

THE JOURNAL.

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WEDNESDAY, NOV. 17 1880.

Thanksgiving Proclamation.

WASHINGTON, Nov. 1.
By the President of the United States of America, a Proclamation.

At no period in their history since the United States became a nation, has this people had so abundant and so universal reasons for joy and gratitude at the favor of Almighty God, and been subject to so profound obligation to give thanks for his loving kindness, and humbly to implore his continued care and protection. Health, wealth, and prosperity throughout all our borders, peace, honor, and friendship with all the world, firm and faithful adherence by the great body of our population to the principles of liberty and justice, which has made our greatness as a nation, and to the wise institutions and strong form of government and society, which will perpetuate it, for all these the thanks of a happy and united people, as with one voice, ascend in devout homage to the giver of all good. Therefore, I recommend that on Thursday, the 25th day of November, next, the people will meet in their respective places of worship to make their acknowledgments to Almighty God for his bounties and his protection, and offer to him prayers for their continuance.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be hereunto affixed at the city of Washington on the 1st day of November, in the year of our Lord eighteen hundred and eighty, and of the independence of the United States the one hundred and fifth.

(Signed,) R. B. HAYES, President.

WILLIAM M. EVARTS, Secretary of State.

GEN. GARFIELD has tendered his resignation as Senator from Ohio.

The state board for the canvass of the votes on Presidential electors meet on the 22d.

It is quite probable that John Sherman will be elected U. S. Senator from Ohio.

The steamship Westphalia, from Europe, brought \$173,700 in French coin on the 10th.

Bremen citizens have pronounced against the incorporation of the German customs union.

A FIRE in Chicago on Randolph street on the 11th inst., destroyed property valued at \$90,000.

"From ditch to ditch and into the mire" is what the New York Sun says of the Democratic retreat.

THREE upper stories of a five-story building in New York burned on the 9th, supposed loss \$50,000.

THE cattle sale at Lincoln on the 11th and 12th had a fair attendance, but the prices realized were not large.

WM. V. GROVER, a fifty-year old husband of Red Bank, N. Y. shot and killed the other day his thirteen-year-old wife.

THERE was a great demonstration of Orange men in Belfast on the night of the 11th, the meeting passing off quietly.

E. C. CARNES received a majority of 154 in his own county, Seward, while Nance received 752 majority, and Garfield 660.

THE Arkansas division of the St. Louis and San Francisco railroad was completed on the 9th, and opened for business.

SARA BRENNHARDT wants \$2,000 for each performance. Manager Church of Lincoln will try to secure her company for one evening.

FRANCE, Germany and Austria are about entering upon negotiations in the hope of effecting a peaceful settlement of the Greek question.

"Boss" STOUT is trying to finish Representative Hall in the new wing of the Capitol building at Lincoln, before the legislature convenes.

J. J. MCCAFFERTY, of Lowell, president of the land league of America, disappeared on the 10th inst. He was slightly deranged.

AN anti-Jewish feeling now exists in many sections of Germany, and it is believed that it will break out in Berlin with increased bitterness.

EX-SENATOR HINCHCOCK has been mentioned in several of our exchanges as a fit man for Secretary of the Interior under the new administration.

A RECENT special from London says: Fourteen thousand emigrants left the Mersey during last month, for British America and the United States.

THE Epizootic prevails to an alarming extent in Dallas, Texas, and in several other adjacent cities. Dallas has lost seventy horses, and two hundred sick cases.

HOWE of Nemaha, Slocum of Jefferson, Kaley of Webster, Windham of Cass, and Bartlett of Douglas are talked of for speaker of the house of representatives.

FRESH shocks of earthquake occurred at Agrain on the 11th inst., and many houses fell, causing a fearful panic. The session of the diet is suspended on account of danger.

Gov. NANCE has issued a proclamation offering a reward of \$200 for the arrest and conviction of the murderer of the stranger whose body was recently found near Chapman.

On the 11th inst., advices from Dublin say that intense feeling and excitement prevails in Clara Morris against the Orangemen, and that incendiary placards are numerous posted.

LUCRETIA MOTT died near Philadelphia, Pa., at her residence on the 11th in her 88th year.

A REPORT comes from Willisburg, Washington county, Ky., that spotted fever prevailing there, several persons being afflicted. The disease is spreading and is supposed to be malignantly fatal.

THE Inter-Ocean's Sioux City special says that petroleum has been found at the depth of 550 feet at Ponca, this State, 22 miles west of the city, while boring for coal. Not flowing much yet.

COL. A. B. MEACHAM, of the Ute commission, was in Washington city last week, direct from Denver. He says the Utes do not want war and will not fight unless they think it their last resort.

LEE GUNG, the Chinaman who was robbed and shot at Chicago on the 9th, died at the hospital at noon. Thos. Saxton and Ed. Duggan were arrested and confessed to having committed the murder.

THE President decided on the 9th, in the case of the Hirth murderers, that Bedford and Queenan be hanged Friday, the 19th inst., and the sentence of Sanley Plin be commuted to imprisonment for life.

FROM Hudson, New York, comes a report that a man supposed to be a drover, with considerable money, was murdered early on the morning of the 10th on the steamer Escort near Tivoli, and the body thrown overboard.

GEN. HANCOCK denies writing a letter to an army officer at Washington touching the investigation of the New York vote. He says if there is a letter of that tenor in existence, purporting to be from him, it ought to be produced.

MRS. M. E. WARREN, the head of a ladies' mining and stock exchange in New York city, disappeared last week. The depositors were mostly females, being poor and hard working women, their losses varying from \$25 to \$2,000.

IT was announced last week at New York that J. Gould has purchased the South Park and Pacific road, which extends from Denver to Buena Vista, 135 miles, and has a nine mile branch from Bear Creek Junction to Morrison.

GEN. HANCOCK says he has no lot nor part in the agitation in regard to throwing out the vote of New York, nor will he have any. He is opposed to the agitation. He believes Gen. Garfield was elected, and should be inaugurated without any fuss.

THE case for criminal libel for forging the Chinese letter was still pending in New York on the 9th. On that day S. S. Morey and Robert Lindsey, two witnesses examined in the case, were arrested on a charge of perjury, and held for examination.

MME. BERNHARDT made her debut last week before a New York audience of 4,000 citizens. She has a splendid voice, which electrified the audience. After the performance, a grand serenade was given by Bernhardt at her hotel by Gilmore's band of sixty-five pieces.

A SEVERE earthquake shock occurred on the 9th in northern Austria. It was felt from Vienna to the Adriatic and the Bosnian frontier. There were three distinct shocks at Agram, where a great number of houses were completely demolished, and none left uninjured.

THE State Journal says that on Friday last Gov. Nance declared the office of State Auditor vacant, and at once appointed Hon. John Wallis, Auditor elect, to fill the unexpired term. Liedtke, having left the State was no longer a resident, and therefore the office was vacant.

A CYCLONE passed over Keatche, Louisiana, on the 10th, literally demolishing the town, killing Prof. Reynolds of the Baptist Church, injuring many other persons, some, it is believed, fatally. The destruction of property was very great, many houses being wrecked.

PRESIDENT HAYES has appointed Charles W. Slagle, of Iowa, Otis G. Clark, of Rhode Island, and A. B. Nicholas, of Philadelphia, Pa., commissioners to examine and report upon fifty miles of railroad constructed by the Missouri Pacific R. Co., west of the Missouri river.

ON the 10th 1,500 visiting excursionists arrived at Lincoln and more on the road. They came from the eastern states. They came mostly with the view of examining our young state, and, if pleased with it, to purchase or locate, and in the future to make permanent homes.

REPRESENTATIVES of the Illinois Central, Michigan Central, and C. B. & Q. railroads held a conference at Chicago last week, at which it was concluded to erect on the lake front one of the finest depot buildings in the world. It is understood that \$1,000,000 was offered for the grounds, but the city has not given a definite answer.

IT is certainly very early to begin making arrangements for the inauguration of Garfield, but those having the matter in charge have already issued an invitation to all military and civic organizations throughout the country, to take part in the ceremonies. All communications and inquiries on the subject should be addressed to Col. H. C. Corbin, corresponding secretary, Washington, D. C.

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Township.

It will be remembered that at the recent election a vote was taken upon the adoption of Township Organization, the question having been submitted by the Commissioners in pursuance of a petition by voters, to that effect. Had the question been properly before the voters, upon its just merits, we do not doubt but that it would have been adopted. We believe that no ballots were cast upon the proposition in Columbus or in Monroe, two among the most populous precincts of the county. It was generally known that the present law had been declared unconstitutional, and that there was no use in voting, one way or the other. For the benefit of those who may not have had an opportunity to see the decision of the Supreme Court, we give below the syllabus:

"To adopt township organization it requires a majority of all the legal voters of the county, voting at the general election, at which the question is submitted."

The act of Feb. 16, 77, entitled "an act to provide for township organization," embraces several subjects not indicated by the title, and as these several subjects are dependent on each other and form inseparable parts of the same law, the whole act is unconstitutional and void."

The United States circuit court decided a case last week affecting the title of thousands of acres of land in this state. The parties to the case were Knavals vs. Blakely and others, decided on demurrer in favor of the plaintiff. The questions involved arise out of a grant of land made by congress to aid in the construction of the St. Joseph & Denver railroad, which was to run from Elwood in Kansas via Marysville to a junction with the Union Pacific or any branch thereof, which condition, it was claimed, was broken, and that the B. & M. was not a branch of the U. P. road. It is said that this decision affects the title to 18,000 acres of land in Nuckolls county alone. Thayer, Lancaster, Seward, Clay, Jefferson and other counties are affected in the same way. The plaintiff in the case decided claimed title to the lands in controversy from the railroad, while the defendants claim under the government. The decision will seriously affect the farmers in the counties named. It is presumed they will have some rights in equity.

THOS. HANLIN, of New York, last week shot Gertrude Varena, a sister of Mercy attached to St. John's Home, a charitable institution of the Episcopal church New York city. Just at the time when the lady was about to enter the Home, he drew a large revolver without uttering a word and fired at her, the shot taking effect above the left knee. Before assistance could arrive the villain fired three more shots at her, the last one taking effect in her thigh. He was overpowered and taken to the police station. He says the witches have been bothering him for years, talking to him continually, and inspiring him to the deed. The woman suffered greatly, but it is hoped the wounds will not prove fatal.

THE case of Kenward Philip, charged with the libel of Gen. Garfield, in connection with the Morley Chinese letter reached a decision from Chief Justice Davis on the 13th inst., the judge holding that no newspaper had the right to publish as genuine any forged or false instrument. The Morley letter is a forgery, and the editorial article calling Garfield a liar is libelous. Judge Davis concludes his decision by saying that the evidence in the case also tends to establish a great conspiracy concerted, or at least abetted by men in high station in life. The question of their actual guilt will be left to a jury of their countrymen to decide. Philip was held to bail to answer the charge.

A PARTY that permits its agents to accomplish frauds by bribery, perjury and subornation of perjury is not a political party to be trusted with the management of any department in the American republic. It now transpires that Samuel S. Morey and James O'Brien, alias Lindsay, alias Berry, witnesses in the Philip-Morey-Garfield-Chinese-letter case make confession and expose everything connected with their testimony showing that S. S. Morey was paid at democratic national headquarters \$1,000 by check, and that his testimony in the case was false. James O'Brien, alias Robert Lindsay, also admits a money consideration, and that he committed perjury in giving his testimony.

"BRICK" POWEROY in his Great West denounces the recent disgraceful riot which occurred in Denver, which he characterizes "as a cowardly mob that went about robbing and murdering the Chinese. The Mayor should have gone at once to the place where murder was being committed, commanded, not politely asked, the rioters to disperse, and if the streets were not cleared in five minutes, should have belched grape and canister into the mob of brutes and cowards that were at their hellish work. This is the only way to deal with mobs."

Miss KITTY MATTHEWS, a serious singer, while filling an engagement at Omaha, was taken sick, and after a lingering illness, died on the 10th inst.

During the summer there was a decision by the Supreme Court, touching trespass on hay lands in Nebraska, that is more or less interesting to all farmers. Hay lands are among the valuable ones in Nebraska, as those have found who have plowed up their natural meadow land. It not unfrequently happens that the hay crop is more valuable than the grain crop, and it certainly is almost indispensable, but if any one may herd his cattle upon it, simply because it is not inclosed or cultivated, it may be well enough to "cultivate" it a little by running a harrow over it, and top-dressing it, seeing that fencing is almost out of the question. Of course the Supreme Court are not authorized to make laws, but only to give construction to the meaning of laws, but it will be the fault of the people and of their legislature if the next session does not see a change in the laws on this subject.

As there has been considerable discussion over this subject, we addressed a communication to Hon. Guy A. Brown, reporter of the Supreme Court, who answered our inquiry: "The decision is that, under the laws as now existing, stock can run at large on uncultivated, wild or prairie land, and the owner of such stock is not liable in an action of trespass for damages done."

It seems very strange to many sensible people that the owner of lands, who pays the taxes on the same, bears his portion of the public burden, should not, by that public, be protected in his right to the use of the grass growing thereon, the most valuable, because the least expensive, crop grown in this country. The supreme court remarks: "It is claimed, and possibly with justice, that the time has now arrived when, by reason of the great increase in the density of the population of the state, and the enhanced value of grazing land, the owners of such land should be protected in its exclusive enjoyment, the same as land sown to crops. If the time has arrived for such change, the legislature, and not the courts, is the place where it should be inaugurated."

A few questions right here may or may not be considered pertinent to the subject, as for instance: why should not the owner of grazing or hay land be protected in its exclusive enjoyment, and just when and how does this "exclusive enjoyment" begin and end? By what "due process of law," such as is required by the constitution, has the owner of grass or hay land been deprived of the "exclusive enjoyment" of the same? If the owner should not have the "exclusive enjoyment" of his land, why should he have the exclusive high privilege of paying taxes on the same? Has the owner of grass land any rights that anybody else is bound to respect?

The patriotic citizens of Ireland are arming themselves for the conflict, and the tenants of Longford county have threatened their landlords and their agents with death if they are required to pay rents above Griffith's valuation. The peasants are gathering in great numbers at Ballinrobe. The government force of 150 infantry, with two rifle cannon, and 150 of the royal Irish constabulary, acting as an escort for the Orangemen, arrived at Claremorris on the 11th, and proceeded at once to march to Mr. Baycott's residence at Loughmarsh. The eighty-fourth regiment and detachment are expected to join the army of protection at Dollymount. It is stated that the local officers were busily engaged in preparing the work-house as an infirmary for the reception of the wounded. The government has, however, given strict orders to officers and troops to exercise great forbearance, and not by any means fire upon the people, except under the most critical circumstances. When the troops left Castle Barr to reinforce the Claremorris contingent great excitement prevailed among the people, who had assembled to witness their departure. The inhabitants hooted at the soldiers and police, and seeing some Orangemen among them, they shouted, "Down with the Orangemen." More than 6,000 troops and police were then stationed to protect the road between Ballinrobe and Claremorris. It is feared in Dublin that the trouble has only commenced.

FRANK M. BIEDENBERG, of Noble county, Ohio, returned home late one night last week while