THE OMAHA DAILY BEE.

W B Lambert

THIRTEENTH YEAR. OMAHA, NEB. FRIDAY, MORNING, OCTOBER 26, 1883. NO. 112.

UNERRING JUSTICE.

That Which Judge Gaslin Dispenses Without Regard to Technicalities or Quibbles.

The Minden Murderer Convicted the Second Time and Sentenced to Hang.

A Colorado Cowboy Hurried Into the Hereafter by a Frightened Horse.

Arkansaw Train Robbers Fooled by Freight—Some Mysteries and Mail Robberies.

CRIMINAL RECORD.

Special Dispatch to THE BEE.

SIMMERMAN AGAIN CONVICTED.

KEARNEY, Neb., October 25.—At Minden, this morning, in the second trial of Matt. Simmerman, for the murder of Sheriff Woods, last fall, a verdict was rendered of murder in the first degree, the jury being out but a few hours. The prisoner was sentenced by Judge Gustin to be hung the 4th of next February. He received his sentence uneffected, merely claiming his innocence. He was brought to Kearney by Sheriff Erickson and posse, and will be kept here till the day of execution. It is not believed that lynching has been at any time seriously contemplated.

Hare, the horse thief, who was also on trial the second time, received sentence of six years in the penitentiary.

TRAIN ROBBERS FOOLED.

ST. LOUIS, October 25.—The Post-Dispatch special from Walnut Ridge, Ark., says: An attempt was made to rob the north bound express train on the Iron Mountain road last night about 10 o'clock, between Akron and Deplaine, fifteen miles north of this place. Fortunately the express train was late and a local freight was running on the time of the express. The local was signalled by three lanterns. When it stopped it was boarded by a party of six men, all heavily armed. After a few questions they found they had stopped the wrong train and passed into the woods with many curses, but without molesting anything or anybody. The conductor of the local telegraphed roadmaster Griffin, of this place, who summoned a posse of citizens, headed by John Rehea, and accompanied by the U. S. Marshal, O. K. Wheeler, who went north on the belated express, eager for a fight with the robbers, but no further attempt was made to rob the train.

The robbers are all large men, from 30 to 40 years old and wore heavy overcoats, and carried common lanterns. They were apparrently well organized and seemed to know their business. Every effort is being made to overtake them

THE ZORA BURNS MYSTERY.

CHICAGO, October 25.—The Journal's Lincoln (Ill.) special says a party of men with boats, rakes, and heavy seines have been dragging Salt creek to-day in almost vain hope of finding Zora Burns' missing valise. At 1 o'clock this afternoon nothing had been found. Katie Maddern, who saw the woman enter Carpenter's elevator Saturday night, did not know Zora Burns and can give no description of the girl.

ARREST OF MAIL THIEVES.

WICHITA, Kan., October 25.—John M. Crowell, United States Postoffice Inspector, who arrived here to-day, arrested Miller Bird as an accomplice of John Jones, whom Major Crowell arrested at Council Bluffs Saturday night last, and who had stolen a registered letter from Wyandotte (Kan.), postoffice on the 10th of last June, which letter contained $60, which was divided between Jones and Bird.

DRAGGED TO DEATH.

DENVER, October 25.—One of the Mexicans implicated in the murder of four men at a dance near Gardner, five nights ago, was overtaken by a band of armed citizens last night. A rope was placed around his neck and the other end made fast to the horns of his saddle. The horse was then frightened into a run, dragging the poor culprit over rocks and stumps until life was extinct. When captured he stated he, with companions had been hired to commit the murder.

ANOTHER HEATHEN TRICK.

SAN FRANCISCO, October 25.—A new Chinese defrauding dodge has just been discovered. Several packages containing between 3,000 or 4,000 unstamped letters, brought over on the Tokio from Hong Kong by self-appointed Chinese mail agents, were seized to-day by the postal authorities. It was remarked that the Chinese correspondence was decreasing, and a watch set resulted in the above discovery.

CAPITAL NOTES.

A JOB FOR ENGLAND.

WASHINGTON, October 25.—The Secretary of the Navy has awarded the contract for armor plates, turrets and pilot house of the monitor Liantonoman to an English firm.

MEMBERS OF THE COREAN EMBASSY

who remained in Washington, including Minhong, the minister, and two attaches, called on the Secretaries of State and Navy to-day. They were received at the Navy Department by Secretary Chandler and Rear Admiral Schufeldt. The embassy will return to Corea on the United States steamer Trenton, now being fitted up at the New York navy yard for the Asiatic station. She will sail in November. Ensign Foulk has been designated by the President to accompany the embassy to Corea and will remain in that country some time.

The Patriarchal Circle.

MILWAUKEE, October 25.—It is understood that the Supreme Temple of the Patriarchal Circle, in session here yesterday and to-day, has as yet reached no decision as to their action hereafter toward the regular order of Odd Fellows, by which, while in session at Providence recently, resolutions ruling the Patriarchal Circle out of the order after January 1, were introduced and are still under discussion. Many wish to make the Circle an independent order, but the majority will not consent to secede.

The Apaches Routed by Mexicans.

TOMBSTONE, ARIZ., October 25.—W. H. Stuart, who returned here from Swisholm Mountains, says the Apaches have been routed by the Mexican troops with great slaughter. Troops had been stationed to prevent a retreat of the savages into Sierra Madres. The Indians then turned and fled toward Arizona, closely followed by the Mexicans, who overtook them at the extreme end of the Swisholms, where a running fight ensued. The Mexican commander stated that if his troops had not been completely worn out by fighting and forced marches, he would have driven the red devils on the San Carlos reservation himself. Stuart said a large body of routed Indians passed his ranch. They were poorly clad, and fully one third with fire arms.

PLANS OF THE POOLS.

The Recent Warring Roads Decide to Hold the Rates at a igh Notch.

The Iowa Pool Sit Down on the Des Moines Narrow Guage.

CHICAGO, October 25.—A meeting of the Ohio river pool was held here to-day. The executive committee of the general managers first convened and decided that the pooling agreement made at Louisville must be carried out and instructed general freight and passenger agents to arrange plans to that end.

The general freight agents then met and agreed on territory the business of which shall go into the pool. It includes all business to Louisville, Cincinnati and Brighton to the Atlantic ooast, east of Mobile and the Ohio road and south of the Potomac river, also the business via Columbus, Cincinnati or Ashland, destined to points south of the Potomac river. Evansville business also taken into the pool.

The general passenger agents met and reaffirmed the agreement before made as to differential rates. Differential rates, as fixed, only run to December 1st, when a meeting will be held to rearrange them. An agreement was made to pay uniform commissions. This action will be reported to the general managers for ratification or rejection.

A meeting of the lines interested in passenger business out of Des Moines met here to-day for the purpose of taking action to restore, which have been demoralized sometime through the cut made by the narrow gauge road called the St. Louis, Des Moines and Northern. This road is not represented, but the Milwaukee and St. Paul, with which it runs in connection, agreed to refuse to prorate with it, charging local rates for all business from it, till the rates are restored. It is believed this practically settles the difficulty.

SWITCHED OFF.

The Strike of Railroad Switchmen at Kansas City.

KANSAS CITY, October 25.—The switchmen in the yards of the Wabash, Hannibal & St. Joe and Atchison, Topeka & Santa Fe roads struck this forenoon, and it is expected others will follow. The indications are that a large proportion of the railroad officials are firm in refusing to grant the advance. It cannot be stated yet to what extent the work will be interrupted.

The switchmen began to quit work and before night most of them had gone out. The Missouri Pacific & Wabash men were first to quit. The strikers making the rounds persuaded most of the others to leave except the Fort Scott & Gulf men. The Atchison, Topeka & Santa Fe men at Argentine were not heard from, but it is presumed they will also quit. The Fort Scott & Gulf has twenty-six men, and of the others only about half a dozen are left. The Gulf men have generally shorter hours, hence they refused to quit. The strikers grew somewhat noisy urging them and were dispersed by the police. To-night the passenger trains left as usual but nothing has been done in the freight yards, the few men remaining being afraid to work at night. The officials preserve a firm front, refuse to grant the request and maintain if the police are sufficient to prevent intimidation they can go on in a day or two and obviate the blockade. The men ask that switchmen helpers be paid $65 instead of $2 a day, that the foremen receive $70 a month, the working month to exclude Sunday, a working day ten hours and twenty-five to twenty-nine cents for extra hours. Matters are at a stand still to-night, both parties apparently awaiting to-morrow's developments.

The Langtry Coming.

NEW YORK, October 25.—Mrs. Langtry starts to-day on her professional tour. On the 29th inst. Mrs. Langtry opens in Montreal, when she goes to Chicago and San Francisco, playing in all important towns en route. She will probably continue the journey to Australia.

An Important Decision.

DES MOINES, Ia., October 25.—A decision was rendered here to-day in the United States Circuit Court of $153,047.43 against George L., George A., Sarah G., Naomi L. and Kitty Davenport and the First National, Savings and Davenport National banks of the latter named city and thirty-four others. It was based on mortgages given by the two Georges for the loan of $95,000. The death of the elder George Davenport and a division of the property has got into a tangle and all kinds of cases have come out of it. The costs of the suits amount to about $100,000.

O'Donnell's Prospects.

CHICAGO, October 25.—Sullivan, one of the counsel for the defense of O'Donnell, cabled from London yesterday that the prisoner had a good prospect of acquittal, but money was needed to secure witnesses from South Africa. The treasurer of the O'Donnell defense fund here at once forwarded $2,000.

A Salted Fire.

EAST SAGINAW, October 25.—Bliss, Brown & Co's. saw mill, two salt blocks and one thousand barrels of salt and two drill houses, burned last night. Loss $60,000, insurance $40,000.

LAYING DOWN THE LAW.

The Supreme Court Issues Its Final Decree in the Civil Rights Cases.

A Detailed Review of the Amendments and the Laws Bearing on the Subject.

Previous Conclusions Fortified and Emphasized by the Court.

WASHINGTON, October 25.—The following supplementary decision was filed to-day: After questing the first two sections of the decisions of the Supreme Court on the civil rights acts, Justice Bradley, who delivered the opinion, says:

Has Congress constitutional power to make such law? Of course none will contend that the power to pass was contained in the constitution before the adoption of the last three amendments. Power is sought first in the Fourteenth Amendment, first section, which is the one relied on. After declaring who shall be a citizen of the United States and several States, it is pronibitory in its character and prohibitory upon States. It states the action of particular character that is prohibited. Individual invasion of individual rights is not a subject matter of the amendment. It has deeper and broader scope. It nullifies and makes void all State legislation and State action of every kind which impairs the privileges and immunities of citizens of the United States or which injures them in life, liberty or property, without due process of law, or which denies to any of them the equal protection of the law. It not only does this, but in order that the national will thus declared may not be mere *brutum fulmen*, the last section of the amendment invests Congress with the power to enforce it with appropriate legislation. To enforce what? To enforce the prohibition, to adopt appropriate legislation for correcting the effects of such prohibited State laws and State acts and thus render them effectually null, void and inocuous. This is the legislative power conferred upon Congress and this is the whole of it. It does not invert Congress with power to legislate upon subjects which are within the dominion of State Legislatures but to provide modes of relief against State legislation or State action of the kind referred to. If this legislation is appropriate for enforcing the prohibition of the amendment, it is difficult to see where it is to stop. Why may not Congress with equal show of authority enact a code of laws for enforcement and vindication of all rights of life, liberty and prosperity? If it is not supposable that States may deprive persons of life, liberty and property without due process of law, and the amendment itself does suppose this, why should not Congress proceed at once to prescribe due process of law for the protection of every one of these fundamental rights in every possible case, as well as to prescribe equal privileges in inns, public conveyances and theatres?

Judge Bradley refers to the civil rights bill of April 4th, 1866, and shows it is clearly corrective in its character, intended to counteract and furnish redress against Statte laws and proceedings, and having the force of law which sanctions the wrongful acts specified. "In this connection," Bradley adds, "It is proper to state civil rights such as are guaranteed by the constitution against state aggression, cannot be impaired by wrongful acts of individuals unsupported by State authority in the shape of laws, customs or judicial or executive proceedings. A wrongful act of an individual unsupported by any such authority, is simply a private wrong or a crime of that individual. An invasion of the rights o the injured party, it is true, whether they affect his person, his property or his reputation, but if not sanctioned in some way by the State, or not done under its authority, his rights remain in full force and may presumably be vindicated by resort to the laws of the State for redress. No individual can deprive a man of his right to vote, to hold property, to buy or sell, to sue in the courts, or to be a witness or juror. He may by force or fraud interfere with the enjoyment of rights in particular cases; he may commit assault against his person or commit murder or use ruffian violence at the polls or slander the good name of a fellow citizen but unless protected in these wrongful acts by some shield, some State law or State authority, he cannot destroy or injure the right. He will only render himself amenable to satisfaction or punishment, and amenable therefore to the laws of the State where the wrongful acts are committed. If the principles of the interpretation we have laid down are correct, as we deem them to be, it is clear the law in question cannot be sustained by any grant of legislative power made to Congress by the fourteenth amendment, but the power of Congress to adopt direct and primary as distinguished from corrective legislation on the subject in hand, as sought in the second place from the 13th amendment, which abolishes slavery and gives Congress power to enforce the amendment by appropriate legislation. This amendment as well as the 14th is undoubtedly self-executing without any auxilliary legislation, so far as its terms are applicable to any existing State circumstances. By its own unaided force and effort it abolished slavery and established universal freedom. Still legislation may be necessary and proper to meet all the various cases and circumstances to be affected by it and to prescribe proper modes of redress for its violation in letter or spirit, and such legislation may be primary and direct in its character, for the amendment is not mere prohibition of State laws establishing or upholding slavery, but an absolute declaration that slavery or involuntary servitude shall not exist in any part of the United States. Now, conceding for the sake of argument, that admission to an inn, public conveyance or place of public amusement on equal terms with all other citizens is the right of every man and all classes of men, is it any more than one of those rights which the States by the 14th amendment are forbidden to deny to any person? Is the constitution violated until the denial of the right? Can the act of a mere individual, owner of an inn, public conveyance or place of amusement, refusing accommodation, be justly regarded as imposing any badge of slavery or servitude upon the applicant or only inflicting ordinary civil injury properly cognizable by the laws of the State, and presumably subject to redress by these laws until the contrary appears? After giving to these questions all the consideration which their importance demands, we are forced to the conclusion that such act or refusal has nothing to do with slavery or involuntary servitude, and that if it is a violation of any right of the party, his redress is to be sought under the laws of the State, or if those laws are adverse to his rights and do not protect him, his remedy will be found in corrective legislation which congress has adopted or may adopt for counteracting the effect of State laws or State action prohibited by the fourteenth amendment. When man has emerged from slavery and by aid of efficient legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen and has ceased to be the special favorite of laws, and when his rights as a citizen or man are to be protected in the ordinary modes by which other men's rights are protected. There were thousands of free colored people in this country before the abolition of slavery, enjoying all the essential rights of life, liberty and property, same as white citizen, yet no one at that time thought it was any invasion of their personal status as freemen because they were not admitted to all the privilege enjoyed by white citizens, or because they were subjected to discriminations in the enjoyments of accommodations of inns, public conveyances and places of amusement. Mere discriminations on account of race or color were not regarded as a badge of slavery. If since that time the enjoyment of equal rights in all these respects has become established by constitutional enactment, it is not by force of the 13th amendment (which merely abolishes slavery) but by force of the 14th and 15th amendments. On the whole we are of the opinion that there is no countenance or authority for the passage of the law in question found in either the 13th or 14th amendments to the constitution, and no other ground of authority for its passage being suggested, it must necessarily be declared void, at least so far as its operations in the several States is concerned.

THE KNIGHTS OF IOWA.

The Fourteenth Annual Session of the Grand Lodge K. of P. of Iowa.

OTTUMWA, October 25.—The Fourteenth annual session of the Iowa Grand Lodge of Knights of Pythias, held in this city, closed its labors to-day. Last night 250 knights, many of them accompanied by ladies, sat down to an elegant banquet, prepared by the ladies of the First M E. church, in the lecture room of their fine church edifice. After supper toasts and speeches were indulged in. Three hundred knights and ladies attended the grand ball at Market street opera house. The competitive drill did not take place on account of the inclemency of the weather. The Grand Lodge elected the following officers for the ensueing year: Grand chancellor, J. D. M. Hamilton, of Ft. Madison; grand vice chancellor, J. S. Hart, of Clinton; grand prelate, Al. Hilbert, of Fairfield; grand master of the exchequer, W. G. Mercer, of Burlington; grand keeper of records and seals, H. D. Walker, Mt. Pleasant; grand master at arms, T. O. Walker, of Bloomfield; supreme representative, Jno. W. Greene, of Davenport; trustees, W. A. Parks, Des Moines; W. R. Vaughn, Council Bluffs; G. I. G., R. E. Goodman, Ottumwa; G. O. G., C. A. Stanchfield, Creston.

The following are the officers elected of the grand division: C. R. K. H., B. A. Beeson, Marshalltown; grand commander, J. C. Loper, Des Moines, second assistant commander, A. H. Hilbert, Fairfield; adjutant, J. W. Greene, Davenport; quartermaster, S. A. Spilman, Ottumwa; sargeant, W. L. Wilkins, Sioux City. This is the first grand division formed in Iowa.

BUSINESS FAILURES.

A Heavy Blow to the Hat Trade of Chicago—Other Failures.

CHICAGO, October 25.—Eddy Harvey & Co., wholesale dealers in hats, caps and furs, made a voluntary assignment, but a statement is made that the trouble will be but temporary. Liabilities estimated about $200,000, no estimate on assets obtainable yet. Debts are due chiefly in New York. The immediate cause of the failure is understood to be the maturing of paper in that city which the firm was unable to meet. Contributary causes are dull trade and sharp competition. It is stated there are no preferred creditors. The firm is one of the oldest and best known in their business and highly rated by commercial agencies. They were in straights a year ago, but took in a special partner with $150,000 capital and added a boot and shoe department. The failure therefore was unlooked for.

Conrad Kaltentedt, manufacturers of copper kettles, boilers and stills, made a voluntary assignment. Liabilities $30,000, assets estimated at $18,000. Creditors chiefly in Chicago and Pittsburg.

The Standing of the Northern Pacific

NEW YORK, October 25.—Anderson and Man applied to Judge Barrett to-day for an order to examine Henry Villard, President of the Northern Pacific, in reference to the standing of the company. The order was granted. William M. Evarts and Roscoe Conkling have been retained by the Northern Pacific company.

Hugging a Hot Stove.

WARRENTOWN, Mo., October 25.—A wildly insane man named Keeney was placed in a large room adjoining under the court house by the authorities, who had taken him in out of the wet. While the jailer was at supper screams attracted the people to the window, where they saw Keeney in an insane frenzy hugging a red hot stove. He was taken away but death soon ensued.

A Road House Burned.

CHICAGO, October 25.—The South Park Hotel, a somewhat noted road house in the fine residence district, in the southern outskirts of the city, burned to the ground this morning. The inmates in the hotel were warned in time and all escaped, though a number were compelled to make hurried exit. Loss, $25,000; partly insured.

HIFALUTIN PRAYER.

The Remodeled Method of Appealing to Heaven When "Bound With the Chain of Our Sins."

The Episcopal Convention Dispose of a Vast Number of Amendments and Committee Reports.

The Disciples of Christ Congratulate Themselves on the Work of the Year.

PHILADELPHIA, October 25.—In the Protestant Episcopal Church Convention the house of deputies submitted a report showing from 1833 to 1883 the growth of the church had been such as to more than double the members of dioceses, from 18 to 48; to increase the number of churches in a large ratio; to increase the number of clergy five fold, from 592 to 3,572; and the number of communicants more than ten fold, from 36,939 to 372,484; also the number of baptisms in nearly the same proportion. The number of missionary jurisdictions have grown 100 per cent since 1871; the number of missions a like gain and the offerings a gain of 100 per cent from 1868 to 1880.

The House of Deputies went into committee of the whole on the report of the joint committee on prayer book. Consideration of section D of resolution 7 was resumed. The resolution relates to prayers and thanksgivings on several occassions. Rev. Dr. Harrison offered an amendment, which was adopted, to insert the following before the general intercession, "O God, whose nature and property is ever to have mercy and to forgive, receive our humble petitions; though we be tied and bound with the chain of our sins, yet let pitifulness of thy great mercy loose us; for the honor of Jesus Christ, our mediator and advocate, Amen." "A prayer for mercy and pardon," will be the title of the prayer.

Section D was amended and adopted by placing at the end "Evening prayer."

Section E was agreed to as follows: Insert after the word "thanksgiving" the following rubric, "To be used after the general thanksgiving at the morning and evening service or else before the two final prayers, if the office be one in which the general thanksgiving hath not its usual place.

Section F and G were then agreed to. The committee then rose and Judge Sheffey, chairman, reported the changes made in resolutions 5, 6 and 7. Rev. Dr. Huntington moved to approve resolution 5. An amendment was offered and lost and after a spirited debate a recess was taken.

On reassembling the committee on canons reported a resolution of non-concurrence with the Bishops relative to the appointment of a joint committee on discipline. Adopted.

The amendment of article 5 of the constitution, relative to the creation of new dioceses was postponed until the next convention.

The report of the committee on the memorial of Rev. Mr. Vault, of Arkansas, and the resolution of Judd, of Illinois, relating to a court of appeals, was taken up. Judd wished it understood he had made the motion in the interests of city dioceses of Illinois. There is no government which does not make provisions for a review of proceedings in a court below. The clergy themselves are interested in this matter, as they do not know how soon they will come up for trial. Schism in the church might have been prevented if there had been a court of appeals.

The Disciples of Christ.

CINCINNATI, October 25.—The General Home society and Missionary convention of Disciples of Christ began session today, Rev. Father Dungan, of Iowa in the chair. The report of the corresponding secretary showed the extent of the work done by agents in destitute places south and north. The erection of a Garfield memorial church in Washington is under the superintendence of this society. The edifice will be ready for dedication in December. The disbursements of the three missionary societies for the year aggregated $60,000. The address of President Dungan was delivered to-night.

Iowa Baptists.

SIOUX CITY, Ia., October 25.—The Baptist State Convention met this morning. The union for ministerial education was called to order by the Rev. George W. Gardner. The annual sermon was preached by Rev. E. C. Taylor, of Bedford. The committee on resolutions presented a report. The resolutions refer to the importance of the work of the ministerial union, in the work of securing educated ministery, commending the union to members as worthy of generous aid and thanking the boards of trustees and faculties of colleges for generous help in their work. Dr. Dickinson, of Des Moines, was elected president of the union, and Dr. Keith, same city, secretary. The union adjourned.

The Army of the Cumberland.

CINCINNATI, October 25.—At a business meeting of the society of the Army of the Cumberland this morning, Gen. Barnett, chairman of the committee on Garfield monument, reported a place had been selected in Washington but it would require the action of Congress to make it final. He thought the monument would be complete in time for the reunion of 1885.

Gen. Cist, from the committee on publication, reported a portrait of Gen. Wilson, cavalry commander, would be in the next volume.

Capt. Ford reported the accession of 150 new members.

Maj. W. H. Lambert, of Philadelphia, was selected the next orator with Capt. B. Foraker, of Cincinnati, alternate.

The committee on nominations reported the re-election of the present officers as follows: President, Gen. Phil. H. Sheridan; corresponding secretary, Gen. H. M. Cist; treasurer, Gen. G. Fullerton; recording secretary, Col. J. W. Steele, with a vice-president from each State and Territory represented in the society. Adopted. The committee on time and place submitted two places—Rochester and Grand Rapids, and named the first week in September. The time was changed to September 21st and 22nd, Chickamauga week, and a ballot resulted in the selection of Rochester, N. Y., as the place.

Col. Kelly, of Louisville, offered a resolution commending the portrait of Gen. Thomas, painted by S. W. Price, and asking Congress to purchase it. Adopted. The society then marched to the Chamber of Commerce on invitation of that body. The place was profusely decorated with banners, shields and bunting. Capt. J. B. Foraker made the address, presenting the society to the merchants. Capt. W. W. Peabody, president of the Chamber of Commerce, responded and then introduced Gen. Sheridan, Rosecrans, Logan, Hazen, Keifer, Kimball, Morgan, Stanley and Consul Emil Frey, all of whom made brief addresses which were well received.

REBELLION REMINISCENCES.

CINCINNATI, October 25.—The attention of Rosecrans being called to the article published this morning containing extracts from an interview with him printed yesterday in the Washington Republican, in which he is severe upon the conduct of General Wood at the battle of Chickamauga and in which he talks of the relation between himself and General Garfield, he has sent to The Commercial-Gazette for publication to-morrow, the following card:

"The statements in your issue to-day under the caption of 'Rebellion Reminisences,' are so distorted, jumbled and contrary to what I have always thought, known and stated, that nothing short of a disavowal of the whole will do justice to history."

[Signed] W. S. ROSECRANS.

General Rosecrans in conversation expressed regret at the publication, especially at the time of the reunion, where he and General Wood are in attendance.

GENERAL FOREIGN NEWS.

THE MONARCHISTS IN FRANCE.

PARIS, October 25.—Rochefort's Intransigiente believes an agreement has been made between the Ministry and Duc de Aumale as representative of the Orleanists, contemplating the establishment of the Orleans dynasty in France. It says Premier Ferry would rather remain in office and lend his assistance to restoration of the monarchy than resign in order that the republic might live. Republican journals assert while there is no doubt of an understanding between the Ministry and the Orleanists, it extends no farther than a parliamentary alliance.

SPANISH REPUBLICANS.

MADRID, October 24.—It is reported Castelar and his republican supporters resolved to maintain a friendly attitude toward the new government if it fulfilled its promises, especially to restore universal suffrage.

A SERMON ON PEACE

VIENNA, October 25.—The Emperor received the Austrian and Hungarian delegations to-day. He declared the relations of Austria and foreign nations entirely satisfactory and the people of all countries felt strongly the need of peace. Austria's efforts have ever been directed to that end, as peace enabled the government to give increased attention to the material interests of the country. While reforms in the army would require additional expense he hoped the tranquilization of Bosnia and Herzegovinia would lead to the reduction of the army of occupation of these provinces.

A Postoffice Crook.

AUSTIN, Tex., October 25.—Postoffice Inspector Gen. Edgarton, of St. Louis, who has been investigating the affairs of Inspector P. Foster has found evidence showing Foster's course for five years past has been a highly criminal one, involving falsification of vouchers for a large sum and various other irregular and corrupt practices. General Edgarton is now en route to Washington to report the case.

Lansdowne's Conservatism.

OTTAWA, October 25.—It is understood Lansdowne, acting upon the suggestions in Lorne's answer to the last address presented him, has decided not to receive addresses from English, Scotch or Irish societies.

THE CONGREGATIONALISTS.

The Meeting of the General Association at York.

The State Journal.

The twenty-seventh annual meeting of the general association of Congregational churches of Nebraska began yesterday evening at York, and will close on the 28th inst.

A large number of ministers and delegates from the towns south and east of here arrived yesterday on their way to York, and were joined by a number of Lincoln Congregationalists. A special car was added to the York train for their accommodation.

Among those going from here to attend the association we noted Rev. Lewis Gregory, pastor of the church here; Rev. C. W. Merrill, superintendent of home missions, with his wife; Mrs. Chas. West, Mrs. J. P. Hebard and Mrs. J. Nicholls, delegates to the association.

Among the ministers and lay delegates we noticed Dr. L. H. Cobb and Dr. Jos. B. Clark, of New York; Mr. T. H. Leavitt, of Omaha, and Mrs. Leavitt, Secretary of the Ladies' Missionary association; Mrs. Geo. Hall, Secretary of the Ladies Missionary association, of Omaha; Rev. A. Dresser, of the Congregational academy at Franklin; Rev. W. S. Hampton, of the Franklin church, Rev. Wm. Baker, of Illinois, Rev. George Hindley, of Nebraska City, Rev. Mr. Ashman, of Syracuse, Rev. E. E. Webber, of Wahoo, Rev. Park, of Friend, Rev. Butler, of Exeter, and Rev. Taylor, of Clay Center, pastors; President Perry, of Doane college; S. C. Dean, president of the Ladies' Missionary association; Rev. J. D, Stewart, State Sunday school secretary, and Rev. H. Bross, of Crete.

DIED.

ROSE—In this city, October 25, at 12:15 p. m., Dr. M. C. Rose, age 32 years. Notice of funeral will be given hereafter.

SIMPSON—In this city, October 25, at 7:30 a. m., Mr. A. E. Simpson, age 38 years. Notice of funeral will be given hereafter.

FARRELL.—The funeral of Mrs. Margaret Farrell will take place this morning at 8:30 a. m., from the residence of Mr. John Tracey, corner 13th and Pierce, to St. Philomena's cathedral, where mass will be celebrated at 9 a. m.

THE APOSTLES' CREED.

A Little Hilarity Among the Elevated Saints Surrounding the Pope of Polygamy.

The Prophet is Honored By a People with Inflated Ideas of Their Destiny.

The Commercial Situation and the Ravages of Diphtheria in the Valley of the Jordan.

Correspondence of THE BEE.

SALT LAKE CITY, October 23.—A late dispatch from this city states that "It is said that John Taylor intends to resign the Presidency on account of old age, that George Q. Cannon will be his successor." Not much. We know better. Who ever heard of a prophet resigning. It's not in history. Again, he does not feel old; and all who have known him for years believe him to be a more vigorous and healthy man than he was ten or fifteen years ago. Why, Bishop Hunter, who died last week, aged nearly ninety-one, never talked of resigning, and why should the President of the church. Besides his administration is entirely satisfactory to the Mormons, whatever it may be to others. He keeps

HIS FACE TO THE FOE

with a stiff upper lip, and talks to his people as though his confidence was unlimited in their manifest destiny to become "the head and not the tail" of all peoples. He has a peculiar idea that the Mormons will yet save the constitution of the United States when ruthless hands for sinister purposes shall seek to rendit asunder. If Cæsarism ever attempts to establish a monarchy Mormonism is to be the salt to save the republic; if for party purposes the Union is endangered by ambitious politicians the Mormons are to be the loyal friends of American institutions and preserve them intact. Such is the tenor of his utterances and such his people believe will assurredly be the case. They have abundant faith in their own mission if nobody else has.

WE SHALL SEE.

Then with regard to George Q. Cannon being Elder John Taylor's successor, we shall see. When Joseph Smith was alive but very few imagined that Brigham Young would succeed him; when Brigham Young ruled the destinies of the Saints many names stood before that of John Taylor in the speculations of the people. Were Elder Taylor to go to his reward to-day, according to former precedents Wilford Woodruff, the senior apostle, would step into his shoes, but, as that is not probable, it altogether depends upon who is at the head of the apostleship when the president dies. Next to Wilford Woodruff stands Charles S. Rich, who has been an invalid for three years or more, then Lorenzo Luon, all aged men, and it is quite probable that the present head of the church will outlast them all, so speculation is vain on this point, and it matters little who succeeds the prophet of to-day, the policy pursued will be the same, slightly tempered perhaps, by the constitutional peculiarities of the leader; but only to a very slight extent, as the aims and objects of Mormonism have been to well defined by those already at its head.

THE COMMERCIAL SITUATION

in this city is somewhat peculiar. The building and kindred trades are exceedingly busy, and numerous buildings are going up in all directions, yet business is far from brisk. A cut in freight rates threatens to complicate matters. All goods are to be brought from points on the Missouri to this place for 25 cents per 100 pounds, by the U. P. This grows out of a little war between the U. P. and the D. & R. G. How long such rates will continue no one has any idea, but possibly a peace will be patched up very shortly, and

THEN WE SHALL SUFFER.

Messrs. Adams, Ames and Baker, of the U. P. directorate, are here, and they may be able to do something towards the solution of the freight problem. At present most merchants are at the mercy of the roads, and they have long since learned "that the tender mercies of the wicked are cruel."

The health of Salt Lake City is at present below par. Deaths are far too numerous Diptheria is especially fatal. It is strange that in the rare, pure atmosphere of the mountain canyons this disease is as fatal as in the crowded cities; and some are inclined to the belief that the rarity of the atmosphere in these elevated valleys is rather a detriment than otherwise when persons are attacked by this fell destroyer. WENO.

Destructive Fire.

PITTSBURG, October 25.—Mundorf's planing mill, on the south side, together with five two story frame dwelling houses and one million feet of lumber, were burned this morning. The flames were discovered shortly after 8 o'clock and originated in the furnace room of the planing mill, where the furnace was being fed with shavings. The fire spread with such rapidity that the employes barely escaped with their lives. The foreman and engineer received severe but not serious burns. In twenty minutes the entire mill, together with the dwellings and lumber, were burning fiercely, and in an hour nothing remained but smoldering ashes The dwellings were occupied by seven families, who were unable to save any of their household effects, and consequently suffer severely. Loss aggregated $55,000; insurance on mill and lumber, $40,000; household goods uninsured.

CHICAGO, October 25.—The Journal's Bronson (Mich.) special says Reynolds' & Williams' planing mill, saw mill and foundry, Brown & McCellar's grist mill, and one dwelling were burned last night. Loss $20,000, no insurance.

A Wrecked Schooner.

VINEYARD HAVEN, Mass., October 24—Captain Finley, William Fowler, M. Whalen and another seaman, were drowned by capsizing of the schooner Wm. A. Finley. The mate, clinging to an upturned boat, drifted ashore twelve hours after being pitched into the sea.