

REFUSES TO PLEAD

Bartley Maintains Silence When Asked to Answer the Charge.

EX-STATE TREASURER FINALLY ARRAIGNED

Real Trial of the Accused Embosmer is Just Beginning.

EFFORTS AT DELAY PROVE UNAVAILING

Obstacles Raised by the Defense Are Swept Away.

COURT ENTERS THE PRISONER'S PLEA

Judge Baker Overrules the Demurrer to the Information and Makes an End to the Technical Objections.

After exhausting a fertile supply of resources in delaying the arraignment of their client, the attorneys for Joseph S. Bartley, the ex-state treasurer charged with the embezzlement of public funds, were compelled to allow him to be arraigned in the criminal court of this county yesterday afternoon.

The case was set for trial next Tuesday morning, but whether the trial will be allowed to proceed or whether every delay allowed by law will be invoked remains to be seen.

The case was taken up before Judge Baker yesterday morning, the first proceeding being a motion by Bartley's attorneys to compel the prosecution to elect upon which of the counts in the information the state would stand.

This motion was dismissed at some length and was finally overruled by Judge Baker.

As a further means of delay in preventing Bartley from standing before the bar and answering to the charge filed against him his attorneys gave notice that they would file a motion for a new trial on the plea in abatement and would not allow their client to stand in the court until this motion had been heard and passed upon.

County Attorney Baidrige, however, proceeded in the case without regard to this announcement and had the case called before the court.

Mr. Mahoney told Bartley to keep his seat and detailed to the court stenographer a notice that he would within three days file a motion for a new trial on the plea in abatement.

He then stated that he would not allow his client to plead until this motion had been heard and passed upon.

Judge Baker said the attorneys for Bartley could file anything within reason, but said it was not necessary to delay the arraignment of the defendant.

The next step taken was the argument on the demurrer filed by Bartley's attorneys. This demurrer was aimed at the information and charged that the document in question did not charge a crime under the laws of Nebraska.

The argument on this demurrer was made by O. C. Whedon.

Mr. Whedon asserted that the information did not set up the several steps which the law provided must precede the issuance of a warrant in order that the defendant should be legally drawn and took the position that the information should set up each of these steps in order that a warrant should be a legal warrant.

Mr. Whedon read the act of 1885, which provides for the issuance of warrants for specific purposes, among these being an appropriation of \$180,101.75 to reimburse the sinking fund.

The act provided that this money should be paid on vouchers of the proper voucher.

He charged that the presentation of this voucher was a question of fact and should be determined by the jury and he alleged that there was no allegation in the information which would give the warrant referred to any value whatever.

When court convened in the afternoon Mr. Whedon resumed his argument. Taking up the question suggested by Judge Baker as to whether a demurrer was necessary if the defendant had been converted of the public funds, he took the position that a public officer would only be guilty of conversion in the ways named in the act, and he argued that converting it to others or by investment. He asserted that putting the money into his pocket would not constitute conversion.

He argued that the money in question was either loaned and to whom, or that it had been loaned and to whom, or that it had been loaned and to whom, or that it had been loaned and to whom.

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was illegal and void because the appropriation in question was not referred to in the title and that the act was therefore unconstitutional. From this he argued that the warrant for \$180,101.75, which Bartley is charged with embezzling, had no value and that, therefore, no crime could have been committed.

In conclusion Mr. Mahoney's argument Judge Baker discussed the points raised by the defense. He held that the charge that Bartley did embezzle was substantiated by the evidence.

Regarding the constitutionality of the legislative act making the appropriation, Judge Baker held that it was constitutional. He then overruled the demurrer.

The county attorney again announced that he was ready to arraign the defendant.

Mr. Mahoney repeated the motion made in the morning by the defendant, made not ready to plead until the motion for a new trial on the plea in abatement had been heard and passed upon.

Judge Baker announced that this objection would be overruled and that the defendant would be arraigned until this motion had been heard and passed upon.

BARTLEY DECLINES TO ANSWER. Bartley and his attorneys held a short consultation and then Bartley approached the bar of the court, where the complaint against him was read aloud by County Attorney Baidrige.

At the conclusion of each of the eight counts the county attorney asked the question: "What do you plead to that, guilty or not guilty?"

Instead of answering, Bartley simply stood silent, refusing to plead or to make any answer to the charges against him.

Following the arraignment, Judge Baker asked the next step would be. The county attorney announced that the state would be ready to proceed with the trial.

Mr. Whedon replied to a question that he did not think the defense would "be ready in the near future or at this term of court," which is the world's first trial by jury.

After a lengthy discussion Judge Baker fixed the case for hearing next Tuesday morning at 9:30 o'clock.

HOUSE PASSES EXPOSITION BILL. Illinois Appropriates Forty-Five Thousand for a Building.

SPRINGFIELD, Ill., June 2.—(Special Telegram.)—The house today passed the senate, or Crawford, bill to provide for the participation of the state of Illinois in the Transmississippi and International Exposition to be held at Omaha, Neb., Aug. 1, 1897.

The bill appropriates \$45,000 for the purpose of erecting a state building at the exposition. The building is to be kept open at all times when the exposition is open and the state is to be represented by a commission of five members.

In addition, the governor is authorized to appoint a commission of five members to examine the grounds for the exhibition of all exhibits from Illinois as may, in the opinion of the commission, be advisable and to secure, encourage and assist in the exhibition of all matters connected with these exhibits.

The members of the commission are to be appointed by the governor and one member will be allowed his necessary expenses, but the expense must not aggregate over \$5,000.

Chicago members of both branches of the assembly have been in session since yesterday and met with little opposition, except from country members who pronounced ideas of economy. A number of Chicago members have already given notice of intention of exhibiting, and there is no doubt that the state will be well represented.

DURRANT DEMANDS HIS LIBERTY. Preliminary to Another Appeal to United States Circuit Court.

SAN FRANCISCO, June 2.—There will be 200 invitations issued for the execution of Durrant. Warden Hale has fixed 10:30 a. m. as the hour of execution. Twenty-five minutes will be permitted to witness the tragedy at the request of his attorneys.

Durrant yesterday made a formal demand for his liberty, asserting that he was unjustly imprisoned. This will be part of the appeal to the supreme court and is to cover the point which might be made by failing to protest against the demand he had lost his right to the claim.

This point must be decided before Durrant can be charged with the crime of murder. Durrant inflicted two penalties—imprisonment and death—while the law says one or the other is illegal. Counsel will hold that Durrant is entitled to his liberty.

PROMPTLY QUELS A MUTINY. Warden of a California Prison Gives Orders to Shoot.

SACRAMENTO, Cal., June 2.—An attempted mutiny at the state prison at Folsom today was stopped by the prompt and decisive action of Warden Charles Aull, who directed that the guards should at once shoot down the seven ringleaders at the first sign of revolt. About 300 convicts are employed at the rock crusher, and the plan agreed upon by the convicts was that when they returned to the rock crusher at noon today they should work without pay.

CHICORY GETS PROTECTION

Senate Committee on Finance Will Look After the Industry.

DECIDES TO ADOPT DINGLEY PARAGRAPH

Will Put One Cent Per Pound on the Raw Chicory and Two and a Half on the Ground Article.

WASHINGTON, June 2.—(Special Telegram.)—Chicory interests will be partially taken care of by the senate committee on finance. Senator Thurston has labored untiringly with members of the committee to secure the concessions desired by his constituents.

The finance committee has agreed that a tariff of 1 cent per pound will be placed on chicory root dried or roasted but not ground and 2 1/2 cents on manufactured preparation. This is substantially the Dingley bill.

There will not be any new sugar schedule, according to one of the best informed sources interested in this branch of the tariff. He said that there might be some modifications made in the paragraph as reported by the senate committee, but if made they would be an additional hurt to the Sugar Trust.

He suggested as the most likely change that all valorem must pay duty on prices at the port of entry instead of port of export, as now on the statute books through the Wilson tariff act.

Mr. Whedon replied to a question that he did not think the defense would "be ready in the near future or at this term of court," which is the world's first trial by jury.

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agreed to a reported amendment offered by Mr. White of California embodying the Wilson rates being rejected without division. A contest arose over the rate in paragraph 137. The house has now 115 cents per pound, senate 14 1/2 cents per lb.

Mr. Vest now offered an amendment reducing the rate to 12-10. He characterized the proposed rate as prohibitive and outrageous. Whatever had been the condition of the tin plate industry it was now on its feet.

Senator Allison said that the tin plate industry was now on its feet. He said that the tin plate industry was now on its feet. He said that the tin plate industry was now on its feet.

Mr. Jones of Arkansas said an association of tin plate manufacturers had been formed and had advanced rates on their goods, while Mr. Vest's amendment would reduce the rate to 12-10.

Mr. Vest's amendment on tin plate was disagreed to, yeas 21, nays 32.

Paragraph 131, covering steel ingots, blooms, and pig iron, was agreed to, yeas 107, nays 17.

Paragraph 132, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 133, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 134, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 135, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 136, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 137, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 138, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 139, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 140, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 141, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 142, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 143, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 144, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 145, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 146, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 147, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 148, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 149, relating to wire rods, was agreed to, yeas 107, nays 17.

Paragraph 150, relating to wire rods, was agreed to, yeas 107, nays 17.

COMMERCIAL LEADERS DINE

Representatives of the Western Hemisphere Gather Round Festive Board.

NOTABLE BANQUET AND NOTABLE GUESTS

Fifteen Hundred Persons Participate and President McKinley is the Principal Guest and Speaker.

PHILADELPHIA, June 2.—The commercial leaders of the western hemisphere assembled in the great exchange room of the bourse tonight at what was probably the most notable banquet ever given on this continent, nearly 1,500 persons participating.

President McKinley was there and he spoke to the assembly. Seated at the table of honor were Secretary of Agriculture Wilson, Attorney General McKenna, Congressman Dingley, Dabell, Grosvenor, Heatwole and Tawney, the ministers from Mexico, Brazil, Chile, Argentina, Venezuela and other South American governments, the Chinese minister and a number of other eminent officials from the capital.

The dinner in which the dinner was held covers an entire block in area. It was gorgeous with light and color. Enclosed in a compartment formed by walls of glass at one end of the hall, the president and his party were seated, and almost immediately after this had been accomplished a great shout from the eastern end of the hall announced the arrival of the president.

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great economic truths and are prepared to pursue them to their successful conclusion. His generous support will increase its usefulness.

One national industrial undertaking prepared the way for another. A great exhibit like this is an education and a inspiration. It concentrates the attention of the masses, broadens their horizons, and promotes confidence, promotes the spirit of cooperation and rivalry, awakes the imagination, and stimulates the intellect.

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CANOVAS GIVES UP

Spain's Premier Now Admits Inability to Control the Cortes.

HANDS THE QUEEN HIS RESIGNATION

All Members of the Cabinet Go Out with Their Chief.

PRESENT CRISIS IS EXTREMELY GRAVE

Queen Christina Finds Herself in a Most Awkward Predicament.

SAGASTA MAY BE CALLED TO POWER

Indications Point to the Formation of a Liberal Cabinet and a Reversal of Policy in Regard to Colonies.

LEAD CANOVAS' Resignation, Wm. Madrid, Spain, June 2.—(New York World Cablegram—Special Telegram.)—Senor Canovas handed to the queen regent today his resignation as premier and the resignation of all the members of his cabinet.

The crisis is extremely grave. The excitement in political and financial circles is intense. Never since the death of King Alfonso XII in 1885 has Queen Christina found herself in so serious and difficult a position. She feels that all eyes abroad, as well as in Spain, are turned toward her at this juncture.

She perceives that the friends of the Canovas administration and the opposition all look to her for a solution of the crisis, because in a country where elections never fairly represent the real public sentiment, where the Parliament and the elective bodies are packed to suit the purposes of the powers that be, all classes naturally expect from royalty the supreme decision in hours of peril, when rival parties seek to enter the councils of the regency or when public opinion, the press and the opposition seem adverse to the policy of the party in office.

When Senor Canovas obtained from the queen today a royal decree suspending the sittings of the Cortes indefinitely because he was unable to carry on the government longer on account of the liberals refusing to attend the queen and him if there was no way to re-establish harmonious relations between the government and the opposition. Senor Canovas replied that he could not see any way to do so, and therefore tendered the resignation of the whole cabinet in order to give full scope to the regency in arriving at a decision.

The queen requested him to come to the palace and to consult public opinion, the press and the opposition seem adverse to the policy of the party in office.

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