BEAUTIES OF ARBITRATION

Special Brazilian Envoys Call to Take Their Leave of President Cleveland.

ENLIGHTENED WAY OF SETTLING DISPUTES

President in His Response Dwells Upon the Special Adaptibility of Arbitration to Disputes Involving Historical Facts—May Be a Hint at Venezuela.

WASHINGTON, April 6.—Baron Rio Branco and General Cerquira, the special Brazilian plenipotentiaries, who presented the case of that country in the arbitration of the Missiones boundary contention with the Argentine republic, presented their letters of recall to President Cleveland today and said farewell. These plenipotentiaries were accompanied by the attaches of the legation, and were presented by Acting Secretary of State Uhl in the Blue room of the white house. The speeches exchanged were rather out of the usual order, in view of the special character of the mission, and the remarks of the president to Baron Rio Branco, who acted as spokesman for the Brazilians, were significant where they touched on arbitration, having in mind the efforts now being made to induce Great Britain to submit her boundary dispute with Venezuela to this method of settlement. The Brazilians were resplendent in gold lace and embroideries and medals and ribbons, in marked contrast to the plain black attire of the president and Secretary Uhl.

After the formal presentation Baron Rio Branco said: "Mr. President—The award rendered by your excellency on the boundary question submitted for arbitration by my government and that of the Argentine republic under the treaty of the 7th of September, 1889, has fulfilled the object of special missions, which during nearly two years I have had the good fortune to discharge in conjunction with General Cerquira, near the person of your excellency. Thus I have the honor to present two letters from the president of the United States of Brazil, in one of which he expresses his appreciation and that of the Brazilian nation for the gracious solicitude with which your excellency, in the midst of the grave duties pertaining to your high office, has examined and determined the question submitted to your decision, and in the other of which he gives notice of the recall of the two ministers on special mission entrusted with the advocation of the rights of Brazil. The solution of this ancient controversy was certainly a happy and honorable event for the two friendly nations, which had recourse to the enlightened and impartial judgment of your excellency. The congratulation exchanged between the presidents of the two republics clearly demonstrates that your excellency's decision was received in both with satisfaction, inasmuch as by the removal of a cause of public discord and complication, it acts powerfully toward the conservation of peace and toward strengthening the relations of a mighty and good neighborhood between the two nations.

"It is gratifying to be able to record this new triumph of the principle so reasonable and humane, of international arbitration, the practice of which, always earnestly advocated by the United States of America, have become more frequent every day, and marks one of the greatest advances in the modern law of nations."

HAPPY TO BE OF SERVICE.

The president replied as follows: "Mr. Minister: It is very gratifying to me to receive from your hands the letter whereby the president of the United States of Brazil expresses in his name and that of the people of Brazil the appreciation of my action in consenting to consider and determine the question of boundaries between that country and the Argentine republic, which was presented to me as arbitrator by the joint choice of the two parties concerned. The United States have long and earnestly advocated the resort to international arbitration in settlement of difficulties which may not be amenable to the ordinary methods of diplomatic treatment, and especially for the adjustment of controversies depending largely upon historical facts and determinable upon competent evidence and under rules akin to those which obtain in judicial procedure. Lending their example, as they have done on many occasions, by themselves resorting to this honorable and humane forum, the United States, through their chief magistrate, could do no less than give their assistance to other friendly states in furthering a like disposition of controversies arising between them. Hence, it was not alone a gratifying pleasure to me to assume the grave personal responsibility tendered to me by Brazil and the Argentine republic; there was also in a high sense the fulfillment of an international duty toward two friendly states, which it behooved the president of the United States to perform in the interest of good relationship of the western hemisphere.

"During the long period of my consideration of the interesting questions involved in the Missiones boundary dispute it has been my fortune to maintain agreeable personal relations with the envoys of the two countries who had been entrusted by their respective governments with the presentation of their cases, and have evidence and arguments in support thereof. Now, that their labors and mine in this regard are ended and the special mission that has called you hither is appropriately closed, it becomes my duty to receive your retters of recall, prior to your return to your own country. I trust that you and your esteemed colleague, General Cirquira, will carry with you no less agreeable memories than those you leave here in official and social circles. To the friendly assurances heretofore given of the attachment of the government and my countrymen for the sister republics of South America, I am gratified at the opportunity to add renewed expressions, and I beg that upon your return to your country, you will convey to the president of the United States of Brazil my best wishes that peace and prosperity may long be the portion of that country."

ARE SLOW TO JOIN THE NEGROES.

Cuban Whites Not Yet Very Active in the Revolution.

WASHINGTON, April 6.—An intelligent and comprehensive view of the Cuban revolution is given by a gentleman now in Washington who has been long identified with Cuban affairs and is personally acquainted with the conspicuous figures of the contest.

"At the outset," said he, "the presence of negro leaders has tended to limit the rise of the rebellion, as the white element of Cuba will not submit to negro rule or independence wrought through negro influence. I have the photographs of these negro leaders, and their race is unmistakable. They are very able men, however, the same order as Frederick Douglass in his best days. In the last rebellion, which lasted for ten years—1868 to 1878—there was never a gathering of more than 5,000. These forces can best carry on their work by being widely scattered and in small bands. It makes it impossible for a large Spanish army to be sent out against them, as there is nothing for a large army to be sent against.

"But the most serious uprising arises from internal conditions in Cuba, which are little understood in the United States. Spain has placed on Cuba the entire debt of the last rebellion. This burdens the Cubans with $12,574,485 each year. Besides this Spain compels Cuba to pay all the expenses of the army sustained in Cuba. This army is composed of 20,404 men, costing $5,904,084 per year. Added to this will be the cost of the present uprising, all of which Spain will place on Cuba.

"These conditions are such that the small beginning made by the insurgents will gain force and sympathy from all classes."

The gentleman was asked if efforts would be made to secure the recognition of the insurgents as belligerents.

"Such an effort," said he, "would not be made by the revolutionists in Cuba. They care nothing for such a declaration. It would afford them no help in their scattered campaigns. The only good it would accomplish would be to give more freedom of action to the Cuban sympathizers in this country, who could lawfully deal with belligerents much more freely than with rebels."

"The arrival of General Campos in Cuba will be the most important event of the uprising," he continued. "He is the one man of Spain who can stop the rebellion if it is possible to stop it. The impression in the United States is that Campos is a bloody man, but he is just the reverse. He is most pacific and conciliatory.

"Campos declared after the last rebellion that the bones of 200,000 Spanish soldiers had been left in Cuba. About half of these died of disease incident to service. He knows, therefore, the horrors of war in Cuba and will use his best efforts to persuade rather than to crush, and in these tactics he is a master."

The movements of General Maceo, the Cuban revolutionary leader, who has led an expedition from Costa Rica, are being watched with interest. It is known that the Costa Rica government has given no aid or countenance to Maceo's expedition, as the republic is an old dependency of Spain, most of her citizens cherishing their loyalty to the mother country.

OPPOSED TO CHANGE IN UNIFORM.

Army Men Dislike the Notion of Having to Buy New Regulation Garments.

WASHINGTON, April 6.—(Special Telegram.)—Army officers in Washington are very much displeased with the prospect of having another change in the army uniform in the near future. It is now proposed to adopt a different pattern for the blouse and cap, and the officers, who are affected by any change in the dress, are very much opposed to any further alterations. They argue that any alteration at all will necessitate a large expenditure on their part in the purchase of a new uniform, and they oppose a change principally for the sake of economy. They do not, therefore, interest themselves as to what the nature of the alterations of the change will be, but a number have expressed themselves as uncompromisingly against it. The board of officers, which was appointed to investigate the matter, have been considering patterns for quite a long time, and it is stated that they have reached an agreement on two of the articles of the uniform, namely the blouse and the cap. The principal point of discussion is the matter of braid. It is probable that the recommendations of the board on this subject will be to abandon the braid ornamentation on the front and sleeves and to retain that on the collar and skirt edges. The cut and general style and appearance of the present blouse will, of course, be retained. No conclusion has been reached as to the manner and style of wearing corps devices, regimental numbers and shoulder straps. It is understood that the board is divided on these subjects. Some of the officers have not yet recovered from the inconvenience and trouble which they were compelled to undergo when the present blouse was adopted several years ago. In their sentiment against the proposed change the officers of the lower grades are joined by a number of high officials on duty here, and they all seem to think that from the officers' point of view any alterations will be exceedingly injudicious.

The board of officers is appointed to meet at Leavenworth for examination of First Lieutenants Thomas U. Raymond, Assistant Surgeon; Henry D. Snyder, assistant surgeon; Allen M. Smith, assistant surgeon, and Joseph T. Clarke, assistant surgeon, as their fitness for promotion. Detail for the board: Major Calvin Dewitt, surgeon; Major Henry S. Turrell, surgeon; Captain John M. Banister, assistant surgeon.

First Lieutenant Robert N. Getting is transferred from company E to company C, and First Lieutenant Henry C. Hodges, jr., from company C to company E, Twenty-second infantry.

Captain Thaddens W. Jones, Tenth cavalry, is granted leave one month; Captain Reuben L. Robertson, assistant surgeon, leave until July 3, 1895; Second Lieutenant Robert Alexander, Seventh infantry, eighteen days' extended.

The president has accepted the resignation of Captain Robertson.

Captain William B. Banister, assistant surgeon, will be relieved at Fort McIntosh, Tex., and will report for duty at Omaha.

First Lieutenant Frederick P. Reynolds, assistant surgeon, is granted one month's leave.

LIVINGSTON A HERO IN VENEZUELA.

Georgia Congressman Struck a Popular Chord in the Southern Republic.

WASHINGTON, April 6.—Advices from Venezuela state that ex-Congressman Livingston of Georgia is a hero of the day there and that it would not be surprising if his statue were erected on the public square at Caracas alongside that of ex-President Monroe as an exponent of the Monroe doctrine. Mr. Livingston introduced the resolution which passed congress directing the State department to intercede between Great Britain and Venezuela for a settlement of their troubles. He also made a speech on the subject, sounding the Monroe doctrine. The speech, it seems, has struck a popular chord in Venezuela and has attracted a great deal of attention. It has been translated into Spanish and is printed in full as a memorable utterance. A Venezuelan poet has written a poem sounding Mr. Livingston's praises, and his picture, advices received here say, appears in all the newspapers.

Patents to Western Inventors.

WASHINGTON, April 6.—(Special.)—Patents have been issued as follows: Nebraska—Emil R. Draver, assignor to F. N. Draver, Alliance, sifting apparatus; Henry Schmitz, Wymore, harness saddle. Iowa—James W. Berry, Iowa City, wire fence weaving machine; Philip W. Cassil, Garner, weather strip; Patrick H. Conger, Waterloo, seal lock; Charles E. Fanning, Keokuk, sprocket chain; John Hageboeck, jr., Davenport, hand protector for bottles; Allen Johnston, Ottumwa, polishing machine; Timothy C. Murphy, Dubuque, washing machine; Moses Nicholls, Glenwood, miter box; Ole H. Olsen, Rock Rapids, banjo; Romulus R. Richmond, Chariton, burial derrick; George R. Rogers, Chelsea, cover fastener; Newton H. Tilden, Des Moines, assignor to W. S. Hancock, Chicago, and A. S. Mount Broom company, Des Moines, hurl stemming and sorting machine.

Suit to Recover Land from the Railroads.

WASHINGTON, April 6.—Secretary Smith today sent a letter to the attorney general, requesting that suit be instituted against the Southern Pacific to secure title to the United States of a small tract of land in the Los Angeles, Cal., district. A similar recommendation is made regarding the Atlantic & Pacific company in the Harrison, Ark., district.

Contract Let for Sioux City Public Building.

WASHINGTON, April 6.—The secretary of the treasury has accepted the proposal of Foster & Smith of Minneapolis, Minn., for the stone and iron work, wood floor, ceiling and roof construction and roof covering for the superstructure of the public building at Sioux City, Ia., at $69,758.

Sioux City's Federal Building.

WASHINGTON, April 6.—(Special Telegram.)—The secretary of the treasury today awarded the contract for the superstructure of the public building at Sioux City to Forster & Smith of Minneapolis, at their bid, $69,758. The contract is to be completed in eleven months.

Gresham Recruiting at Fortress Monroe

WASHINGTON, April 6.—Secretary Gresham is at Fortress Monroe, where he will remain until Sunday night, when he is expected to leave by boat for Washington, returning to the State department on Monday.

Minnesota National Bank Authorized.

WASHINGTON, April 6.—The First National bank of Tracey, Minn., has been authorized to begin business with a capital of $50,000.

ENGLISH WOMEN MUCH INTERESTED.

Delegates from Many Lands Expected at the World's W. C. T. U. Convention.

CHICAGO, April 6.—A London letter received here today says preparations are well advanced for the third biennial meeting of the World's Woman's Christian Temperance union in London. It will be held, beginning June 19, in Queen's hall, Langham place, under the presidency of Miss Frances Willard. The convention, it is stated, will be one of widespread importance in the work that women are accomplishing for the betterment of the world along the lines of the "Do everything policy."

British women are displaying the greatest interest in the convention, which will be held at the time of the national council of the British Women's Temperance association, under the presidency of Lady Henry Somerset, when some hundreds of delegates are expected to be in London.

Representatives are coming from many lands, and with the large contingent expected from the United States, it is anticipated that the occasion of the world's meeting will be the most important which has yet taken place in London relating to the temperance cause and temperance reforms.

INCOME TAX LAW MUTILATED

Lets Out the Very Class Its Projector Aimed to Catch.

RUMOR ON THE SUPREME COURT'S FINDING

Alleged Decision Printed in a Chicago Newspaper—Landlords and Bondholders Exempted—Burden to Fall on Merchant and Manufacturer.

CHICAGO, April 6.—The Tribune this morning publishes, as a special from Washington, what purports to be an abstract of the decision of the supreme court, soon to be handed down, on the validity of the income tax law. According to the dispatch referred to: "The United States supreme court in the income tax has reversed the decision of the lower court. The income tax law as a whole, however, is upheld, but only by a divided court.

"Two important provisions of the law, however, have been decided to be unconstitutional, and they are so serious as to affect materially not only the revenues of the government, but the estimation in which the income taxe will be held by the people.

"Under the decision to be handed down by the court it is said all incomes derived from rents are exempted form taxation by the federal government and all incomes derived from state and municipal bonds are similarly exempted. In other respects the income tax law stands as it was last August, but the result of the consultations in the supreme court shows very conclusively that the law can easily be picked to pieces, provided suits are brought to contest each particular point as it comes up.

"It is a curious fact, but nevertheless true, that the law which was passed at the dictation of the populistic wing of a democratic congress has been distorted by the decision of the United States supreme court clearly on constitutional grounds in such a way that it will absolutely protect the class of capitalists most offensive to the populistic element. The landlords of the country will pay no income tax. The owners of bonds of almost any kind, either federal, state, county or municipal, will also be free, while the business man, the manufacturer and the salaried employe will, for the present at least, be compelled to contribute to the treasury of the United States government 2 per cent of all incomes in excess of $4,000 per annum.

"The first meeting of the supreme court was held March 16, two days after the conclusion of the arguments, but no decision was reached and it was not until March 30 that they succeeded in agreeing upon the outlines of a decision covering the opinion of the lower court.

"The court was evenly divided. Justice Jackson was too ill to take part. Chief Justice Fuller and Justices Field, Gray and Brewer were opposed to the law. Justices Harlan, Brown, Shiras and White voted to sustain the law.

"The expectation among the members of the court is that the decision will be rendered Monday in open court, but there is a bare possibility that the court may again split up into irreconcilable sections and hold up the decision.

"If the next congress does not repeal the law with the sanction of the president, there will be a sudden rise in the price of all local public securities, as well as of all real estate, for, as they will be exempted from taxation, they should get the benefit of the 2 per cent which other income producers are obliged to account for."

WASHINGTON, April 6.—The attention of several members of the cabinet was called today to the dispatch from Chicago regarding the Tribune's publication concerning the supreme court decision on the income tax case, but they declined to express any opinion thereon, on the ground that it would be manifestly improper to discuss any opinion of the court, at least until they had been officially promulgated.

From another but entirely authentic source it is learned that whatever the decision of the court may be the president will not call an extra session of congress, and even should the court declare the law wholly unconstitutional, the president will adhere to his determination not to call congress together, and that he will so announce in a public declaration.

All efforts to secure from members of the supreme court either authoritative confirmation or denial of the truth of the Chicago Tribune's publication proved unavailing.

Senator Voorhees, chairman of the finance committee, when told of the publication today, said: "It may be that a portion of the law may not be sustained. I consider there is a possibility of such a result, but I do not know a thing, and I don't believe that any one outside of the court knows a thing about it.

"But suppose it should be true that a portion of the law in regard to rents and municipal bonds should prove to be in the opinion of the court unconstitutional, the law will not be materially impaired. It will still afford an immense revenue. The estimates which have been made are entirely too low on the revenue which would be derived from the law as a whole. Instead of its including from $15,000,000 to $30,000,000 it will add $50,000,000, $75,000,000, or even $100,000,000 of revenue."

Senator Harris of the finance committee declined to discuss the question, as also did Senator Jones of Arkansas, who, though still sick, has returned to Washington to close out a little public business. Senator Peffer expressed the opinion that if the income from rents and bonds should be eliminated the efficiency of the law would be materially crippled.

Leaving out of consideration the question of tax on bonds, he said: "The rent item is the most important one. We consider that one-third of the farmers in the country are renters; that 52 per cent of the entire population of the country at large and 77 per cent of the people living in cities of over 100,000 population are also thus classed, and in New York City the percentage of renters is 94. Such a decision would result in a great spread of populism."

The court is in consultation today, as usual on Saturdays, but it cannot be learned whether the income tax opinion has been prepared or will be handed down on Monday.

WANT TO HEAD OFF SOUTH DAKOTA.

Indians Protest Against the State's Attempt to File on the Reservation.

WASHINGTON, April 6.—(Special Telegram.)—A number of protests have been received at the Interior department from the Yankton Indians against allowing the state of South Dakota to file on 50,000 acres of land on the Yankton reservation. A petition was today received at the Indian office signed by Alfred C. Smith, Chief Running Bull, Robert I. Markson, John Lindsay and sundry other Yanktons, protesting against the selection or appropriation of any of the said lands by the state, urging that the ceded lands be opened immediately to settlement by actual bona fide settlers. Attached to the protest is an endorsement from Indian Agent J. A. Smith, stating that the request of the Indians should be complied with, and, if possible, steps should be taken to interfere with the action of the state in attempting to take the land. Secretary of the Interior Hoke Smith is now considering the matter, and will in a short time decide the case definitely, so as not to delay any longer the proclamation of the president opening the reservation to settlement.

Movements of Naval Vessels.

WASHINGTON, April 6.—The Monterey sailed yesterday from San Francisco for Callao, Peru. She will stop at all of the principal ports of the Central and South American countries on her route. The San Francisco has sailed from Palermo, Italy, for Smyrna, and the Marblehead from Gibraltar for Beyrout, to protect American missionaries in that section of Turkey.

Postoffices Discontinued.

WASHINGTON, April 6.—(Special Telegram.)—Postoffices have been discontinued as follows: Nebraska—St. Peter, Cedar county, mail to Hartington. Iowa—Tioga, Mahaska county, mail to Atwood; Voss, Emmett county, mail to Swan Lake.

New Iowa Postmasters.

WASHINGTON, April 6.—(Special Telegram.)—Iowa postmasters were appointed today as follows: Paris, Linn county, A. S. Freeman, vice H. S. Freeman, resigned; Strand, Adams county, C. R. Drake, vice A. T. Thompson, resigned.

AFFAIRS AT SOUTH OMAHA.

Meeting to Further the Detroit Plan this Afternoon—Other News.

At 3:30 this afternoon in Bauer's hall a meeting will be held by those interested in the Detroit plan to aid the poor by providing ground for those willing to work. Mayor Johnston will preside, and a big attendance of business men and charitably inclined persons is expected. Several persons owning tracts of land near the city have offered to allow their ground to be used for this purpose during the summer. All of the crop will go to the man who works the garden spot, and in this way the charities people hope to provide enough vegetables to last the poor during the next winter.

Christmann Deals with Vagrants.

Nearly every night a dozen or more vagrants and box-car bums jump off freight trains here and scatter about town. The police pick up quite a number and bring them before the police judge. At first Judge Christmann was inclined to be lenient, as most of the wayfarers told pitiful tales about hard luck and losing their all on account of the drouth. This story has grown old now, and he warns all tramps to steer clear of the Magic City. Yesterday three vagrants were brought before the judge, and each was fined. Frank Wilson attempted to steal a hat from a dummy in front of a clothing store and was captured. He told the old poverty story, but he was sent up to the county jail for ten days. Every other day Jailer Miller will bring Wilson some bread and water. Ike Spievens pleaded guilty to being a vagrant and admitted to the court that if it came to a show down he would rather steal than soil his hands by manual labor. The judge regretted that the city did not afford a rock pile, and sent the prisoner up for fifteen days, ten on bread and water. Bill Southerly was another tough customer dragged before his honor. Bill had long hair and claimed to have been a poet once. He also pleaded guilty to vagrancy, and was given ten days.

Lively Fight Over the Presidency.

There will be a lively fight for president of the city council when the new council organizes on Tuesday evening next. The race now seems to be between Jack Walters and Jim Bulla. Both are working hard, but they have not counted upon the appearance of a dark horse. Henry Mies is the man who is being pushed to the front by his friends, and he may yet carry off the honors. Regarding council committees, it is generally understood that Ryan will remain chairman of the committee on finance, and Walters, chairman of the ordinance committee.

Easter Sociable Saturday Evening.

The Ladies' Aid society of the Presbyterian church will give an Easter social next Saturday evening at the home of Captain Kelly, Twenty-fifth and E streets. Refreshments will be served and an appropriate Easter souvenir will be given to each guest. The program will be: Piano solo, Miss Peake of Omaha; violin and piano, Rozenberg sisters; recitation, Mrs. Mary E. Munroe; slumber song, five little girls; piano solo, Miss Flo Peake; violin and piano, Rozenberg sisters.

Magic City Gossip.

H. Walz left last night for Texas.

Henry Weise has returned from a trip to South Dakota.

The South Omaha hospital asks donations of old linen and muslin.

Mayor Johnston said yesterday afternoon that the gambling houses would never open again with his consent. What the city council would do he did not know.

The men's meeting under the auspices of the Young Men's Christian association will be held at the Methodist church this afternoon at 4 o'clock. Mr. John Dale of Omaha will address the meeting. All are invited.

The much talked of electric light ordinance will come up for its third reading at the council meeting Monday evening. Everything points to its passage and signature by the mayor. The electric light company promises to furnish light for $2 less per month than the city is now paying provided a five years' contract is made. After investigating the matter for fully five weeks the councilmen are of the opinion that the acceptance of the offer is the best thing for the city.

Claim They Are Still Prisoners.

SAN DIEGO, Cal., April 6.—The case of the three Americans, Joseph C. Carter, William Carney and D. A. Moore, who were arrested during the latter part of January by Mexican officials on the charge of smuggling horses over the border, and were imprisoned at Ensenada, seems from all accounts to be in a more unsettled state than ever. Hon. W. P. Bowers, representative from the Seventh congressional district, brought the matter before the State department with the result that the men after examination were ordered released, their stock returned to them, with permission to use their own discretion about returning to the United States territory with their possessions. There the matter was supposed to have ended so far as the government of both countries was concerned, and official correspondence between United States Vice Consul Godbe, Assistant Secretary of State Uhl, W. W. Bower and M. Romero, Mexican minister, would seem to bear out this supposition. The men, however, give an entirely different version of the result of their trial, stating they were still virtually prisoners, their stock still being withheld from them and themselves forbidden to quit Mexican territory. They claim that local officials are using discretionary proceedings not warranted by the government orders and ask the State department to give their case immediate consideration.

Asks Leave to Distribute the Bonds.

NEW YORK, April 6.—John C. Spencer, manager, trustee and stockholder in the Cashier and Champion Mining company of Colorado, the owner of the large claims in Teller mountain, Summit, and Lake counties, Colorado, filed a bill in the United States circuit court today asking for the intervention of the court to enable him to make an equitable distribution of bonds among the various stockholders, that will represent the interest each one has in the property of the company. The parties to the suit are Hugh J. Hewett, Emma E. Hurlburt of Chicago, John A. Yale, George K Sabin, Charles C. Welsh, Charles K. Miner, Jackman Schapleman and George Miner.

Spencer has held the property in trust since June, 1891. To properly develop the property Spencer says it is necessary to expend about $200,000, and it is for authority to do this and raise the necessary money that the present motion is made.

Shot Two Boys from Ambush.

ASHEVILLE, N. C., April 6.—A sensation occurred here this morning when news that J. H. Sumner, a well known and highly respected citizen of Buncombe county, had been arrested, charged with shooting some time last night, from ambush, a cousin, Ernest Sumner, and Charlie West, two boys 18 years old. Both were riding the same horse about seventy yards from Sumner's house when the shooting occurred. Sumner fell from his horse and died instantly, while West was fatally wounded. The scene of the tragedy is only eight miles from here and officers were dispatched. Sumner was arrested and brought here this afternoon. An old feud had existed for some time between the families, but Sumner declares his innocence and says he will have no trouble in establishing the fact. A shot gun was the weapon used.

Slashed the Woman with a Knife.

NATCHEZ, Miss., April 6.—John Winfield and Sarah Taylor, both colored, engaged in an altercation last night. Winfield drew a knife, slashing the woman across the forehead, then stabbing her in the side, cutting her hand almost off and cutting a circular chunk of flesh of two inches across out of her right thigh. She will die. Winfield made his escape. Jealousy is the cause.

George Hyers Found Guilty of Murder.

ANDERSON, Ind., April 6.—George Hyers was today found guilty of the murder of W. L. Foust, near Elwood, on July 12 last. Foust was found near the railroad track and Hyers, George Cruel, E. Cruel and George Cox were arrested for the murder. Foust was a farmer. Hyers was sentenced to thirteen years' imprisonment. His accessories will be tried April 16.

Will Appeal Against the Women.

COLUMBUS, O., April 6.—C. C. Nichols and G. W. Brown, defeated candidates for the republican nomination for the school board at Wilmington, O., will appeal to the supreme court of the state as to the constitutionality of the law allowing women to vote. They were badly beaten by Mrs. West and Mrs. Mills.

SATISFIED WITH NEW YORK

Charles A. Dana Has No Desire for a Trip to Washington.

FIGHTING EVERY STEP OF THE LIBEL SUIT

Both the Sufficiency of the Indictment and the Power of the Court to Remove the Defendant to the District of Columbia Brought Into Question.

NEW YORK, April 6.—The arguments upon the application for a warrant of removal of Charles A. Dana from this city to the District of Columbia were resumed before Judge Brown in the United States district court this morning. Yesterday, after United States District Attorney Macfarlane had stated the case and made his application, Mr. Elihu Root, one of the counsel for the defendant, consumed the remainder of the time up to the adjournment in arguing against the granting of the request of the United States district attorney. Lawyer Franklin Bartlett announced last evening that he would be ready to continue the argument for the defense when the proceedings would be resumed today.

Ex-Judge Jere Wilson of Washington, accompanied by Lawyers Bartlett and Root, arrived at the court room at 11 o'clock. Mr. Dana arrived a few minutes later and took a seat near one of the east windows, where he held a whispered conversation with Lawyer Root. Judge Brown came into the court room at 11:23, and a little later the Dana argument was resumed.

In opening Mr. Bartlett said: "If your honor please, a great deal of the ground which my learned colleague, Mr. Root, covered yesterday in his able argument must necessarily be gone over to a certain extent by me in my argument this morning, and it may be well that one argument may tread upon the other, but in discussing the animus of the prosecution and throwing some light upon the article which contained the alleged libel, and after indicating one or two defects in the papers, to show there was insufficiency to some extent, I must follow the argument of Mr. Root. I shall call the attention of your honor to certain constitutional guarantees in the case now at the bar, and I shall endeavor to convince the court that any construction such as that contended for by my friend, the learned district attorney, would be fatal to these constitutional guarantees and would virtually lead to the subversion of the constitution; and then, in conclusion, I shall argue as to the meaning of the thirty-third section of the judiciary act of 1874, when incorporated and made part of the act of July 14, 1874. I shall discuss to considerable extent the meaning of that act as now made part of the law of 1874, and then in conclusion I shall call the attention of your honor to a contemporaneous construction of that act or section as made part of that act, which will make it impossible for your honor or any court in this country to hold that there is any power under the act of 1874 to remove the distinguished gentleman whom I have the honor to represent, or any other citizen of the state of New York, or of any state in the federal union, to the District of Columbia for trial under an indictment for libel."

Mr. Bartlett, after referring to the alleged defects in the indictment, read from a copy of the paper containing the alleged libel, and said: "The word dishonest, used in connection with the whole article, is the same as it would have been in an ordinary article; that is, as if the article were inspired by malice and vindictiveness, showing the party indicated was a dishonest man.

INFORMATION INSUFFICIENT.

"It might be well for the court to inquire as to the quo animo of this prosecutor. By it they charge Mr. Dana with libel in publishing this article. It may be well for your honor to consider and for the people of this country to consider the quo animo of the prosecutor in the District of Columbia, or the person inspiring this prosecution. My objections to this affidavit are that the learned district attorney does not swear of his own knowledge as to the commission of this offense. He does not swear positively that any offense has been committed. He simply swears upon information and belief. He swears 'on deponent's information' and that the grounds of his belief are derived from the reading of said indictment and the bench warrants, and on that statement in the affidavit he charges the positive commission of a crime. It should set forth the facts and circumstances which are relied upon to prove the charges. Those facts and circumstances should be within the knowledge of the party making the affidavit, and not a mere formal verification. Let me call your attention to the words of James Kent, in which he declared that one of the absolute rights of individuals, and the right which has been declared by the people of this country as inherent and inalienable, is the right to personal liberty, and that without the security and enjoyment of this right there can be no civil liberty. So I say, sir, the great question underlying all of our arguments is the great question of the right of personal liberty.

"The issue before your honor today concerns not only the distinguished gentleman whom we have the honor to represent, but it affects every citizen of the United States. It further affects the press of this country, for if this power which is invoked by the district attorney against our client be successfully invoked there will be no such thing as liberty of the press of the United States."

After speaking for about twenty minutes on the rights of the press, Bartlett took up the point that a person accused of crime was entitled to a speedy trial before a jury in the state in which it was charged the crime was committed.

LOCATING THE OFFENSE.

Judge Brown interrupted Mr. Bartlett when the latter was discussing whether the offense, if it has been committed, was committed in New York or the District of Columbia. The judge said: "The question is, what will these papers show as to the offense? Was the offense committed in the District of Columbia or not? Was it merely committed so far as Mr. Dana is concerned? I am bound to consider that. The only charge against Mr. Dana is to suppose that he had written a paragraph which is alleged to be libel and that Mr. Laffan circulated and published it in the District of Columbia and that Mr. Dana knew that that would be done.

"Mr. Root stated yesterday that the only act of Mr. Dana's was an act done here, although he might have known that injurious consequences might occur elsewhere; that Mr. Laffan was the instrument by which the act of circulation elsewhere was made. The question is, so far as Mr. Dana is concerned, where was the offense, if any, committed? The consequences are supposed to have resulted in the District of Columbia. I do not remember whether the indictment charged it or any other place where the paper was circulated. It must be assumed that some injurious consequences resulted in the District of Columbia, otherwise the indictment would not have been found."

After Mr. Bartlett had spoken for over two hours, he said: "Now, having gotten through with my introductory remarks, I will proceed with the main argument. It is conceded that the only basis for this application is the incorporation of the act of June 24, 1874, relating to the criminal court of the District of Columbia, of section 36 of the judiciary act."

Mr. Macfarlane—Nothing different is claimed now.

STARTED IN FOR THE EVENING.

Mr. Bartlett was still speaking at 7:15 p. m., when a recess was taken for half an hour. Mr. Bartlett resumed his argument after the recess. He outlined, in concluding, the provisions of the judiciary act of 1879, and described particularly the concurrent jurisdiction of the district and circuit courts over the different kinds of misdemeanors.

"So," he continued, "we have a clean federal scheme set forth here, applicable, as is claimed in the report of the judiciary committee, and this is equally true of section 1,014, to circuit courts of the United States and the district courts of the United States as forming part of the general federal court system."

Judge Jere Wilson followed Mr. Bartlett, also speaking for the defense. His argument was principally upon the matter of constructive presence. He took the ground that as far as the affidavits alleged, the acts of Mr. Dana for which he had been indicted were committed in New York, and "unless you can constructively put him in the District of Columbia he cannot be taken there for trial." The purpose of section 33 of the judiciary act, Mr. Wilson said, was the removal of a party from a place where he might be found for trial before a court in another district for that offense; but that, he contended, gave no ground for the rendition of his client to the district court at Washington. It is alleged that 300 copies of the Sun containing the article said to be libelous were circulated in the District of Columbia, but it does not appear whether Mr. Noyes lived in the District.

"There is no act of congress," continued Mr. Wilson, "defining libel as an offense against the United States, and there is no pretense of law by which action for libel can be sustained." It was 10:30 when Mr. Wilson finished his argument.

Judge Brown then set 2 o'clock Monday afternoon for the conclusion of the arguments, and adjourned the hearing for the day.

DIED IGNOMINIOUSLY

(Continued from First Page.)

at the east end of the capitol be donated to the new Soldiers' Home at Milford, and the motion prevailed.

On motion of Cole the gavel used during the session was presented to the speaker. The speaker replied in a gracefully worded address of thanks. He dwelt upon the shortcomings of human nature and candidly admitted that much of the proceedings of the session had been conducted upon a strongly partisan basis.

Casper, in an informal speech, said to the majority: "Individually, I love you all, but collectively, I regard you as the rankest political curiosities in existence."

Hand-shaking and leave-taking had commenced. Members were dropping off to the train singly, and in couples and in groups, and there were indications of disintegration.

Captain Barry of Greeley was persistently called for, and in response said he rose to a point of order. "My point of order is, Mr. Speaker," said Barry, "that for every member. Though I have not endorsed some of the speaker's obnoxious rulings, I cannot blame him. I have seen the same thing in member on the floor of this house I have the kindliest feelings and warmest respect bers of my own party."

At 12:30 one of the enrolling clerks appeared with House Rolls 15, 585, 254, 611, 612 which the speaker signed in the presence of the few remaining members of the house. These were the last bills, for which the house and senate had been waiting all the morning

Davies moved that a committee wait on the senate and inform that body that the house was now ready to adjourn. Davies, Cooley and Chapman passed to the west end of the capitol and met Senators Graham, Sprecher and Akers half way in the corridor bent on the same mission.

On return of the house committee Davies reported that the senate was ready to adjourn and that it asked the concurrence of the house.

The hour having technically arrived for adjournment of the house, Cooley made a motion that the house adjourn sine die. The motion was carried with a whoop and the twenty-fourth session of the house was at an end.

At 12:30 the sergeant-at-arms of the senate announced the committee from the house which announced that the lower branch had completed its labors. A committee consisting of Senators Graham, Akers and Sprecher was appointed to convey a similar message to the house. The joint committee on enrolled bills made its report, indicating that the last bill had been officially delivered to the governor. The senate then, on motion of Senator Tefft, adjourned sine die.

WHAT DOES THE A. P. A. WANT?

OMAHA, April 6.—To the Editor of The Bee: The New York World of March 3 says:

"Word went around among Platt men yesterday that open war on Mayor Strong and the reformers had been declared off for the present. It was stirring up too much opposition through the state, it was said.

"While it would be pleasant to embarrass the mayor and his administration, Mr. Platt finds that it puts too big a weapon into the hands of his enemies. As one of his distinguished lieutenants put it last night:

"'What's the use of splitting up the party all over the state for a few little offices down here in New York? Let the reformers hog the whole 'outfit' if they want it.' 'The grapes would be so sour I could not eat 'em, anyway,' said the fox in the fable.

"'There were people who were saying last night that the decision was brought about by Governor Morton, who has absolutely refused in any way to assist in the fight on New York or to sign bills which took away any appointive power from the mayor.

"Senator Lexow, Speaker Fish, Chairman O'Dell and Chairman Hackett discussed the matter with Mr. Platt yesterday afternoon, and later both Senator Lexow and Speaker Fish said that the police bills would in all probability be brought up this week and passed at an early date in such form as to give the mayor the power of appointing the three commissioners to reorganize the department."

The republican party of Nebraska might profit by the experiences of the party in the Empire state. Many of our best people, irrespective of party lines, believed the declared aim and purpose of the A. P. A. (to entirely divorce sectarian principles from politics) laudable and helped by their ballots to that end. Here again we have history repeating itself. There are among us those who will remember the original declared purpose of the knownothing party; those who will remember how much it accomplished, and perhaps those who assisted that party in its originally laudable efforts.

But it appears that all political crusades born for good purposes meet the same fate. The party strength of such organizations is soon captured by the demagogue, the politician and the schemer, and the A. P. A. strength is now exhibited to us as a potent factor in the hands of designing men, to pay a political debt, to the detriment of a community's best interests.

It is known that in the government of our fire and police department our charter was framed and builded from the experience of larger and older cities of our country, and while not perfect, means and procedure were encompassed within it that allowed of its cleansing and purging.

Is our condition improved? Will the changes of the charter be of benefit to our city? This is the question.

Will the man of Atlantic, Ia., and Creston, Ia., fame give us pure government and party honesty?

The purpose and aim of the A. P. A. was effected long ago, and if this organization and its strength must be prostituted for selfish ends and private punishment, then let us all join hands and pass this society to the oblivion of those other organizations, that, forgetting the public weal and welfare in their power, menaced what we honor and love and protect. BLACKSTONE.

THE COUNTY CANAL BILL.

OMAHA, April 6.—To the Editor of The Bee: Dear Sir—I have been asked by sevtral parties in regard to the amendments made to the county canal bill and as to whether the omision of the irrigation features made the bill less valuable to Douglas county. I desire to say that I helped to draw up this bill, and have put in most of my time at Lincoln endeavoring to secure its passage, and I am well satisfied with the bill as passed, and that we would not care to use the canal for irrigation. The experience of those who own canals for irrigation in the semi-arid region is that farmers will not pay for water to irrigate their lands with when they have a chance of getting rain for nothing. I venture the prediction that there is not one farmer in Douglas county who would buy water for irrigation at any reasonable price. The provision in the bill that