THE OMAHA DAILY BEE.

W BLembert

OMAHA NEB TUESDAY MORNING MAY 8, 1883

SOVEREIGNS IN SHACKLES The Right of the People to Rule

TWELFTH YEAR.

and Regulate Reaffirmed by the Supreme Court.

The Question of Railroad Rates **Olearly Within the Province** of Legislatures.

The Court of Last Resort Places the Power in the Hands of the Electors.

The "Patent Process" of Grind ing Wheat Declared Void

by the Court.

The Fighting Lieutenant Col. Idges Requested to Leave the Army.

The Howgate Case Bliss Continues His Talk-General News Frem Washington.

CAPITAL NOTES. Special Dispatches to Tus Bas. THE HOWGATE CASES.

WASHINGTON, May 7. - The court in banc through Calef Justice Cartis, possession of his twelve routes, ten of delivered a discussion in the two them had been increased or expedited, Howgate cases. In the first case, and most of the orders had been where the property had been attached made while Dorsey was in the city, by the government which it was and no one knew how far the thing alleged had been held by Howgate to would have gone if a new administraalleged had been held by Howgate to other parties, although the deed was not recorded, the court decided adversely to the government and dis-missed the attachment. The second case was an appeal from the adverse decision of the lower court where the defendant had resisted the attachment of his property by the government be-cause the action had been brought by special counsel instead of the United States district attorney. The appeal States district attorney. The appeal was dismissed and the decision holds. The United States has a legal right to employ such professional aid as it may deem necessary. RAILROAD REGULATION AFFIRMED.

The supreme court decision rendered in the so-called "granger case" of Neal Ruggles against the people of state of Illinois, in which the question is raisee whether a charter granted to the Central Military Tract Railroad company, now the Chicago, Burling-ton & Quincy railroad, by the legisla-ture of Illinois in 1856, or any subse-quent amendment therefor, contains

court in case of the Illinois Central Phere are four factories involved court in case of the lilinois Central railroad company, plaintiff in error, against the people of the state of Illi-nois, which involves precisely the same questions which were presented in the preceeding case. For reasons given by the court in its opinion in this case the judgment of the suprme court of Illinois is affirmed. AN ARMY BOUNCE.

The resignation of Lieut. Col. Guido Idges, Eighteenth infantry, to take effect January next, has been received at the war department, having been forwarded from General Terry's headquarters. Secretary Lincoln directed it be returned with in-structions that if the resignation be tendered to take effect immediately, it will be accepted; that otherwise a court martial will be ordered to try him upon the charge of duplicating his pay accounts. Idges was one of those who, during the war of the rebellion, appeared to have a charmed life, having been engaged in over eighty hot engagements and came through unscathed. He warred against the Apaches after the close of the war and conducted a brilliant winter campaign against the northern hostiles in Montana three years ago. He is a man of intrepid bravery and those of the army who personally know him feit a sympathy for him despite the charge resting against him.

BLISSFUL DREAMS.

Bliss continued his argument in the

within three months after the date upon which S. W. Dorsey came into once. speaking of the J. B. B. check (the Belford check) when Wilson asked if that had anything to do with the mail

business. Bliss replied that he did not know. Dorsey had told Rerdell to charge it to the mail and the defence should have produced the books to contradict Rerdell upon that point. If Dorsey had cheated his partners by charging that check to them it don't concern the prosecution. An important fact was that Rerdell had been corroborated in his statement.

SCARING THE CANUKS. The lasters union have not submitted a price list to the manufacturers, but probably will do so this afternoon. Both sides are firm. Two American Dynamite Vessels Bearing Down on Halifax STOPPED SHORT.

The Coast Monopoly Shut Out a The Authorities Frightened

special Disj atch to Tun Ban.

CHICAGO, May 7.---The Times will say to-morrow: "A tripartite sgreement has been consumated, parties to which are the Atchison, Topeka & Santa Fe, St. Louis & San Francisco and the Atlantic & Pac fir railroads. Under the sgreement a controlling interest in the St. Louis & San Francisco road is secured to the Atlantic & Pacific, the latter agreeing to stop the construction of its line west of the Colorado river for the present, but to be permitted to proceed to completion of the work eventually to the Pacific coast, making San Francisco the western ter-minus as originally contemplated. Should the agreement be faith-fully kept by other parties, the Atlantic & Pacific will not be permitted to reach San Francisco for the full term of the contract, which is twenty years, and the controlling interest which it has secured in the St. Louis & St. Fancisco is a practical stoppage of the extension of that line

and equivalent to merging its franchises star route trial this morning. He in the Atlantic & Pacific. The con-declared the efficial records showed nection of this line to the Pacific nection of this line to the Pacific coast will be from the Colorado river over a branch of the Southern Pacific to Mohave, thence by the main line to San Francisco and Los Angeles. The new arrangement goes into effect at

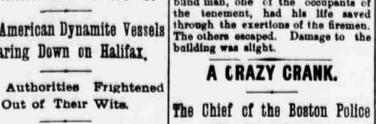
PAUPER EMIGRANTS.

Gov. Butler Asks for Federal Intervention

Special Dispatch to Tun Han Boston, May 7.-Governor Butler

has written Secretary Folger connas written Socretary Forger con-cerning the numerous arrivals of fam-ine-robbed poor of Ireland, shipped to this country by the British govern-ment. He says: "I sympathize with these poor people, and if landed I will endeavor to see that they are humanely and properly cared for. I recognize and rejoice in the theory upon which our government is found ed-that America should be a home for the oppressed and downtrodden of everywhere. We welcome, therefore all, however humble, who come

to us of their own free will, aided by their enterprise, energy and resourc-



Special Dispatch to THE BES.

HALIFAX, May 7 .-- Rumors are cur rent that a starting letter was re-ceived by Lieutenant Governor Archthaid, warning him of the expected visit to Halifax of two suspicious American vessels and cautioning him to have precautions taken for the safety of life and property of the naval authorities. From other parties the letter it is learned that Col. Clarke Sunday, communicated to offi days ago, and it is thought intended to make Halifax their destination. On arrival here it was asserted tor

pedoes with which the vessels were laden would be laid as opportunity offered beneath the harbor with the intention of blowing up shipping en-tering or leaving. The line of torpe-

es. Such people, whether men or women, and their children are a source of wealth to this country." The governor further asks Secretary quent amendment therefor, contains such contract between the state and company as to authorize the company to establish its own rates of fare and freight beyond in the fatter case of the state may to in the negative, and hold the directors of the railing cases which the patent is vold for the want of nov-mont adopt any by-law fixing rates of the same subject. The judgment of the same subject of emigration was subject of emigration was subject of emigration was subject. The judgment of the same subject of emigration was subject. The judgment of the same subject of emigration subject of emigration was subject of emigration was subject. The judgment of the same subject of emigration was subject of emigration was with for which company subject of emigration was subject of emigration was with for which company subject of emigration was subject of emigration was with for which company subject of emigration was subject of emigration was with for whic

Winter Wheat Prospect.

The Catholio Knights.

given an informal reception at the

lubroom of the local Knights, at

which quite a number of well known

A standard Hoax.

NEW YORK, May 7 .-- Cardinal Mc-

Closkey was seen today about The

London Standard's Rome dispatch,

to the effect that Cardinal Jacobin,

such request should be made.

Spec'al Dispatch to THE HER.

Fires

Sr. Louis, May 7 .- About a dozen

citizens were present.

Special Dispatch to Tus Bas.

ectal Dispatch to THE BEE

lieved the visit has been in part dicuiture. rected by the possible complications that may arise from the operations of



Charging the Nevada States-Infidelities.

special Dispatch to THE HER. SAN FRANCISCO, May 7.-A com-plaint was filed in the first judicial district of Nevada, last Wednesday, The Hub Agitated to its Center

by Thereea Fair against Jas. G. Fair. The cause of the action is adultery on the part of the defendant. Plaintiff cial Dispatches to THE BEE BOLTON, May 7 -Shortly after noon today Mr. Wade, chief of the district police in Pemberton Square, states she was married to the defend city. The licutenant governor admit-ted receiving the letter but declined to state its contents or the nature of the measures taken by military and nan was arrested. Wade's wounds in position to know the contents of are severe but not dangerous. The delty on the part of defendant, since excitement over the shooting was which time she has not lived with him. FARNAM ST. tremendous. Within a few minutes The complaint says the defendant Clarke Sunday, communicated to the tremendoos. Within a rew minutes The complaint says the defendant of the streets a great crowd blocked the streets committed adultery with one Smith at a house in Jessie street, San Fran-vensels manned it is believed, yb office, 35 Pemberton square. The complaint says the defendant of the believes and carrying a quantity of torpedoes and other dangerous ex-torpedoes and other dangerous exnewspaper offices and nothing else was Leonard. Plaintiff says the defend talked of. The wound in the arm is ant has possession and control of a worse and the surgeons did not deem large amount of community property, it prudent to attempt to extract the the particulars of which she canno ball. There has been a great loss of state. Mrs. Fair prays judgment as blood and the bullet lies dangerously follows:

near the artery in the elbow. Bren-nan was a member of the Thirteenth First-That divorce be granted her and that she be awarded costody of Massachusetts regiment and now on the children.

Shot by a Lunatic.

BERLIN, May 7.—In the debate in speedily exhaused, and after ordering the budget for 1884 85 in the reichstag a special venire to report to morrow



106

and provide languages have be about the state of the stat

sounsel for the state and delense ap-pearing anxious to have the trial pro-seed. A regular jury panel was speedily exhaused, and after ordering aspecial venire to report to morrow moining, the trial adjourned till then. **Ref.rm in St. Leuis**. Special Dispath to The Bas. Special Dispath to The Bas. St. Louis, May 7.—Judge Van Wagoner, of the criminal court, in Wagoner, of the criminal court, in their attention to the fact that reports had been recently published charging bribery and corruption in the municid-pal body and stated it was within their

On the 5th of March, 1883, Morgan

A. Lewis, passenger on the train of the Chicago, Burlington & Qaincy railroad company, tendered Neal Roggles, a conductor of that company, 18 cents as fare for his transportation from from Bada to Neponset, a distance of six miles. This was at the

maximum rate of three cents per mile prescribed by the statute of Illinois then in force. The conductor de- ing Secretary New to-day in reference manded 20 cents, which was the fare to the investigation of affairs of the fixed by the railroad company. Lawis supervising architect's office. He inrefused to pay more than 18 cents and formed New he proposed to proceed the conductor thereupon attempted to with the investigation as far as he was eject him from the car. For this act concerned, as soon as he could get his the conductor was prosecuted before papers in shape and prepare a case for a justice of the peace upon the charge presentation. He hoped to be able of assault and battery and fined \$10 to accomplish this in about a week. Special Dispatch to Tus Bas and costs. The case was then carried New says the committee are waiting up through the state courts by suc- solaly upon Murch and the investigacessive appeals, the railroad sustaining the conductor, and raising, the question of the right of the state to interfere with its business by fixing rates

of fare and transportation. A decis-ion was finally rendered in favor of the state by its highest court, and the railroad company thereupon appealed to the supreme court of the United the Pacific railroad companies can be States, upon the ground that the act of the general assembly of Illinois of the treasury department, or whether April 15, 1867, fixing the maximum the amounts shall be paid the comrate of charges for transportation of passengers on railroads in the state, was unconstitutional and void, because it impaired the obligation of 1, 1878 (the date when the act went contracts in the charters of various into operation) to December 31, 1882, companies which were merged into is \$410,000; and the sum withheld the Chicago, Barlington and Quincy railroad company by the consolidation.

The court holde:

First - That the grants of immunity from legitimate governmental control beyond the dates specified. are never to be presumed. On the contrary the presumptions are all the other way and unless the exemption Spreial Dispatch to THE Bas is clearly established the legislature is free to act on all subjects within its in eleven pits along the Panhandle general jurisdiction as the public in | road are reported wicking at a reduc terests may seem to require. A state tion. Tae strikers are working hard may limit the amount of charges by to get all miners out and expect to railroad companies for fares and make suspension of work general by freights unless restratued by some to morrow. Mas logs were held at contract in the charter.

Second-That in the present case The miners' officia's cialm that if the here is no such restraint The state, necessary river minars will stop work t is true, has given the board of to cut off the supply of railroad ope directors of the railroad company the rators, and if they fai', the association power to establish such rates of toll will endeavor to get the co operation for the conveyance of persons or prop- of miners of Onto and Maryland to erty as they shall from time to time by their laws determine, but such byaws must not be repugnant to the onstitution and laws of the state. If he state had not legislative power to Trade is good. egulate charges of carriers for hire the ase wou'd be different, but that quesion has been settled and the amended charter which this company secured from the legislature must be construed n the light of that established power. The judgment of the supreme court of Illinois is affirmed with costs.

ment, but not in the opinion. Jus-ice Bistchford did not sit in the case.

by Christian Wilhelm Fritsch, Leipsic. The decree of the circuit court dismissing the bill is affirmed. After reading over opinions in a large number of cases, most of which however, involved only questions of local or private interest, the court ad-

journed for the term. THE HILL INVESTIGATION.

Murch had an interview with Actof railroad trains.

tion will be proceeded with as coon as that gentleman is ready. A BONANZA IN RESERVE.

the important question whether the morrow morning for Omaha. earnings for government transportstion on unsubsidized roads lessed by withheld as is now the practice of the panies in cash. The amount withhald for such transportation on unaided lines of the Union Pacific from July ing. from unsubsidized branches of the Central Pacific from the date when

the Thurman act took effect, to De cember 31, 1881, amounts to \$978,000 The figures have not been made up

Pitteburg Labor Troubles.

PITT BURG, May 7. - The coal miners Mansfield for that purpose to-day.

vool. demand an advance on a certain day. The auspension of nail factories for two weeks, which was to go into effect to day, was postponed indefinitely

Awl's Well That Ends Wellspecial Dispatch to THE BEE.

Bosrow, May 7 .- The union printers employed at the University Press, Cambridge, struck work to day, being dissatisfied with present rates.

The labor lock out at the various 894

Opinion by Chief Justice Waite. Justice Harian concurs in the judg-ent, but not in the opinion. Jus-ce Biatchford did not sit in the case. A decision was also rendered by the

brought to the attention of the department by the collector of customs of Boston, on the 20th ultimo. The Electric Railway Company patch to THE BRE

ALBANY, May 7 .- Thos. A. Edison and others, representing a capital of \$2,000,000, filed papers with the secretary of state incorporating the electric railway company of the United States. The object is to develop electricit as a motor for the propulsion General Crock.

The Molecular Mutual Telephone and Telegraph company was also incorporated here to-day.

Jay is Coming.

KANSAS CITY, May 7 .- This Gould (that is acreage and condition comparty arrived late this afternoon over olned) for winter and spring wheat in the Missouri Pacific from Texas. A the following states: considerable part of the run from Minnesota 76, Indiana 70, Iowa about Sedalla was made at a speed of 50 80, California 87, Michigan 64, Ohio Judge Lawrence, first comptroller miles an hour. The party inspected 56, Illinois, April estimate 68, Ken-of the treasury, has not yet decided the railroad shops here and leave to- tucky, do. 66 From the above and

> A Drunken Brute-Special Dispatch to THE ER

of 500,000,000 bushels. Boston, May 7 .- John Callahan, of Winchester, went to Wobarn Saturday night, bought a gallon of liquor, and Special Dispatch to THE BES. went on a spree. He brought a 3-year old child with him, forced him to Sr. LOUIS, May 7.-The biennial convention of the Catholic Knights drink all he could, and then threw the of America convene here tomorrow. Iquor into his face. The child went About seventy-five delegates repreinto convulsions, and died this mornsenting thirty three states and four territories are expected to be present. Those delegates already here were

Cigar makers' Strike in Chicago. pecial Dispatch to THE BEE. CHICAGO, May 7.- About one-third

of the cigar manufacturers in this city having refused to pay the advance demanded, the union men quitted the shops this morning. It is estimated

that two hundred men in all are out of employment Other shops have conceded the advance.

Shipping News.

p cial i ispatci es to THE HEE LOND N. May 7 - The steamer Hapsburg has been towed into Falmouth; alt w 1'. Arrived at Glasgow, State of Ne.

prasks, from New York. NEW YORK, May 7 .-- A-rived, Main Bremen and Sardinian, from Liver-

Bussed Oaks Makers. pecial Dispatch to Tun Bus. PITTSBURG, May 7 --- A. O Tinat-

man & Co., coke manufacturera, whose financial embarrasement was

announced Saturday, after prolonged consultation with creditors made an assignment this morning.

Their lisbilities amount to \$316 000 of this St Louis burned this morning. amount \$200,000 is secured.

Silver Issued for the Week. dal Dispatch to THE HER

Richter moved to refer the subject to a committee, it being impossible to make reliable estimates so far ahead. The motion was supported by all lib-COLUMBUS, May 7.-Official dis erals, tories and clericals. It was finally adopted, 105 to 97, again natches received from other states by the Ohio board of agriculture give the frustrating one of Bismarck's favorite

following as the total probabilities projects. Bismarck has issued a circular to officials of the Russian province order-Kansas 93, ing inquiry into the extent of injuries inflicted on national wealth by reason of the greater part of fire iusurance business being in the hands of private companies. He asserts the other data [Secretary Chamberlain, of profits of the companies are too high, Ohio, estimate a probable storage of owing to unjust increase of premiums 100.000,000 bushels from the last crop and too low in assessment of damages

murder.

TELEGRAPH NOTES.

by fire. DUBLIN, May 7.—In the Kelly trial to-day, Joseph Hanlon, another in-former, confirmed the evidence of Carey and Kavanaugh that Kelly was one of the four men on Kavanaugh's car the evening of the Phoenix park murder.

EASY TERMS.

HEREDITARY

Honolulu advices state that the Chinese immigration is the all absorbing question. At the rate the Chinese are arriving they will soon outnumber the natives. Alest-A BE you aware that in your blood the taint of scrofula has a prominent place? This is true of every one. It is liainge protesting against the influx are being ble at any time, on the slightest provocation, constantly held.

A tumor was successfully cut from the mouth of Congressman Kelly, of to develop itself in some insidious disease. Consumption and many other diseases are Penn sylvania.

consumption and many other discusses are outgrowths of this impurity of the blood. Hood's SARSAPARILLA has a wonderful power over all scrotulous troubles, as the re-markable testimonials we have received unmistakably prove. Governor B tler sent to the secretary of state, without signature, the resolution appropriating \$264,000 for double tracking the Hoosse tunnel line, and says he shall

papals secretary of state, cabled the not sign it. uquiry if it were true that The Massachusetts house adoped under suspension of rules, witcout debate, the senste resolution recognizing the atility, services and lategrity of Oakes Ames, and C rdinal McCloskey hadgi received Alex. Sullivan, president of the Irish National League, and demanding an explanation. Cordinal McCloskeylden arking for like recognition on the part of nies that he received such dispatch, congress.

and characteriz d the statement as First asnual Arbor Day set by the fgov ernnent of the province of Montras', absurd and ridiculous on is face, as anyone arquainted with Euclestastical observed ye terday, was an unqualife aw would readily see. The cardinal added that it was impossible that any added that it was impossible that any

Ex Treasurer Marsh T. Polk, of Ten-newer, executed a bond is \$35,000 as re-quired by Judge Allen and was released as 1:30 yesterday afternoon,

The supreme court of Louisiana has reversed the decision of the lower court an decides that municipal bonds cannot be

"We do not as a rule allow ourselves to use our editorial columns to speak of any remedy we advertise, but we feel warranted in saying a word for Hood's Sarsaparila. Sarsaparila has been known as a remedial agent for centuries and is recognized by all schools of practice as a valuable blood puri-fier. It is put up in forms of almost infinite variety, but Messrs. Hood & Co., (Lowell, Mass.) who are theoroughly reliable pharma-cists, have hit upon a remedy of unusual value. Certainly they have vouchers of cures which we know to be most extraor-dinary."-Editors Lowell Weekly Journal. business houses and residences in East taxed. President Walker, of the New Orleans CHICAGO, May 7 -Early this mornin lroad, makes a formal offer of \$200,000 to the world's industrial and exton cering two children, aged two and three years, belonging to a poor colored woman, who had left them a few motennial exposition if the building is located near the lines of that company.

A bill was introduced in the New York Isgislature making Brooklyn bridge free to pedeotrians and when final action was to oe taken on it the closing day of the ses-sion the bill could not be found. It was mislaid or stolen.

pal body and stated it was within their province to investigate them. He also said if the law against dueling has been violated it was their duty to indict the offenders.

CHOICE BUILDING LOTS, The schools and public offices of Brook-

SMALL PAYMENTS DOWN

HANSCOM SCROFULA.

PLACE

ADJACENT TO STREET CARS,

LOTS,

ON VERY EASY TERMS.

unmistakably prove.
Messnes, C. I. Hood & Co.: Gentlemen-r troubled with Scrofulous Humor: sores in his head discharging from his ears, and a run-ning sore on the back of his ear for two years; his eyelids would fester and ulcerate discharging so that I was obliged to wash them open every morning, his eyelashes nearly all coming out; he was exceedingly dainty, most of the time cating but two slight-thing that had the least effect upon him till hast spring, 1876, we gave him two bottles of a tonce. Sincerely yours, MRS. N. C. SANDORN, No. 108 Merrimack St., Lowell, Mass.
We do not as a true allow ourselver to 2 800 1 200 1 950

5 ACRE LOTS,

Three Miles from Postoffice,

HOOD'S SARSAPARILLA Bold by druggists. Price \$1; six for \$5. Prepared by C. I. HOOD & CO., Lowell, Mass. \$125.00 DOWN.

"We do not as a rule allow ourselves to