bill. He had no intimation that Butterworth had anything to do with the ballot boxes and he believed Butterworth did not know Wood until after the publication of the papers.

Governor James E. Campbell of Ohio was handed the forged paper and declared that he had never seen it until that minute. He always wrote his name in full, "James E. Campbell." After he heard Wood's statement that he had gotten hold of a letter signed J. E. C., he made up his mind that Wood had used the initials and filled in the name in making the forgery. Witness sometimes signed "J. E. C." to short notes. He was never interested in the ballot boxes or any contract bearing upon them. He introduced a ballot box bill at the request of T. C. Campbell. Campbell brought one of the ballot boxes to Washington and said the election committee was going to deal with the subject of ballot boxes and he wanted to get his ballot box before them. He had spoken to Representative Grosvenor and now came to him, (J. E. Campbell) as a democratic introduction would give the bill a better standing. Just before his speech in Cincinnati, October 4, a reporter for the Cincinnati Post showed him a card from Halstead reflecting upon him (witness) and he had said: "Halstead is a liar and if he can prove anything of that kind I will get off the democratic ticket."

Adjourned until tomorrow.

STATE NEWS.

A Gage County Pioneer Gone.

WYMORE, Neb., Feb. 3.—[Special Telegram to THE BEE.]—William Tyler died of old age at his residence at Blue Springs last night. He was born in Pennsylvania in 1801. He came to Nebraska in 1859 and has been a resident of Blue Springs since that time. He was familiarly called "Pap" Tyler by every one. He was a veteran of the Mexican and civil wars. He has been one of the judges of election and has carried the election returns from Blue Springs township to Beatrice for the last twenty-eight years. By his death Gage county loses one of her most respected citizens. The funeral services will be held at the Evangelical church in Blue Springs and will be largely attended by citizens from all over the county.

An Insurance Agent Disappears.

BLOOMINGTON, Neb., Feb. 3.—[Special Telegram to THE BEE.]—Parties from Franklin were at the courthouse here today looking up the affairs of Asa Moler, a real estate, loan and insurance agent of that place. It is feared that he has left for parts unknown, leaving numerous creditors in the lurch. It is reported that one cause of his leaving was that he had failed to report to the Phoenix insurance company of Hartford the application of S. Conklin, jr., whose residence burned a week ago yesterday, an account of which appeared in THE BEE. He left town the next morning, ostensibly to canvass for the Franklin Republican, and the last heard of him was in Riverton the day following. He was reelected assessor last fall for his third term. His accounts with the county are all right.

Creighton's School Money.

CREIGHTON, Neb., Jan. 3.—[Special to THE BEE.]—The school board of this district are having considerable difficulty in getting the share of the school money apportioned in December belonging to them. Ex-County Superintendent Clair, it seems, has cancelled the amount due this district and did not propose to give it up. By the prompt action of the board, however, the county treasurer has been enjoined from paying out any of the state apportionment and the matter will be argued before the judge of this judicial district on the 10th inst., at Norfolk. The question involved is whether a prejudiced superintendent can control the public school moneys at will or not.

A Shooting Scrape at Covington.

DAKOTA CITY, Neb., Feb. 3.—[Special Telegram to THE BEE.]—A row took place in McGoflin's saloon in Covington last night in which George Smith indulged in a little shooting. He shot two brothers named Wallace and badly beat another man, name unknown, with the butt of a revolver. One of the Wallace boys was shot through the thigh and the other through the head, inflicting a severe scalp wound. Smith claims he done the shooting in self-defense. He will have a hearing tomorrow. The three men that were hurt are employed in Silverhorn's packing house in Sioux City.

A Farmer's Wife Disappears.

DAKOTA CITY, Neb., Feb. 3.—[Special Telegram to THE BEE.]—Mrs. Hazen Hicks, wife of a farmer living about ten miles from here, disappeared very suddenly Saturday night and no trace of her has been found yet. She left the house to get an armful of wood, and that is the last time she was seen. Her footprints were traced to an air hole in the Missouri river, where all trace of her was lost. It is thought she has committed suicide, as she is slightly demented at times. She was in an asylum once, but was sent away as cured. She leaves her husband with a family of four small children.

Burial of Ex-Representative Hick.

SEWARD, Neb., Feb. 3.—[Special to THE BEE.]—Hon. Henry Hick was buried yesterday in Seward. He was elected to the Nebraska legislature in 1880 and again in 1886, and was always a Van Wyck man. He was forty-seven years old and a native of Germany, coming to this country at the age of ten. He served through the war in a Wisconsin regiment.

A Gambler Nabbed.

DAKOTA CITY, Neb., Feb. 3.—[Special Telegram to THE BEE.]—Sheriff Brown of Cedar county arrested William Marshall here last night. Marshall is wanted in Hartington for gambling and numerous misdeeds committed last summer. He left Hartington very suddenly last fall and the officers could find no trace of him until lately, when the sheriff found out that he had been frequenting the gambling houses in Covington and nabbed him.

A Catholic Church Burned.

BELLWOOD, Neb., Feb. 3.—[Special Telegram to THE BEE.]—The Luxenburg Catholic church, five miles east of Bellwood, was burned to the ground last night. The church was built about six months since at a cost of about $7,000. No insurance. It is supposed to be the work of an incendiary.

A Norfolk Mason Honored.

NORFOLK, Neb., Feb. 3.—[Special Telegram to THE BEE.]—Norfolk has been again favored. S. W. Hayes of this city has received a commission from the grand commandery of Knight Templars of Mississippi conferring upon him the rank of grand generalissimo and is representative in the grand commandery of Nebraska.

Taken to the Reform School.

HASTINGS, Neb., Feb. 3.—[Special Telegram to THE BEE.]—Emma Downing, the fifteen-year-old daughter of Ezra Downing, was taken to the state reform school today. The young lady is inclined to be fast, having recently attempted to skip out with a railroad man at McCook, and has figured in several other disgraceful affairs.

Jailed For Burglary.

FAIRMONT, Neb., Feb. 3.—[Special Telegram to THE BEE.]—George Metz was arrested today for burglary and placed in the city jail. Hardly a day has passed since last fall but what some one has missed articles of property of more or less value and today a trap was laid by which young Metz was caught.

Verdict in the Dittman Case.

PHILADELPHIA, Feb. 3.—The coroner's jury in the case of Banker Dittman returned a verdict this afternoon that Dittman came to his death by accidental drowning, notwithstanding the fact that the coroner's physician testified that his autopsy led him to believe the deceased committed suicide by drowning. The payment of a $5,000 accident insurance hinged on the determination of the cause of his death, whether accidental or a suicide.

Judge Martine's Charge.

NEW YORK, Feb. 3.—Judge Martine, in charging the grand jury today, called its attention to the wrecked banks and stated that the matter would be fully presented to them.

Business Troubles.

CHICAGO, Feb. 3.—The George S. Cline publishing company made an assignment today; liabilities, $47,000; assets, $24,000.

AN ADDRESS TO THE COUNTRY

The Democratic Side of the House Controversy.

A DANGEROUS INNOVATION.

Speaker Reed's Course Declared to Be Without Precedent, Tyrannical and Inimical to the Interests of the Nation.

The Minority's Defense.

WASHINGTON, Feb. 3.—An address to the country explaining the position of the democratic members of the house has been prepared by ex-Speaker Carlisle and will be signed by all the minority members tomorrow. The address says, in part:

"Although nearly two months have elapsed since the committee on rules was appointed it has made no report except a partial one made on the 9th of December, and consequently the house has been compelled to conduct its business without any rule or system except general parliamentary law as construed by the speaker. The American house of representatives has been during all this time, and still is, as far as rules for its government are concerned, in precisely the same condition as a popular meeting or political convention in which the chairman and his partisans absolutely control all the proceedings. No measure can get before the house for consideration unless the speaker chooses to allow it to be presented, and the members have no means of knowing in advance what they are to be called upon to discuss or to decide. This is the first time in our history that a legislative assembly or even a public meeting has attempted to transact business for any considerable period without a regular code of rules prescribing the order of proceedings, and the inconvenience and injustice resulting from such an attempt has been forcibly illustrated in the present instance. This personal and partisan domination of the house was submitted to, though not without repeated protests until we became convinced that it was the deliberate purpose of the speaker and his supporters to proceed without rules to oust the democratic members whose seats are contested to admit their republican opponents, whether elected or not.

"On Wednesday, January 29, the committee on elections called up a contested election case and the democratic members determined that in the absence of rules it should not be considered if they could prevent it by any parliamentary proceedings. Accordingly they raised a question of consideration, demanded the yeas and nays and on the call of the roll refrained from voting. The result was that less than a constitutional quorum voted, but the speaker, in violation of the uniform practice of the house for more than a century, proceeded to count the members who were present, but not voting, and declared that the house decided to take the case up. From this decision an appeal was taken and on motion to lay the appeal on the table the yeas and nays were taken and less than a quorum voted, but the speaker again counted the members not voting and decided the motion agreed to and his ruling thereby sustained.

"The constitution of the United States provides that a majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members in such a manner and under such penalties as each house may provide. Another clause of the constitution requires each house to keep a journal of its proceedings and provides that when one fifth of the members present desire it the yeas and nays shall be taken on any question and entered on the journal. Since the beginning of the government under the constitution, more than one hundred years ago, the house of representatives and the senate have uniformly construed the first clause of the constitution quoted above to mean that a majority of all the members-elect must be present and actually participate in the transaction of business, and that whenever, upon the call of the yeas and nays, it appeared from the journal, which is the only official record, that less than a constitutional quorum voted on any proposition the vote was a nullity, and no further business could be done until the requisite number appeared and voted. In order to secure certainty and stability in the administration of law it is a rule in our jurisprudence that when any particular construction of the constitution or any statute has been for a long time acquiesced to, not only by those whose duty it is to execute it, but also by those whose personal and property rights are affected by it, the courts will recognize it as a true construction. Even if this were an original question it would not be difficult to show that the practical construction of the constitution which has prevailed in the house and senate for over a hundred years is the correct one. Speaker Reed himself, when in the minority on the floor of the house, stated the true meaning and the true philosophy of the constitution when he said:

"The constitutional idea of a quorum is not the presence of a majority of all the members of the house, but a majority of all the members present and participating in the business of the house. It is not their visible presence, but their judgment and votes which the constitution calls for.'

"General Garfield, Mr. Blaine, Mr. Conger, Mr. Robeson and other eminent republicans have taken the same position. When, therefore, the present speaker repudiated this settled construction of the constitution we consider it our duty, as a part of the representatives of the people, to enter our protest in every form available to us under the circumstances. We are not contending for the right of the minority to govern, as the supporters of the speaker have endeavored to make the country believe. On the contrary we are denying the right of the minority to eject members from their seats or to pass laws for the government of the people. Under the constitution a majority of the members of the house constitute a quorum to do business, and we are simply insisting that less than a majority shall not do business. We are contending that the majority shall take the responsibility which properly belongs to them and shall come into the house and vote if they desire to control the proceedings; and we are protesting against their right to carry their measures by counting us when we do not vote. The claim of the majority that they have the right to govern the house without attending its sessions and taking part in the conduct of its business is too preposterous to require refutation. It must be evident to any one who understands the position taken by the democratic minority in the house that it cannot possibly result in any injury to the country or any injustice to the majority. Its only effect will be to compel the republican majority elected by the people to assume the responsibility imposed upon them. On the other hand no one can foresee the evils that may result from the inauguration of the practice of counting votes not cast in order to make a quorum. Under it a minority of the members elect to the house and senate may pass the most tyrannical laws for the oppression of the people and the most corrupt laws for the spoliation of the public treasury. Whether so intended or not its direct tendency is to break down the barriers heretofore existing for the protection of the citizen against the encroachments of autocratic power and the spoliation of the treasury by destroying the limitations which the constitution has wisely imposed upon the legislative department.

"Constitutions are made to restrain majorities and to protect minorities. A majority ruling without limitation or restraint upon its power is a pure despotism and is inconsistent with our system of government."

Awaiting the Proclamation.

CHAMBERLAIN, S. D., Feb. 3.—[Special Telegram to THE BEE.]—Persons who intend settling on the Sioux reservation as soon as the proclamation opening it is issued are arriving here in large numbers. Supplies, etc., have been purchased by them and they have placed themselves in readiness to move at a moment's notice. Agent Anderson of the Lower Brule and Crow Creek agencies, in view of the great rush that will take place when the lands are opened, has telegraphed the department to send him troops to keep order in case of an emergency. The crowd now here is very orderly and good feeling exists. No attempt will be made to go upon the land until they can do so legally.

HURRICANES ON THE BANKS.

One Newfoundland Fishing Schooner Supposed to Be Lost.

GLOUCESTER, Mass., Feb. 3.—Fishermen arriving here state that a series of heavy gales, increasing at times to hurricane force, have swept over the Newfoundland banks for the last six weeks. So far as known the only vessel among the fleet that is overdue is the schooner Alice M. Strople, which sailed from this port December 6. She was spoken January 3, but since then she has not been heard from and her owners have given her up for lost. She carried a crew of fourteen men.

Colored Men's Convention.

WASHINGTON, Feb. 3.—The colored men's convention began its sessions here today. Colonel Perry Carson called the convention to order and said, among other things, that the suppression of the negro vote in the south had become the prime object of those who were lately in rebellion and they had succeeded in their nefarious work so well as to give the democratic party thirty-seven more electoral votes than it was entitled to.

E. P. McCall was elected temporary president and Calvin Chase of the Washington Bee temporary secretary.

Recorder Townsend of the general land office delivered the address of welcome, in the course of which he attacked Senators Morgan and Butler for their course in seeking the deportation of the negroes from this country, and predicted a bright future for the colored race.

The Visible Supply.

CHICAGO, Feb. 3.—The visible supply for the week ending February 3, as compiled by the secretary of the Chicago board of trade, is as follows:

	Bushels.
Wheat	31,489,000
Corn	11,919,000
Oats	5,157,000
Rye	1,513,000
Barley	1,894,000

Goff Has a Chance.

WHEELING, W. Va., Feb. 3.—A Charleston special says: The summary of the evidence before the investigating committee on the bribery charge made by Delegate Horr of Marion county, shows there is very little in the charge. Stollings, who is the man charged with attempted manipulation of Horr, went on the stand and made a sweeping denial of the matter. If the joint assembly come to a vote tomorrow, Goff, it is claimed, will be elected, as two democrats have openly said they will vote for him.

Several Sailors Drowned.

NEW ORLEANS, Feb. 3.—The British steamship Black Prince from Wales at Coatzecalcos was detained off the bar at that port from January 1 to January 29. During that period a boat while attempting to cross the Coatzecolos bar was swamped and two seamen drowned. Another boat sent to the occupants of the first boat was also swamped and the second officer and one seaman also drowned.

A Socialist Riot.

BERLIN, Feb. 3.—During the socialist electoral meeting at Stassfart while Deputy Heine was speaking an overflow from the meeting collided with the police and a free fight followed. Knives and stones were used. The police fired with blank cartridges without effect. Ball cartridges were then used, and one woman was killed and several wounded. A number of police were stabbed.

Why Bismarck Resigned.

BERLIN, Feb. 3.—The National Zeitung says Prince Bismarck resigned the post of minister of commerce because of the excessive and burdensome increase of the duties of that post and the growing necessity of restricting the sphere of his activity. He also recommended the appointment of Von Bedepsch.

A Bloodthirsty Hasher.

Peter Lannon, a waiter in the Denver chop house, was jailed last night for roaring around, flourishing a great butcher knife and threatening to carve two other waiters named McCarthy and Fielder.

Steamship Arrivals.

At Philadelphia—The British Prince, from Liverpool; the Gothia, from Hamburg.

At New York—The Thingvalla, from Stettin; the America and Celtic, from Liverpool; the Gellert, from Hamburg.

President of Columbia College.

NEW YORK, Feb. 3.—The Hon. Seth Low was installed president of Columbia college today at the Metropolitan opera house.

A FOOL'S REVENGE.

The Idiotic Caper Cut by a Thirteenth Street Man.

The fool killer will find a healthy, robust victim this morning by calling on Robert Wallace, 524 South Thirteenth street, Cunningham block. Wallace is a great, blubbering ignoramus who became displeased at some trifling thing that his over-worked, feeble wife happened to say last night, and, going up to her, said in a poo hoo fashion, "Now you just better not talk that way—better not say such things to me or I'll commit suicide!" The wife, a very sensible appearing little woman, replied: "You better try it—I think you'd make a sweet, beautiful corpse!"

A little while after this bit of scene Wallace came into the room where his wife was, and exclaimed, "I have taken poison! Good-bye! I'm going down on the sidewalk to die!" And then he skipped out. The thought that the simpleton might actually have taken a dose of poison induced the wife to fly down stairs and call for the police. Officer Dillon responded, and Mrs. Wallace told him what had occurred, and the officer flew for a doctor. In the meantime Wallace, then in charge of the officer, spit out a great mouthful of what was found to be morphine. When his wife and the doctor returned the gilly told them that he didn't intend to kill himself, but just wanted to scare his wife into being good to him.

Mrs. Wallace asked the officer to lock Wallace up, but the star declined to honor her request. "Well, just let him cut such a caper again," exclaimed the plucky little woman, "and I'll give him such a shaking up that he really will want to poison himself!"

Madame Blanch, the lady mind reader and second sight seer, arrived yesterday. She is spoken of by our eastern exchanges as a wonderful woman. She has a suite of parlors at No. 322 N. 16th, S. W. corner of Chicago and 16th, where she can be consulted in confidence. Her parlors are so arranged that one party need not meet another. She is very reliable. Lost or stolen property and mysterious disappearance a specialty.

Talmage Arrives.

NEW YORK, Feb. 3.—Rev. Dr. Talmage, with his wife and daughter, arrived today on the Aurania, from Liverpool.

Auction. Chattel Mortgage. Auction.

317 So. 13th, Wednesday, 10 a. m. The entire contents of a 10-room house, seven bedroom suites, folding beds, parlor and kitchen furniture, carpets, silverware, etc. Must and will be sold, come early. R. Wells, Auctioneer.

A Natural Mistake.

A Utica physician has to bear the banter of his medical friends on account of a natural mistake that he made recently. A patient called to be treated for a severe cold, says the Troy Press. He described his troubles at length, the doctor advised him to go home and soak his feet in hot water. "That will do no good," was the reply of the sick man. "How is that?" asked the doctor, a little put out. "My legs are rock," said he, with a smile. The doctor did not fail to appreciate the force of the reply.

DR. O'REILLEY'S ACCOUNTS.

Mayor Cushing Says They Were Found to Be in Perfect Shape.

THE RUMORS OF A D