

BRIEF TELEGRAMS.

Ten fresh cases of the bubonic plague and four deaths from the disease were officially reported at Capetown.

Statistics just published by the International Sugar association show that Germany's beet sugar acreage this year is 1,165,179 acres, or an increase of 69,957.

Dr. R. F. Humboldt, known in America and Europe for his contributions to medical literature and researches in nasal surgery, died at his home at St. Louis, Mo., aged 71.

Louis Gallot, a United States prisoner in the Ohio penitentiary, was released by pardon from President McKinley. Gallot was sent from New Orleans for embezzlement.

As the result of a displaced cover at the National Steel company's plant at Youngstown, O., thirteen tons of molten metal flowed over the mill, cremating two Hungarian workmen.

Governor Yates offers \$200 reward for the apprehension and conviction of the unknown parties supposed to have been implicated in the murder of Jas. L. Barnes, a Monticello dentist.

The Anchor line steamer California arrived at New York from Naples and was detained at quarantine because smallpox had broken out among the passengers, of whom there were 1,166.

Percy Johnson, an attorney, pleaded guilty to the supreme court at Bridgeport, Conn., to the embezzlement of \$50,000 from the trust funds and was sentenced to six years' imprisonment.

A parliamentary paper just issued shows the total of British troops in South Africa May 1 to be 249,416. The total deaths were 14,978 and wounded 17,200. In hospital April 25 there were 13,797.

Leading stockholders of the steel trust have been given to understand that President Schwab's salary does not come out of the treasury of the corporation, but is paid by Mr. Carnegie.

Celebrating the centenary of the imperial council at St. Petersburg, the czar in an autograph letter promised to recognize the council on modern lines, so as to facilitate the transaction of business.

James Sargent Smith, a well known professor of music and son of the late George B. Smith, attorney general of Wisconsin from 1854 to 1856, died suddenly from a stroke of apoplexy at Madison, Wis.

The second chamber of the Swedish parliament, by 121 to 98 votes, adopted the army bill as amended in committee May 6 increasing the expenditures by 22,500,000 kroner, making a total of 45,000,000 kroner.

Kansas will be allowed to file its suit in the United States supreme court to enjoin the state of Colorado from defecting for irrigation purposes the water of the Arkansas river to the injury of the former state.

The Prussian railways have been informed that there will be a large emigration this spring of Ruthenian farmers to the United States and that 6,000 will pass to Hamburg in the course of the next few days.

The London correspondent of the New York Tribune says the agricultural returns of Great Britain for 1900, which have just been issued, show that the decline of British agriculture pursues its steady course.

David Reynolds, a farmer living two miles from Schenectady, N. Y., has been found murdered in his barn.

Mary Elizabeth Lease, the lecturer, filed a petition in bankruptcy in the United States district court at New York.

Rt. Rev. P. Maurier, one of the most prominent Catholics in Kansas and for twenty years priest of the church in Salina, Kan., died of heart disease at Wilson, Kan., while waiting for a train.

The following minor officers were elected by the railway conductors at St. Paul: Grand junior conductor, L. E. Sheppard, Camden, N. J.; inside sentinel, F. C. Smith Detroit; outside sentinel, U. G. Ferguson, Ogden, Utah. The next meeting will be held at Pittsburg in 1903.

The New York Journal of Commerce says: "It is currently reported that the Universal Tobacco company, which increased its authorized capital last week from \$100,000 to \$10,000,000, is to be an active competitor of both the American and the 'Continental'."

The secretary of the treasury has bought \$15,000 more 5 per cent bonds of 1904 at \$108.87.

William Reese, who owns an apple orchard of 250 acres near Bean Lake, Kansas, says the canker worms will reduce his crop one-half.

The loan agents of Kansas report a large amount of money offered them by farmers to place on real estate.

Milwaukee has been selected as the place of holding the next biennial convention of the Woodmen of the World.

TAKES TO AMENDMENT

Cuban Constitutional Convention Finally Approves Platt Clause.

VOTE IS FOURTEEN TO THIRTEEN.

Radicals Fight Hard at the Finish and Abuse Conservatives—Senator Tamayo Designates as Traitors All Who Vote in Favor of the Amendment.

HAVANA, May 29.—The Platt amendment was accepted by the Cuban constitutional convention by a vote of 15 to 14. The actual vote was on accepting the majority report of the committee on relations, which embodied the amendment, with explanations of certain clauses.

The radicals made a hard fight at the last moment and Senators Portuondo, Gomez and Tamayo bitterly arraigned the conservatives. Senator Tamayo was particularly vindictive and declared that everybody who voted in favor of the Platt amendment was a traitor to his country.

Several conservatives arose and requested Senator Gomez to retract, but he refused.

The following delegates voted against the majority report: Gomez, Gener, Portuondo, Loret, Manduley, Cisneros, Ferrer, Fortun, Robau, E. Tamayo, Silva, Castro, Zayas and Aleman. Senators Rivera and Bravo were absent.

The convention will convene its sessions, which will be devoted to drawing up the election law.

La Discussion in an extra this evening exclaims: "Now will come immediate independence."

By a decree to be issued in Havana the terms for paying mortgages will be extended four years, the debtors paying each year respectively 10, 15, 25 and 40 per cent of the principal and accrued interest. It is understood that both sides are satisfied with this arrangement.

The sewer bids will be opened today. There are twelve in all. The bidders are required to deposit \$500,000.

CANNON TO AID THE FARMERS.

French Use Them to Fight Hail, Frost and Grasshoppers.

WASHINGTON, May 30.—The French agriculturalists intend to fight frost and grasshoppers as well as hailstorms with cannon and smoke, according to an interesting report received at the state department from Consul Covert Lyons. It has just been determined to hold an international cannon congress at Lyons in November next and Consul Covert was authorized to extend an invitation to Americans to take part. The success that has attended the experiment of firing at approaching hailstorms to prevent their ravages upon French vineyards, has prompted steps for a still further extension of the usage of cannon in agricultural society circles. The theory in some quarters prevails that it is not the frost itself which blasts the budding fruit, but the sun's rays following a night of frost, which find the grape, already sensitive to the cold, an easy victim to the heat. Cannon fired horizontally over vineyards at Aati at sunrise produced interesting results. A strip of vineyard 500 feet wide, over which the smoke from the two cannon had been spread, was entirely protected from the effects of the frost, while the vines on either side were badly injured.

An invasion of grasshoppers is announced to occur this summer in southern Algeria and the cannon mounds are to be turned against them also.

Nebraska Exhibits for Buffalo.

LINCOLN, May 30.—The Nebraska exhibit for the Pan-American exposition will be shipped to Buffalo at once and soon after Assistant Commissioners R. R. Randall of Lincoln, T. E. Hibbert of Adams and Miss Leona Butterfield of Omaha will go east to direct the work of installing it in the agricultural building.

Negro Shoots Two Others.

SILOUX CITY, Ia., May 29.—Because he was called a "cheap skate" at a colored church sociable, Harry Baker walked a mile, procured a revolver, returned to the church and shot three other negroes, one of whom, Jim Askew, will die. The others, Charles Watkins and Louis Cloyd, are not dangerously wounded. Rivalry for the attentions of a colored girl and statement that he could not buy ice cream roused Baker's anger.

TRACED WATCH AROUND GLOBE.

Timepiece Stolen in China Is Recovered in Alabama.

BIRMINGHAM, Ala., May 29.—A magnificent gold watch, studded with diamonds and valued at \$5,000, which was stolen from an English army officer at Tien Tsin, China, was recovered at Woodlawn, Ala., by United States postoffice inspectors. It is alleged that a United States soldier from Birmingham, stationed at Tien Tsin, who was a watchman, was given the watch, together with the timepiece of an English lady, to repair.

The soldier deserted his post and the watches disappeared with him. The superintendent of mails at Tien Tsin found that the soldier had sent a registered package to Woodlawn, Ala., before his departure and this gave the inspector a clue. The watch was recovered and sent to Washington to be returned to the English officer. The United States officials refuse to give the name of the soldier or the recipient of the watch.

RUSSIA APPLIES THE SCREWS.

Suspends Leading Newspaper for Moderate Comment on Strikes.

ST. PETERSBURG, May 29.—The prohibition of the publication of the Novoe Vremya for a week because of its editorial articles on the labor troubles is creating an immense sensation, as indicating extraordinary nervousness on the part of the government.

The Novoe Vremya is second only to the Moscow Viadomietie in conservatism and is usually allowed greater latitude than are the other papers. The editorial in question is mild as compared with many governmental publications on the labor situation in more quiet times. It merely said the operatives were poorly paid for excessively hard work and were beginning to be influenced by western literature and suggested that the government carry on the work begun for emancipation and enforce social reforms.

SUITS THE ADMINISTRATION.

President and Cabinet Officers Pleaded with Court's Decision.

SIDNEY, Neb., May 29.—The president and the cabinet received the official information here that the supreme court had decided the insular cases in accordance with the contentions of the government.

The news came in the shape of a telegram from Solicitor General John K. Richards. It was brief, however, and contained no details beyond the bare announcement that the administration had been sustained.

Naturally the president and cabinet officers were elated over the victory, although they have never doubted that the decision would be in favor of the government.

The members of the cabinet aboard the train declined to express their opinions for publication in advance of a perusal of the text of the opinion.

ALL VOLUNTEERS TO LEAVE.

Last of them Will Quit Manila for Home Before July.

MANILA, May 29.—It is reasonably certain that the remaining volunteers will sail for home before July. The Forty-seventh regiment and battalions of the Forty-ninth and Thirty-eighth will sail on the transport Thomas on May 28.

The Ohio sails May 29 with the Forty-second regiment, and the Kilpatrick and Logan June 1 with the Forty-third and Forty-ninth regiments and two battalions of the Thirty-eighth. The Grant sails from Appari June 1 with the Forty-eighth regiment and two battalions of the Forty-ninth.

Carrie Wants Her Hatchet.

TOPEKA, May 29.—Mrs. Carrie Nation tried to get a warrant for Chief of Police Stahl, charged with stealing her hatchet. The county attorney refused to issue the warrant. Mrs. Nation lost her hatchet to the chief of police when she was arrested for smashing a Topeka joint. She was informed today that she could get back her hatchet by replevin proceedings.

Mr. Bryan Comments Briefly.

LINCOLN, Neb., May 29.—Mr. Bryan's only comment on the decision in the insular cases was that it seemed to uphold the contention of the republicans in some respects and that of the democrats in others. He said he would not commit himself further on the effect of the opinion until he had read the full text. He had hoped the constitution would follow the flag.

General Sickles Leads.

CLEVELAND, O., May 29.—The Plain Dealer will say tomorrow: A majority of the Grand Army of the Republic men of Cleveland seem to be in favor of the candidacy of General Sickles of New York for commander-in-chief. No other name has been mentioned so prominently as his in all parts of the country, and as yet practically no opposition to his selection has been organized. He will probably be chosen.

Nebraska Air Is Beneficial.

SIDNEY, Neb., May 29.—The presidential train, consisting of eight cars, reached here as 4 o'clock yesterday afternoon and remained twenty minutes, giving the people an opportunity to greet President McKinley. He stepped off the rear of his private car and heartily grasped the hands of the people who passed by him. This was a great treat for the people of Sidney, as it had been reported that the train would not stop.

CONSIDERED A VICTORY

What the Solicitor General Says of the Supreme Courts Decision.

QUESTIONS THAT WERE INVOLVED

Government Now Has Sanction of the Supreme Court for Regulating the Islands—Decision Not Rendered as Determining the Dooley Case.

WASHINGTON, May 29.—Solicitor General Richards of the department of justice, who had charge of the insular cases before the supreme court, has made the following statement concerning his interpretation of the decisions of the court:

"The important question involved in these cases was whether the cession of territory contained in the treaty of Paris made Porto Rico and the Philippines an integral part of United States within the meaning of that provision of the constitution requiring 'all duties, imports and excises to be uniform throughout the United States.' The court held that the cession simply made Porto Rico and the Philippines domestic territory of the United States, subject to the full control of congress, which control could be exercised without reference to those limitations. This limitation, the court held, was intended to apply to the states of the union and does not apply to acquired territory unless by treaty and by subsequent act of congress it is incorporated within and becomes an integral part of the United States.

"The decisions are substantially a victory for the government. They sustain to the fullest extent the so-called insular policy of the administration. The government now has the sanction of the supreme court for governing these islands as their needs require. The court holds that the constitution did not of its own force at once apply to those ceded territories, placing their people, their products and their ports on an immediate equality with ours and conferring upon the rights, privileges and immunities enjoyed by the people, products and ports of the several states.

"While their fundamental rights are preserved by these underlying principles of the constitution which apply everywhere, the status of their citizens and the nature of the customs and commercial regulations are to be determined by congress and the exercise of the power vested by the constitution in congress to make all needful rules and regulations respecting territory belonging to the United States.

"Obviously what I have said regarding Porto Rico applies equally well to the Philippines, so that the president is perfectly free, under the Spooner act, to govern the Philippines as their needs and our interests may require.

"At the same time that the court has sustained to the fullest extent the contention of the government in these cases it has decided as a matter of statutory construction that the Dingley act could not be held to impose duties on goods brought from Porto Rico, because by cession Porto Rico became domestic territory of the United States and therefore ceased to be a foreign country.

"The decisions of the court call for no change in the administration of the law. The court did not decide what is known as the second Dooley case, which involved the invalidity of the collection of duties under the Foraker act on goods taken into Porto Rico from the United States. While I have no information on the subject, it may be that the court thinks there is involved in the cases another question as to whether such duties would not amount to duties on articles exported from a state. The court also failed to dispose of what is popularly known as the 'fourteen diamond ring cases,' involving the entry, free of duty, of rings brought into the United States by a returning soldier from the Philippines. There were no decisions affecting the Philippines and I presume both of these cases referred to will go over until the fall term of court."

Prominent Castleman Dead.

CHICAGO, May 29.—George Adams, one of the oldest and best known live stock commission merchants in the west, died at his home here aged 79 years. Mr. Adams came originally from England and was instrumental in establishing the old stock yards forty years ago, and later in building up the new Union stock yards. His acquaintance among cattlemen was wide.

Investigating Paper Combine.

TORONTO, May 28.—The Canadian Press association has been advised by Hon. M. Fielding, minister of finance, that the government will conduct the investigation and summon all necessary witnesses in the inquiry into the alleged paper makers' combination. The association had intended prosecuting. Mr. Fielding's communication meets all the claims of the press association. Eminent counsel will be employed.

MANY TAKE EXAMINATIONS.

Report of Civil Service Commission on Work of the Past Year.

WASHINGTON, May 28.—The annual report of Chief Examiner A. H. Serven of the civil service commission was made public yesterday. It shows that during the year ended June 30, 1900, 45,641 persons took the competitive examinations for original appointments to the classified service. Of these 21,872 were for the departments, 2,349 for the government printing office, 4,396 for the custom house service, 455 for positions under collectors of internal revenue and 16,569 in classified postoffices. There also were 248 people examined non-competitively for exempt places. There were 248 people examined non-competitively, involving 1,188 opportunities for the assembling of competitors at places widely distributed throughout the states and territories.

The report says that general examinations in Porto Rico have been somewhat delayed because of the uncertainty whether the "people of Porto Rico" as denominated by the act establishing civil government there are citizens of the United States within the meaning of the civil service rules. Expenses have been cut in all directions to enable the establishment of the examination system in both Hawaii and Porto Rico when the citizenship question is settled by the supreme court.

DENVER WOMEN'S RIGHTS.

Privilege of Drinking Where They Please Demanded for Them.

DENVER, Col., May 28.—Under an order made in the district court, Peter Stauer, proprietor of the Chesapeake restaurant, will serve wine and other spirituous drinks with meals on Sunday, if customers call for them, and J. J. Cronin, saloonkeeper at Eighteenth and Champa streets will serve liquors to women on week days at the bar or in wineroms.

District Judge Palmer granted temporary injunctions restraining the fire and police board from interfering with the business of either of the two men named.

It will be urged as an argument in Cronin's case that, as women vote and enjoy the same rights, privileges and immunities as men in this state, the right to drink when and where they please cannot be denied them.

HE DISCOVERED HIS LIMIT.

Chicago Man Drank 23 Bottles of Champagne and Died.

CHICAGO, May 28.—A fondness for champagne is the direct cause of the death of Mathew J. Flynn, well known in theatrical circles as a manager of vaudeville attractions. Wednesday night Flynn consumed the contents of twenty-three bottles of champagne. The next day he was removed from the hotel to the Washingtonian home, but he never rallied and he died.

Oleomargarine Law Attacked.

DES MOINES, May 28.—The Iowa law which makes it an offense for anyone to have in his possession any imitation butter, colored yellow like butter, has been declared unconstitutional by Judge Blair in court in Delaware county. The grand jury, at the instance of the state dairy commission, had James G. Cousins, the postmaster of Earlville, indicted for "knowingly having in his possession for use in his family of an imitation butter."

Receive Royalty at Sidney.

SYDNEY, N. S. D., May 28.—The British steamer Ophir, having on board the duke and duchess of Cornwall and Oork, arrived here at 11 o'clock this morning. It was joined outside the harbor by a squadron of government vessels conveying the premier, Sir William Lyne, the ministers and federal officials. As the squadron entered the roadstead, the Ophir leading, the Russian cruiser Gromoboy, from the Athol light anchorage, fired a salute.

Vermont's War Claim Rejected.

WASHINGTON, May 28.—Acting Comptroller of the Treasury Miller has decided adversely the claim of the state of Vermont for reimbursement of \$6,702 paid to the officers and men of the First Vermont Infantry, National guard, prior to the date of their assembly at the rendezvous named by the governor at the outbreak of the Spanish war. He holds that reimbursement of compensation or pay is limited to the time the officers and men assembled at the rendezvous.

Spanish Town Burned.

MADRID, May 27.—The village of Esparragos, province of Badajoz, has been almost destroyed by a storm. One woman was killed.

Grants Are in Chicago.

CHICAGO, May 28.—Brigadier General Fred Grant arrived here from San Francisco. He was driven to the residence of Mrs. Potter Palmer, his sister-in-law, where he will be a guest for a few days. Mrs. Grant had preceded the general. They will attend their son's graduation from West Point June 7 and later will visit New York. General Grant said published interviews with him were correct in most particulars.

THE RIGHT TO COLLECT

Supreme Court Hands Down Decision in Porto Rican Case.

IT IS AGAINST THE GOVERNMENT

Porto Rico is Domestic Territory. According to Majority Opinion of the Court, and Duties Cannot Be Levied on Commerce.

WASHINGTON, May 28.—Justice Brown of United States supreme court announced the decision of that court in the insular cases. The announcement of the court's opinion was handed down in the Delima case, Justice Brown announced the court's decision on the point of jurisdiction, holding that the court had jurisdiction.

The Delima case involved the importation of goods into the United States from Porto Rico after the ratification of the treaty of Paris and before the passage of the Porto Rican act.

Delima & Co., doing business in New York, imported from San Juan, Porto Rico, during the months of June and July, 1899, certain sugars, the product of Porto Rico. Upon these sugars the collector at New York demanded and collected about \$13,000 as customs duties.

Delima & Co. sued Bidwell, the collector, as an individual in the supreme court of the state of New York, to recover back the duties thus paid, amounting in all to \$13,145, alleging that they were unlawfully demanded, in violation of the constitution and collected by duress, the collector exacting the amount of dues as a condition to the delivery of the sugars. On the petition of the collector, the suit was removed to the federal circuit court, for the southern district of New York, which sustained a demurrer to the complaint both on the ground that no cause for action was stated, and that the court had no jurisdiction. From the judgment dismissing the complaint, Delima & Co. prosecute error from this court.

Justice Brown said whether sugars imported from or into Porto Rico were dutiable depended upon whether Porto Rico is a foreign country. He held that the right to accept territory involved the right to govern and control it by congress, but he said that a country could not be both foreign and domestic.

The opinion was opposed to the contention of the government. He concluded that at the time the duties were collected Porto Rico was not a foreign country, but a territory of the United States.

Justice Brown concluded as follows: "If an act of congress be necessary to convert a foreign country into domestic territory, the question at once suggests itself, what is the character of the legislation demanded for this purpose? Will an act appropriating money for its purchase be sufficient? Apparently not. Will an act appropriating the duties collected upon imports to and from such country for the benefit of the government be sufficient? Apparently not. Will acts making appropriations for its postal service, for the establishment of light-house, for the maintenance of quarantine stations, for erecting public buildings, have that effect? Will an act establishing a complete local government, but with the reservation of a right to collect duties upon commerce be adequate for that purpose? None of these, nor all together will be sufficient, if the government be sound, since acts embracing all these provisions have been passed in connection with Porto Rico and it is insisted that it is still a foreign country within the meaning of the tariff laws. We are unable to acquiesce in this assumption that a territory may be at the same time both foreign and domestic.

"We are, therefore, of opinion that at the time these duties were levied Porto Rico was not a foreign country but a territory of the United States; within the meaning of the tariff laws, that the duties were illegally exacted and that the plaintiffs are entitled to recover them back.

"The judgment of the circuit court for the southern district of New York is, therefore, reversed and the case remanded to that court for further proceedings in consonance with this opinion."

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