

THE OMAHA DAILY BEE

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THE BEE PUBLISHING COMPANY.

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Sworn to before me and subscribed in my presence this 31 day of December, 1894.

N. P. FELL, Notary Public.

The train robber seems to stand with the few successful business men of the day.

Nebraska is not at all anxious to rob Louisiana of her laurels as the lottery state.

A little cabinet pudding is relished once in a while as a contribution to Nebraska's back number history.

It is just Thurston's luck that there is not a political bone at his disposal—not even a place for a superintendent of cuspidors.

Prepare for the annual controversy between the Board of Education and the city council as to the size of the tax levy for school purposes.

Senator Hill's new partnership with President Cleveland has left his relations with his former associate, Senator Gorman, in a rather strained condition.

The democrats in congress will soon be united on the currency question—as soon as they shall have been relieved of the responsibility for solving the problem.

John M. Thurston now reads his title clear to a seat in the United States senate. The public declaration of that fact in joint convention at high noon will be a mere matter of form.

President Casimir-Perier of France is having his first experience with a ministerial crisis. But it won't be his last if he is permitted to serve out the full presidential term for which he has been elected.

Bryan received 80,472 votes for United States senator through the ballot box, but only seventeen of these were cast for him in the legislature. Moral: Public debates do not always materialize into legislative votes.

If J. Sterling Morton's visit to Omaha does not settle the little matter of the Omaha postoffice it is feared there may be a small sized insurrection among the long lines of the faithful who have been so patiently waiting for the plum to come their way.

True, Omaha must have a market house and auditorium. When the Commercial club takes up this enterprise, however, it must expect opposition at the hands of dealers in vegetables and provisions who have long stood in their own light on this important proposition.

A delegation of prominent Chicagoans has gone to Washington to get a new postoffice building from congress. They have taken two moving vans along and expect to bring the new building with them on their return in order to make certain that it does not get lost on the way.

Bill Cook says he is captured. Bill ought to know. But then we cannot help having a lurking suspicion that Bill may turn up in some distant part of the country pretty soon and assert that he is still free and untamed and ready to go through a few more hair-breadth escapes.

It was Charles F. Weller who a few years ago led the fight for the abolition of the 5-cent bridge differential on freight shipments as between this city and Council Bluffs. As president of the Commercial club Mr. Weller is well equipped to push the contest for equalization of rates.

Major Clarkson is again on his high horse marshaling a political procession. The question is will he rank the ninety-seven members of the legislature who wear those Thurston badges, or does he come in just after the last one of the ninety-seven for his share of the substantial recognition?

Every department of city government with one or two exceptions has sent in estimates for next year's expenses that are at least as large as they were last year. This means that the tax rate for the coming year can hardly be any smaller than at present unless material economies are forced upon the municipal administration.

The spirits out in Valley, Neb., appear to have given up the finding of Barrett Scott as a bad job or at any rate they have failed to make good their promise of last Saturday to explain his disappearance within forty-eight hours. It looks as if it will take the best efforts of the most ingenious men to unravel the mystery and that they will have to depend upon their own resources without help from the spirit world.

IOWA RAILROADS DISAPPOINTED.

The Iowa railroad managers, and more particularly their representatives who appeared in their behalf at the hearing on their petition for an increase of the maximum rate schedule in force in that state, profess to be very much disappointed over the adverse decision just rendered by the Iowa railroad commissioners. The roads were not entirely disappointed in their expectations, the decision instead of being unanimous as it should have been reached only by a majority of the three commissioners, while the third commissioner, Mr. Dey, filed a minority report, arguing that although the railroad had failed to prove what they alleged in their original petition yet the rates had nevertheless been too high from the beginning and should be increased to some extent, if not to what the roads had asked. Of course if Mr. Dey believed this, he should have long ago. He did not, but he has probably at all times been ready to cooperate to that end and would have done so had the state of public opinion or the position of his associations given reasonable hope for success.

The railroads seem to have counted on Mr. Dey all along. They seem to have counted also upon Mr. Perkins to make the second commissioner on their side and their disappointment arises from the fact that he failed to do so. He is said to have always been regarded as friendly to the railroads and had they not relied upon his assistance they would have filed a petition inviting certain defeat. It may have been that it was their over-confidence in their ability to control two of the commissioners that made them careless in handling their case, for the presentation of the railroad side of the argument must have been poor indeed when Mr. Dey is compelled to go outside of the evidence in order to find a basis for his recommendation of increased rates.

But if the railroads are disappointed in the Iowa commission, the people are not. A commission that completely satisfied the railroads could never satisfy any one else. The railroads will doubtless make this decision the ground for a combined effort to gain absolute control of the commission as its personnel is gradually changed, but the people of Iowa are alive to the importance of reasonable railroad rates and will see the necessity of electing only honest and fearless men as commissioners and men free from the corporate domination.

THE GREAT EMERGENCY.

Senator Allison voiced the nearly universal sentiment of the country when he declared in the senate on Monday that revenue to meet the obligations of the government, and not currency reform, is the really great emergency to which congress should now give attention. The Iowa senator was amazed, as every man must be who is familiar with the situation, that the president and secretary of the treasury have no suggestion to make for providing the treasury with sufficient revenue to sustain the monthly deficits which may have to be provided hereafter by increasing the public debt. To increase the revenue is the present pressing duty, said Mr. Allison, instead of vain conferences over a currency bill or the many financial plans under discussion.

Every hour given to the consideration of plans of so-called currency reform in the present congress is manifestly a waste of time. There can be no reconciliation of the wide diversity of views on this subject and consequently nothing can be done. In the house two measures, both having the support of the administration, have failed. One of these, framed by the secretary of the treasury, was withdrawn before it had passed through the committee stage, and the substitute for it, also largely the work of Secretary Carlisle, whom Senator Gorman described as "the foremost man of finance in the democratic party," was rejected before a vote on it was reached, the defeat of an order limiting debate showing that the bill could not pass. Then the work of currency tinkering was transferred to the senate and a measure emanated from Senator Vest, the principal purpose of which was to bring about the free coinage of silver. There is no possibility of passing a bill of this kind, and the latest information is that Jones of Arkansas is engaged in the preparation of another bill, while Secretary Carlisle is engaged in an effort to get the factions of the house together on some sort of a compromise.

The folly of all this is most apparent, and it is unpardonable in the presence of the exigency which confronts the treasury, and is becoming more serious every day. In the course of Monday's debate Senator Gorman made the statement, on the authority of the treasury, that up to January 12 the excess of expenditures over receipts for the current fiscal year, which began July 1, was \$34,000,000, and the Maryland senator expressed the opinion that the revenues for the present year will not meet the expenditures. Undoubtedly they will improve, but it is very questionable whether the increase will be sufficient to balance the expenditures and to proceed on the assumption that it will prove to be a very grave mistake. The appeal to the republicans for help is ridiculous in view of the attitude of the democrats and the division that exists among them. When the party in control of congress shall have agreed upon something, either with regard to an increase of the revenue or a reform of the currency, it will be time to ask republican help, and if a wise and sound policy, just and fair to all interests, is proposed, it is safe to say that the republicans will not withhold their assistance. If the administration and congress, as Senator Allison said, will meet the emergency here and now, by proposing such legislation as is plainly necessary to provide the required revenue, there can be no doubt about its receiving the support of the republicans.

This is hardly a possibility, however, that there will be done. The division among the democrats will continue, despite all efforts to arrange the differences, and the present congress, with

but little more than six weeks of life, will come to an end without anything having been done either for increasing the revenue or changing the currency system. As to the latter no serious harm will come from such a result. Currency reform can wait. But a failure to provide adequate revenue to enable the government to meet its expenditures might have very serious consequences.

EXONERATION WITH A VENGEANCE.

As foreshadowed in The Bee the alleged investigation into the charges of collusion between certain city officials and the gamblers of South Omaha has proved as grand a farce in its ending as it was in its beginning. After listening to the denials of everybody said to be directly concerned in the questionable transactions, including themselves, the South Omaha city council has unanimously resolved "that this council exonerate the above named persons and declare the charges not sustained." So eager are the members to make their finding a blanket whitewash that they include in their "exoneration" the reporters who had been accused of accepting gamblers' money to suppress obnoxious news, as if the reporters were holding public office and were responsible to them for the performance of their duties.

Nothing short of this was to be expected. The situation to a large extent presents a case of all hang together or all hang separately. Sitting on their own case with themselves as defendants, witnesses, prosecutors and judges the South Omaha councilmen have gone through the forms of an investigation, but have convinced no one, not even themselves. They snub at the beautiful explanation of the boss gambler that he had let the cat out of the bag about official protection to his skin game merely to beguile a prospective purchaser and they pretend to swallow it in the hope that they may thereby induce other people to do the same. It is at this point that they fail miserably. If the officials who profess to affect an air of injured innocence are satisfied with this "exoneration" they are welcome to the vindication.

POLITICAL CRISIS IN FRANCE.

The French political crisis has assumed a most serious and alarming aspect. The resignation of the ministry on Monday, while regarded as threatening difficulties that might not be easily overcome, was not felt to involve any danger to the political security of the republic. It is true that the issue which forced the cabinet to resign was of a constitutional character. The council of state, which as to certain matters is made by the constitution the final court of appeal, having rendered a decision regarding a contract between the government and certain railways, the Chamber of Deputies assumed the authority to reverse the decision. It was as if congress should undertake to overthrow a decision of the supreme court of the United States rendered in conformity with the constitutional authority of that tribunal. This action of the chamber left the cabinet no alternative but to resign, which it did at once. The first dispatches indicated the probability that another cabinet would soon be formed and thus the crisis brought to an end without any very grave political disturbance, as in the case of many other such crises under the republic.

The resignation of President Casimir-Perier, however, very greatly intensifies the gravity of the situation and gives good reason for a feeling of alarm. The obvious meaning of this action of the French president is that he is in sympathy with the position of the cabinet and believes that the action of the Chamber of Deputies contravened the constitution. Such an issue raised between the executive and the legislative branches of the government is manifestly pregnant with danger to the political institutions of the country. It was by a considerable majority that the Chamber of Deputies refused priority to a motion, which was practically to reject it, declaring adherence to the doctrine of the separation of powers and the noninterference of the chamber with the judicial functions of the council of state and persistence in this position may easily lead to a most serious conflict between the partisans of the antagonistic views that would give the republic the severest strain it has yet experienced. It is one of those opportunities which the reactionary and revolutionary elements are likely to take the greatest possible advantage of, and while these have recently not seemed to be very active in France they exist there and only need the chance to make themselves felt. It is said that the organs of the radicals and the socialists were jubilant at the fall of the cabinet and their joy will doubtless be enhanced by the resignation of the president, for whom these classes have not cherished a very great liking. The monarchist element may also be expected to make itself heard, though its voice has little influence.

That republican institutions in France are to be subjected to a severer test than at any other time since the present republic was established, seems very probable. The republican sentiment of the country, however, has grown so strong and become so deeply rooted in the hearts of the people that there is reason to believe the crisis will be passed without impairing the republican system and that those who are standing for the security of constitutional principles will be sustained by the people.

In the interest of dupes who have invested in tickets sold by the Lincoln Traveling Men's Business Block company it is suggested that they call on its promoters to make a published statement of the number of tickets sold and amount of money received therefor. Otherwise it is possible that fully \$100,000 might be gathered in before the property, worth possibly \$25,000 with a mortgage for \$36,000, will be turned over to the winner. The Bee's expose of this business block lottery scheme would operate to break it up were it not for the fact that the Lancaster county authorities dare not proceed against the swindlers and

prosecute them under the law. It is natural to presume that immunity has been guaranteed them in advance.

Still another South Dakota state official finds himself in a position that indicates a guilty complicity in the conspiracy to loot the treasury of that state. This time it is the public examiner who is said to have had knowledge of the defalcations in his beginning, but who neglected, evidently for a purpose, to take the precautions to protect the state from its wreckers. Had the public examiner done his duty, the loss which the state has just suffered could have been but comparatively insignificant. The only explanation is that the public examiner, too, was in league or at least had a tacit understanding with the land commissioner and the treasurer. The people have now gotten to the point where they will not be surprised to hear that other state officers, not yet under suspicion, were likewise part and parcel of this gigantic plot.

President Weller in his inaugural address before the Commercial club hit the nail on the head when he said that the success of every undertaking for the advancement of Omaha and Omaha interests depends upon the united support of all of our business men. The business men of Omaha have by presenting a solid front already accomplished a great deal, but there is much yet to be done. There is just as much danger from internal apathy as from outside opposition. By working for one definite object after another as each is secured the value of the Commercial club as an organization will be kept constantly before its members and they will not have time to let their interest flag. President Weller has the right idea. He will need the co-operation of every member of the club to carry it out.

A 2 per cent relief bond cannot possibly be sold at par or anywhere near par in the bond market. It does not stand by reason that investors in bonds would buy a low rate interest bond issued by a county for the relief of Grasshopper sufferers. If no purchasers offer to buy at par or near par the county authorities will beseege the state treasurer and the Board of Educational funds to buy them in as an investment for the permanent school fund and when the bonds become due the state will go whistling for its school money. Unless the brakes are put on by the legislature Nebraska will find nothing but I. O. U.'s "from the same to the same" in the school fund within the next two years and in due time the legislature will have to levy a direct tax to make good the deficit.

Should the state fair ground be located on the west side Leavenworth street will forthwith be transformed into one of the popular thoroughfares of the city. It will require some cutting and filling, perhaps, to provide a level roadway direct to the grounds and to enable the street railway to extend its system to the gates of the exposition. This means through trains to the limits of the city, and a consequent enhancement of property values in that portion of the city.

The Bee as a detective agency has another piece of careful work to its credit in the disclosure of the Lincoln lottery scheme in all its details. The Bee recognizes it as its duty to warn the public against all such barefaced swindles. A great many of the people of this and other states have already been taken in by this traveling men's business block imposture, but the exposures made by The Bee will doubtless save a great many more from being similarly misled.

Now that Congressmen Black of Illinois has been censured for the fact that his constituents do not want to have him represent them in the Fifty-fourth congress by the gift of an appointment as United States district attorney, there can be no excuse for the president longer withholding the reward for fidelity which he must feel compelled to make to that other eminent democratic statesman from Illinois, Hon. William M. Sprunger.

Let the dead wires and useless poles come down. The only reason they are not removed immediately is that there is no penalty for their maintenance. One or two American cities levy an occupation tax of \$5 on every pole erected by private corporations in their streets and in these cities every pole that is not in use is promptly taken away by the owner to save the payment of the tax.

As time speeds on the fact is becoming more and more patent that Nebraska is able and willing to care for the destitute within her borders. The Bee has all along held this to be true. Itinerant solicitors should be compelled to show credentials signed by Governor Holcomb, in default of which they should be shown the door.

A Wall from the Cyclone Belt. Louisville Courier-Journal.

With what beating smiles many a man would now welcome the individual who had kicked down stairs a few long, long months ago for asking "is hot enough for you?"

Democratic Presidents Numerous. Chicago Tribune.

There seems to be no sea of approving the statement that W. W. Taylor, the defaulting treasurer of South Dakota, is a republican, but he followed the long line of illustrious democratic precedents.

The Passing of Horace. Dubuque Telegraph.

In his Omaha speech Governor Boies undertook to explain how Metallum might be restored, but he only succeeded in explaining how the presence of restoring it gold monetarism might be maintained.

Democracy is Doomed. Chicago Tribune.

We presume it is hardly necessary to inform any sane man that if the democratic congress does no farther than it has gone in the direction of giving the people financial relief the party will not recover from the disaster during the present year. It might go into the campaign of 1896 with a platform embodying every reasonable demand that has suggested itself to the minds of the people, but they would turn away from it as from a man who had been a democratic leader. "You led to us in 1892; how do we know you are not trying to us a similar, obligatory, never to be your solemn pledges in 1892, and you deliberately repudiated them. The very fact of your doing this shows that you were not worthy to be trusted. Why should we trust you now?"

PEOPLE AND THINGS.

Legislative economy has reached the hire altitudes.

The staked plain of Texas is believed to be the original home of the hired hand.

Congressman Shibley, the voracious representative from Erie, Pa., is remarkable for two things—his millions and his vocabulary.

Brooklyn, the bed chamber of New York, topped with the densest fog last year, and ran up a larger number of deaths than births.

It is said the investigators are nearing the bottom of the South Dakota scandal, notwithstanding the general belief that the bottom dropped out.

The passage at arms between Hill and Gorman illustrates the amended saying, "When political rogues fall out the people are treated to instructive revelations."

The latest information from her garden patch is to the effect that Mrs. Lease is drifting from populism to democracy. Mistakenly never coming singly.

Colonel A. K. McClure of the Philadelphia Times will be invited by the Pennsylvania legislature to deliver an address in the hall of the house of representatives on the life and services of the late Governor Curtin.

Bonn university has assigned \$7,500 for a gift to Prince Bismarck on his birthday. It also has been decided that the students' grimage should proceed to Friedrichshagen, and that a grand festival should be held in Hamburg to celebrate the event.

Quay insists, as the price of his support of the income tax appropriation, that corporations be compelled to divulge the names of all employees and the salaries received by them. Some corporations stepped on the senator's political corns the other day, and the pain manifested itself promptly.

A Buffalo plumber, who has retired from business, dropped a "secret" pro bono publico, and declared that a newspaper wrapped around a water pipe will keep it from freezing in the coldest weather. True, but not new. During legislative days news is never an article of commerce.

Judge Horace of Concord, Mass., who is dying, maintains wonderfully good spirits. It was only the other day that he was able to tell the house of commons something like this: "I am engaged at the present time in the pleasurable occupation of dying. Whatever else may be said, there is one matter of satisfaction in the work, and that is, that I have ample time for it."

The late Senator Fair was generous to his poor relations, particularly to his brothers and sisters who lived in Iowa. In his will he left them money ranging from \$20,000 to \$100,000, and during his lifetime he made them large gifts. They are nearly all farmers, and are bringing in Ma Groves, Ia., and their farms were stocked by the senator several years ago. About a year ago he paid his Iowa relatives a long visit.

Whistler's untiring industry and lively wit are highly appreciated by the Londoners, even those antagonistic to him. They marvel at the enthusiasm which leads him to work two hours a day. In regard to his translation of the Odes of Horace into English verse, "This version of a supreme lyric poet by a veteran statesman immersed in affairs is limited as good as Conington's and five times as good as Sir Theodore Martin's."

An important point in political etiquette has been settled by the senate of Kansas. After grave deliberation that body holds that a man who plays "push" maintains a correct attitude of the reform school and kissed the cherry mouth of one who pinned a rose on his coat does not constitute a fracture of law in the case of the offender. It is presumed that such innocent games are needed to lend gaiety to life in the bleeding commonwealth.

Mrs. Burton Harrison, whose books have made her famous, and whose social position is an enviable one to ambitious aspirants, was a high-spirited young girl named Constance Carey when she was a ragged little girl, a little confederate, and to send a flag to General Lee cut up her best pink silk gown and her light blue silk jacket and embroidered apron and made a flag, which today is cherished as a very precious souvenir of feminine devotion by Colonel Robert Alexander Chisholm.

The Mantle, one of the nominees for the United States senate in Montana, was born in England. He struck the states and the west twenty years ago, worked on a farm near Salt Lake City, and then went to work on a railroad, and blew into Idaho as a telegraph operator. He landed in Butte in the early 80s, opened an insurance office and drifted into the newspaper business, founding the Inter-Mountain, of which he is still proprietor. Marcus Dally boosted him into the mayor's office two years ago, and when the legislature a few months later failed to elect senators, the governor appointed Mantle to one of the vacancies. His office was held temporarily by the senate refusing to sanction appointments where legislators failed to do their duty.

CHEVERLY PUT.

Philadelphia Inquirer: Miss Pert—Is Miss Strait Laced circumpect?

Mr. Pert—No, she is not. Why, she won't accompany a young man on the piano without a chaperon.

Detroit Free Press: Wife (severely)—I'd like to know, sir, that I always keep my dear dear.

Husband (soothingly)—Of course you do, my dear. You do, and I wish to goodness you'd get rid of it.

Brooklyn Life: "I see that they are again negotiating the adoption of new rules for that body of the legislature."

"Yes, I hear that one proposed is that no accident is to be allowed to stop the game more than five minutes unless it be fatal."

Chicago Tribune: "What is the matter, Adam? You look as if you were troubled."

"Little Cain has just said a bright thing," replied Adam, moodily, and there is nobody I can go and tell it to."

Harper's Bazar: "By Jove, Wilkes, your column of personal gossip in the last number of your paper has the most interesting thing I know. Where did you get all the information?"

"My wife had the Sewing Circle at our house last Saturday and I concealed a photograph in the room."

Smith's Monthly: "If consistency is a jewel it is not in an opal, considering the tough luck it usually brings its possessor."

Atlanta Constitution: On a rock in a north Georgia county some person hopes are engaged in this quaint question: "What shall I do to be saved?" A candidate for corner came along and inquired beneath a bush: "Vote for Jenkins, the poor man's friend!"

Chicago Record: The Speaker (in the Colorado legislature)—The vote having been counted, I declare the motion of the lady legislator to be lost.

The Lady Legislator—O-o-o! (Weeps copiously.)

The Speaker (blanched and in haste)—With the unanimous consent of the house I will declare the motion carried.

A SEASONABLE GIRL.

An angel of light.

In the playhouse that night she seemed to sit at the feet of the angels.

Her neat little hat.

Her smiling face that—

Her society was not.

ST. JACKSON'S DAY.

New York Sun.

There were lots of celebrations in the west end in honor of St. Jackson.

There were vlands and libations.

For the largest and the least;

There was singing, speeches, speeches;

The torrent would not dam.

From the top of the hill they saw

Who punched old Pakenham.

They glory in the glory

Of a glorious past, and told

In hyperbolic story,

Of the worst deeds of old;

They pointed to the future,

And saw in the stars

A hint of lustre laurel

Which they cannot see there now.

At the time of all this blowing

Way down in Tennessee

A slim, gray slip was showing

Some signs of energy;

He slipped it up in his bosom

And now and then would cuss

In a narcoleptic

He sat up, and instantly

With hand up to his ear,

He nodded, not quite gently,

As though he could hear.

He listened to the banquette,

And thought of recent facts,

Wherefore he'd got his nose

Where the chickens get the axe.

He knew the distressed story,

Which had writhed him there;

He knew the story of the

Disaster and despair.

Then hearing still the speaking,

He shook his head and

And groaned: "By the Eternal,

I'm glad that I am dead!"

HELD UNDER MARTIAL LAW.

Volunition Correspondence Concerning Japanese Students Sent to the Senate.

MR. DENBY COULD NOT SAVE THE SPIES

Everything Possible Was Done to Insure Them a Fair Trial and the Evidence Now is that They Were Not Tactured.

WASHINGTON, Jan. 15.—The president today sent to the senate the correspondence in the case of the two Japanese spies, together with a letter from the secretary of state in which it is stated that the American consuls had no authority to protect Japanese in China except so far as using their good offices when occasion demanded. The secretary in his letter first quotes the senate resolution requesting the president, if not incompatible with the public interest, to transmit to the senate all correspondence or other papers relating to the delivery by the United States consul at Shanghai of two Japanese citizens to the Chinese authorities and their subsequent death by torture, etc. He then says: "On the 15th of August, the Chinese minister at this capital complained to the undersigned that the United States consul at Shanghai was protecting two Japanese spies who had been arrested in that city and whose surrender was demanded by the Chinese authorities in order that they might be dealt with in due course. After proper inquiry the undersigned advised the consul to demand was recognized as lawful and the men were ordered to be given up. This was not done, however, without proper measures being taken to prevent arrests or summary action by the Chinese authorities. The undersigned at the same time requested (there was no authority to demand it) that the Chinese minister should advise the return of Minister Denby to Peking, it being supposed that this would afford opportunity for investigation and deliberation in a state of affairs which required compliance and subsequently informed the undersigned that his government had acceded to the request. Without questioning the lawful new of the sentence under the laws of war the undersigned regrets to say that they were executed about six weeks after their surrender, but before the return of Colonel Denby to China."

PRISONERS WERE NOT BOYS.

"Special attention is invited to the correspondence on this subject. That the prisoners were not boys, but men and spies in the service of Japan, is a fact which is not for doubt. Mr. Jernigan, our consul general at Shanghai, says that when the men were arrested 'plans were found on them' and that the executed prisoners were a suspicion tending to support the charge."

"The Chinese minister claims that besides the evidence of guilt found in their possession they admitted under arrest without torture that they had been employed by their government to obtain and forward by telegraph and otherwise information useful in conducting military operations in Manchuria and that they had been engaged in that business. It will not be said by any one, after that Mr. Jernigan is biased in the slightest degree in favor of the Chinese authorities and in a report dated November 2 he says: 'The two alleged spies were not executed as soon as handed over, but their cases were under investigation for nearly six weeks and I am now assured that there was no unfairness in the proceedings. The government investigation,' and in a still later report he states that a letter from an intelligent foreign resident at Nanking, where the two Japanese were executed, corroborates the reports of torture. Other reports from the same gentleman have proved so accurate that I am disposed to accept the reported torture as without substantial proof."

"The Chinese government denies that the men were put to death after being tortured, and the department is not advised that they were tortured."

"Of the decision that the prisoners were not subject to the jurisdiction of the consul general of the United States at Shanghai, and that he could not give them asylum, the Japanese government made no complaint."

PURELY A MILITARY OFFENSE.

"Spring in time of war is a purely military offense, not cognizable in a tribunal of peace, and foreign officials would have to hold the accused against the demand of the Chinese government, either for trial by our consul general or by a mixed tribunal of Chinese and foreign officials, which would be inconsistent with our assumed attitude of impartial neutrality. Our agents in China were not substituted for the withdrawal of the Japanese consuls, and the Chinese could not invest Japanese in China with an extra territoriality which they did not possess as subjects of their own sovereignty."

"From a letter addressed to the Department by Mr. Fowler, our consul at Ningpo, it appears that a Japanese was arrested in the dress of a Chinese priest at Chin Hai, twenty miles from the Ningpo foreign settlement. In his report