THE SWEENEY RAILROAD LAW

A Rather Peculiar Decision in the Case By the Iowa Supreme Court.

HABEAS CORPUS WRIT DENIED.

Meeting of Railway Commissioners of Northwestern States at Des Moines—Iowa Sheriffs in Session at Sioux City.

The Responsibility Shifted.

DES MOINES, Ia., Dec. 15.—[Special Telegram to the BEE.]—The test case argued before the supreme court last week on the constitutionality of the Sweeney law, domesticating foreign corporations doing business in the state, was decided to-day. The court refuses the application for a writ of habeas corpus asked for by the railroads, and to that extent asserts the constitutionality of the law. But the decision holds that the case may be brought before the United States supreme court, which could not be done if the decision were against the state. So it may be said that the court dodges the real issue and unloads its burden upon the higher court. The employes of the road are remanded back to custody, but it is understood that the railway companies will appeal at once to the United States supreme court and they hope for an immediate hearing on the constitutional questions involved. After a statement of the facts, in which each of the petitioners, employes of the road, are charged with violating chapter 76, laws of the Twenty-first general assembly, namely, the Sweeney law, the court says: "It is insisted by counsel for the petitioners that said chapter 76 is unconstitutional and void, because, first, it is repugnant to section 10, article 1, of the constitution of the United States and section 21, article 1, of the constitution of Iowa, which provides that no law shall be passed impairing the obligation of contracts. 2. Said statute is contrary to section 8 of article 1 of the United States constitution, which provides that congress shall have power to regulate commerce with foreign nations and among the several states. 3. Said statute is repugnant to the fourteenth amendment to the constitution of the United States and therefore void. 4. Said statute is void as an attempt to interfere with the jurisdiction of the federal courts as established by the constitution of the United States and the acts of congress. These several propositions have been exhaustively argued by counsel and in relation thereto, we desire to say that their solution presents grave difficulties as to all the propositions but one. This court is not the final arbiter and therefore, believing as some of us do, that it is doubtful what construction of the United States constitution and the acts of congress should be adopted under the agreed statement of facts, we feel constrained to hold that the statute above mentioned is not in conflict with the constitution of the United States or acts of congress passed in pursuance thereof. To relieve that the questions presented may be determined by the supreme court of the United States the petitioners will, therefore, be remanded to the custody of the defendants and such judgment will be accordingly entered."

Railroad Commissioners Meet.

DES MOINES, Ia., Dec. 15.—[Special Telegram to the BEE.]—A convention of railroad commissioners of the northwestern states began in this city to-day. There were present the following commissioners and railway men: Iowa—Peter A. Dey, J. W. McDill, L. S. Coffin, E. G. Morgan. Colorado—W. B. Felker, Denver. Kansas—Almerin Gillette, James Humphrey. Dakota—Wm. M. Evans, Millbank; Alex Griggs, Grand Forks; W. B. McKey, Yankton. Minnesota—J. H. Baker, Mankato; S. S. Murdock, Murdock; Geo. L. Becker, St. Paul; E. S. Warner, Mankato. Nebraska—O. P. Mason, Lincoln; Charles Buschow, Red Cloud; H. M. Waring, Lincoln. Several prominent railroad men are present, and among them E. P. Ripley, general freight agent of the Chicago, Burlington & Quincy; H. C. Wicker, of the Chicago & Northwestern; W. M. Sage, of the Chicago, Rock Island & Pacific; A. C. Bird, of the Milwaukee; J. W. Midgely, pool commissioner, and Erastus Young, auditor of the Union Pacific. The convention organized with Commissioner Dey, of Iowa, as chairman, and Commissioner Waring, of Nebraska, secretary. The subjects discussed have been chiefly the transportation problem, pooling, the classification of freights and uniformity of rates and the best methods of state control of roads without interfering with inter-state commerce.

Sheriffs in Session.

SIOUX CITY, Ia., Dec. 15.—[Special Telegram to the BEE.]—The twelfth semi-annual convention of Iowa sheriffs was called to order to-day by President D. F. Farrell, of Mills county. Quite a large number of counties are represented. The sessions to-day were mainly given up to organization, reading reports and appointing committees.

County Surveyors.

DES MOINES, Ia., Dec. 15.—[Special Telegram to the BEE.]—A convention of the county surveyors of Iowa was held here to-day. This is the third annual session of their association. A number of counties were represented and the session was devoted to a discussion of the present system of county surveying and other matters connected with their work.

Fire at New Sharon.

DES MOINES, Ia., Dec. 15.—[Special Telegram to the BEE.]—A fire at New Haven, Mahaska county, this morning, destroyed ten business houses around the square, including a restaurant, livery stable, furniture store, markets, etc. Loss, $16,000; insured for $5,700.

A MURDEROUS SOCIETY.

Operations of a Negro Organization in South Carolina.

CHARLESTON, S. C., Dec. 15.—A week ago the News and Courier published a dispatch from York county, South Carolina, reporting that a white boy named John Lee Good had been so beaten and mangled that he soon died and that four colored men had been arrested as the murderers and committed to jail. It was stated that the theory was that some of the negroes had been detected by the boy in the act of stealing cotton from his father's field, and that to prevent their arrest they killed him. There was great excitement in the county in consequence and several more arrests were made. The News and Courier, to get the facts, sent a special correspondent to York and will publish to-morrow the result of his investigations. There is evidently an alarming state of affairs in York county, and it is probable that an organization exists among the colored people which contemplates the murder, in the event of detection, of any member accused. Twenty-six negroes are now under arrest. An inquest on the body of the murdered boy before the district jury brought out all the facts. One of the negroes turned state's evidence and another admitted that he killed a man who was found murdered in the county eighteen months ago. Several of the colored witnesses at the inquest swore distinctly that they had a club in the county for the purpose of stealing cotton, provisions, whisky, etc. The members were to steal whatever they wanted, and if detected were sworn to kill the person who detected them. The club had different names, but was generally known as "The Rising Star Lodge No. 24 of the Grand United Order of National Laborers and Political Society of North America." The charter came from Charlotte, N. C., and is dated December, 1884. The charter, however, would seem to show that the society had only benevolent and fraternal objects. Among other things revealed at the inquest was a plot to waylay wealthy men who had money. One of the witnesses gave a detailed account of the murder of a poor boy, John Lee Good, and also names his accomplices in crime. The threats of general lynching has abated, but the indignation and unrest are intense.

☞For the Cure of a Cough or Sore Throat, "*Brown's Bronchial Troches*" are a simple remedy.

SCHUYLER BADLY SCORCHED.

Several Business Buildings Entirely Destroyed by Fire.

SCHUYLER, Neb., Dec. 15.—[Special Telegram to the BEE.]—Shortly after 9 o'clock to-night fire broke out in Phelp's stable. The flames spread rapidly from this to the Herald office, the law office of C. J. Phelps, Babcock Bros', barn, and a dwelling house belonging to Gadsden & Stedman. These buildings were a total loss and were but partially covered by insurance. The contents were saved with the exception of one horse, some printing material and a press. By 11 o'clock the fire was under control and had not the water supply failed it might have been checked sooner.

Nebraska Dairymen.

SUTTON, Neb., Dec. 15.—[Special Telegram to the BEE.]—The morning session of the Dairymen's association was augmented by the arrival of a number of practical gilt-edged butter advocates. I. S. Fulmer, Gibbon, delivered a masterly paper devoted to the Ayrshire cow and was paid a high compliment in an off-hand speech by Prof. H. H. Wing, of the state university. The Jersey cow's merits were neatly brought out in S. C. Bassett's speech. All who heard him fully believe this meek and innocent little critter gives milk as rich as cream and cream as rich as nectar. The afternoon meeting opened up with resolutions. Prof. Wing offered one endorsing the Hatch bill now before congress establishing experimental stations in connection with the state agricultural college. Gaborison offered one on pleuro-pneumonia, asking that the disease be kept quarantined in Chicago and other points where the disease is known to exist. Curtis offered one boycotting those who kept for sale bogus butter. A number of excellent papers were read and addresses delivered on live topics in connection with the dairy interests of the state.

The association will close to-morrow evening with a grand banquet, feasting, toast speeches and a general good time.

M'QUADE CONVICTED.

The Jury Find Him Guilty in Thirty Minutes.

NEW YORK, Dec. 15.—Recorder Smith, in his charge to the jury in the McQuade case to-day, pronounced the testimony of the servant girl, Katie Metz, as direct, unshaken and worthy of having much weight. It was for the jury to decide whether Duffy and Fallgraff's testimony had been corroborated. The court also reviewed at length and laid stress upon the relations of Maloney and members of the board of alderman with the officers and attorneys of the Broadway road. The fact that the prisoner had not been put on the stand in his own behalf must not be taken against him, the recorder said in conclusion. Just half an hour after the retirement of the jury, as General Tracy and Mr. Newcomb were passing down stairs to dinner, an officer ran after Newcomb and, catching him, breathlessly exclaimed: "Come back; they are agreed." The crowd, which had hardly left the court room, rushed back and for several minutes the greatest excitement reigned. But the principal man, whose liberty was at stake, showed no more sign of any interest than if he were only an ordinary spectator. Presently the jury came in. They had a funeral expression of face. The roll was called and Foreman Henry Ottenberg stood up and, in reply to the question, replied: "Guilty of the crime as charged in the first count in the indictment." The roll was called again, and each juror answered, "Guilty," as his name was called. When the verdict was given to the court, McQuade alone remained unmoved. His demeanor was not different from that of any other day of the trial. The jury at once left the court room, declining all interviews.

Postmasters Nominated.

WASHINGTON, Dec. 15.—The president has sent the following nominations to the senate: Postmasters: Illinois—Charles Weissman, Warsaw; William A. McCann, Sterling; J. M. Startman, Savannah; Edward Gardner, Rochelle; Michael S. Touhey, Nokomos; E. S. Burns, Hillsborough; C. W. Jones, Griggsville; George W. Hess, Evanston, John Culberston, Delavan; E. W. Tufts, Centralia; Edward Smith, Carrollton; J. M. Soler, Carbondale; R. S. Allen, Joliet; J. S. Palmer, Duquoine; Ellis Briggs, Roadhouse; W. C. Scandland, Normal; Conrad Durkes, Franklin Grove; F. M. Mead, Marengo; J. A. Able, Auburn. Wisconsin—J. J. French, Sparta; Carl Zillier, Sheboygan; Roderick McGregor, River Falls; J. E. Jones, Portage; J. A. Bardon, Superior; P. H. Carney, Waukesha; Jeremiah Sullivan, Ashland. Iowa—G. J. Rodman, Washington; A. Massie, Logan; J. N. Davis, Knoxville; W. H. Merritt, Des Moines; J. P. Neel, Columbus Junction; James Frey, Sigourney; Frank P. Modies, Odebolt; E. K. Pitman, Leon; J. P. Carleton, Iowa Falls; George Paul, Iowa City; S. H. Harvey, Centreville; Alexander Charles, Cedar Rapids; John Hornstein, Boone; A. H. Graves, Afton; R. S. Gedley, Malvern; J. H. James, Sac City; G. C. Serimgeon, Belle Plaine. Nebraska—W. F. Wolff, Friend; Frank Campbell, O'Neill. F. B. Smith, Columbia, Dak., David Hammer, Mitchell, Dak.

Canada's Premier on Extradition.

DETROIT, Dec. 15.—The Free Press tomorrow will publish an interview with Sir John A. MacDonald, Canadian premier, in response to the questions: "What will be the outcome of the fisheries dispute? Is there prospect of its adjustment?" He said: "There is, or should be, no dispute. The treaty of 1818 is just, explicit and sufficient. Is there prospect of a negotiation of a more liberal extradition government? Her majesty's government would make no treaty affecting Canada without consulting us, and would, I am sure, make any reasonable treaty of the kind that we desired, providing the assent of the other contracting party could be obtained. Canada is favorable to the making of an extradition treaty in the broadest terms, providing for the surrender of any criminal of whatsoever degree, save only those guilty of offenses so petty as to make the use of the machinery of extradition absurd. To my mind it is clear that a treaty would long since have been an accomplished fact but for a subtle influence on your side of the pernicious class which insists that a man who kills or destroys by dynamite is not a criminal, but a political offender. Were your president elected once in two, instead of once in four years we should have such a treaty."

The Government Shares the Cut.

BOSTON, Dec. 15.—In the course of a called meeting of the Union Pacific railway directors to-day, Government Director Alexander inquired of President Adams why the government requirements for the first nine months of the present year, which were $787,000 in 1885, were estimated at only $500,000 during the current year. In reply President Adams stated that this was due to the war in rates, which had existed since February last among the transcontinental railroads, and which had destroyed the profit on the whole transcontinental traffic of the year.

Rivers and Harbors.

WASHINGTON, Dec. 15.—The engineers' estimate for river and harbor improvements were taken up by the house committee on rivers and harbors to-day. In fixing the appropriations the committee is pursuing the policy of allowing about 25 per cent of the amounts which the chief of engineers reports can be profitably expended on improvements. If this policy is adhered to the result will be a bill making an aggregate appropriation of between $7,000,000 and $8,000,000. The secretary of war recommended a cross appropriation of $10,000,000.

No Union Possible.

CHICAGO, Dec. 15.—A special to the Inter-Ocean from Madison, Wis., says: At the opening of this afternoon's session of the state grange, Patrons of Husbandry, Grand Master Carr declared that the union of the grange and the Knights of Labor would be impossible. His reason was an assertion that the grange could not under any circumstances adopt the eight-hour system and apply it to the farm.

Nominations by the President.

WASHINGTON, Dec. 15.—The president sent the following nominations to the senate to-day: Preston H. Leslie, of Kentucky, to be governor of Montana territory; Henry E. Hoyden, of Minnesota, to be clerk of the district court for the district of Alaska.

A SYSTEM OF CIRCULATION.

Comptroller Trenholm Before the House Committee on Banking and Currency.

DRAFT OF A BILL SUBMITTED.

A Number of Recommendations Made—Plans Not Yet Fully Matured For a Reorganization of the System.

Comptroller Trenholm Talks.

WASHINGTON, Dec. 15.—Comptroller Trenholm appeared before the house committee on banking and currency to-day by request to state his views touching the national banking system. The comptroller stated to the committee that he was not yet fully prepared to suggest a plan for a reorganization of the present system, but believed that he would be able to suggest a practical plan some time in January next. Meanwhile, he submitted for the consideration of the committee the draft of a bill amendatory of the laws relating to national banking. The bill, after proposing a number of unimportant changes in the present system, requires that the bonds required to be kept on deposit in the treasury as a basis for circulation shall be interest-bearing and when such bonds are called they must be replaced within three months after notice by interest-bearing bonds, and in default the comptroller is authorized to appoint a receiver to close up the affairs of the bank. In case the bonds deposited to secure circulation exceed the minimum amount required by law, the excess may be placed with other interest-bearing bonds or the circulation secured by the excess shall be surrendered by the association, whereupon the excess shall be delivered by the treasurer of the United States to the secretary of the treasury for redemption, with instructions to deposit from the proceeds with the treasurer lawful money to the amount of the outstanding circulation secured by such bonds and held on account of the association holding the bonds. The bill provides that boards of directors shall be constituted of not less than five members, exclusive of the president, and of cashier, if he be a member of the board. The seventh section makes it unlawful for the bank to take either in its own name or that of any corporation or person for its benefit any mortgage on real estate as security for a contemporaneous loan or for advances. But no association is prohibited from discounting any bill of exchange or promissory note not having more than four months to run, although the same may be secured by real estate, when discounted for endorsement in the ordinary course of business and when the mortgage of the lien is merely collateral. Referring to the surplus funds the bill provides that whenever the surplus fund of any bank shall exceed by 20 per cent the amount of its capital stock the shareholders may be relieved of individual responsibility and every association may be relieved of such liability in proportion which the surplus, after deducting the 20 per cent reserved, bears to the whole amount of capital stock. No exemption, however, can be obtained through and process by which any portion of the capital stock may be converted into the surplus. In case the surplus is reduced, by loss or otherwise, below the amount required for exemption, the association is required, after the deficiency, to pay the deficiency by assessment upon shareholders, and if the deficiency be not made good, the bank is to be placed in the hands of a receiver. A supplement to the bill relating to failed banks provides that where the assets of any insolvent association for which a receiver has been appointed, shall be sufficient to pay all creditors in full, the association shall not be deemed to be dissolved, but after delivery to the agent of the shareholders the association shall be entitled to resume business, if the shareholders owning two-thirds of the capital stock shall have decided to do so. Before resuming business, however, the association is required to restore the entire amount of its capital stock. Upon the approval of the comptroller, the amount of the capital stock may be reduced before restoration.

The American Association.

NEW YORK, Dec. 15.—The sixth annual meeting of the American Base Ball association opened to-day. After the reading of the minutes the report of the board of directors, who met yesterday, was presented to the association and adopted unanimously. Then the association ratified the decision of the special meeting held about two weeks ago in Cincinnati at which it was agreed to admit Cleveland into the association and subsequently entered upon a discussion of the playing rules.

The report of the joint committee on rules, which met in Chicago a month ago, was read and adopted, together with the report of the arbitration committee in regard to altering nothing in the national agreement. The association, by a unanimous vote, re-elected Wheeler Wycoff as president, secretary and treasurer.

Light Weight Bruisers.

NEW YORK, Dec. 15.—Tommy Danforth and Mike Cushing, the amateur champion light weights, fought for forty-two minutes this morning at an up town sporting house. It was a strong test of Mike Cushing, and he came out of this struggle with a veteran of Danforth's calibre creditably. As they entered the ring Danforth weighed 122 and Cushing 130 pounds. Eight rounds were fought and it was no ally declared a draw.

The Wabash Receivership.

CHICAGO, Dec. 15.—The matter of the appointment of a receiver of the Wabash railroad system will come up before Judge Gresham here to-morrow. Judge Gresham, in his recent famous decision, deferred an appointment in hope that a settlement might be reached between the bondholders and the purchasing committee. It appears this evening that nothing has been done toward that end, and that the judge will be called on to appoint a receiver to-morrow.

Another Political Bounce.

WASHINGTON, Dec. 15.—H. C. Rodgers, deputy commissioner of internal revenue, has resigned. The resignation is to take effect on the appointment and qualification of his successor. This action was taken at the instance of the president, Rodgers is a republican and has been in office for many years. There are no charges against him. It is generally understood that Henderson, chairman of the Indiana state democratic committee, will be appointed to succeed him.

Arbitrating Labor Troubles.

CHICAGO, Dec. 15.—The difficulties between the Lake Shore railway and the strikers have been settled. James Monagan, president of the switchmen's union, and Pliny B. Smith, counsel for the road, have held a conference. As a result the company will take back all the old men, with the exception of the ones who were engaged in acts of violence against the corporation, and will abolish the black list.

Fatal Hotel Fire.

ST. PAUL, Dec. 15.—A Pipestone (Minn) special to the Pioneer Press says: The Calumet hotel burned this morning. David McCullough was fatally injured and Rev. A. S. Orcutt, a Baptist minister, was killed. A little colored boy has broken his back and Virgil Prendergast has been seriously hurt, all by falling walls. Loss $45,000, partly insured. Nothing was saved. Lew Ellisworth escaped by a rope from the second story window.

The Compromise Railroad Bill.

WASHINGTON, Dec. 15.—The conference report on the inter-state commerce bill has been signed by all the conferees except Senator Platt and is ready for presentation to the two houses. Senator Platt will not sign it. His principal objection is prohibition of pooling.

Another Canadian Raider.

NEW YORK, Dec. 15.—William Storer, who has been engaged in the commission dry goods business for many years, departed suddenly, leaving his creditors in the lurch to the extent of $30,000. Storer is over seventy years old and blind, and it is thought he has reached Canada all right.

FORTY-NINTH CONGRESS.

Senate.

WASHINGTON, Dec. 15.—Among the memorials presented in the senate to-day was one by Mr. Frye from the Bath, Me., board of trade against the admission of foreign ships to American registry.

Among the bills introduced and referred were the following:

By Mr. Vance—To repeal chapter 27 of the acts of 1883 relating to the civil service.

The following bills were reported from the postoffice committee and placed on the calendar:

To amend the postal money order system; to extend the free delivery system.

Mr. Van Wyck offered a resolution calling on the secretary of war for information as to how the Missouri commission has apportioned certain money appropriated in the river and harbor bill for the improvement of the Missouri river at Omaha and other points in Nebraska and Iowa. The resolution gave rise to considerable discussion. The report was ordered printed and Mr. Cullom gave notice that he would call it up next Tuesday.

Mr. McPherson offered a resolution calling on the secretary of war for information as to the proposed bridge across the Arthur Kill between Staten Island and New Jersey.

The resolution offered by Mr. Van Wyck in relation to the improvement of the Missouri river was again taken up and further discussed.

Before coming to a vote on the resolution the hour of 2 arrived, when the unfinished business of yesterday, the bill repealing the tenure of office act, came up, and was, on motion of Mr. Hoar, allowed to stand over till to-morrow as unfinished business.

Mr. Platt then called up his resolution that executive nominations shall hereafter be considered in open session except when otherwise ordered by a vote of the senate.

Mr. Morrill moved as an amendment the striking out of the words "executive nominations" and insertion in lieu thereof the words "reciprocity treaties, so called." He had no objection to that change.

Mr. Hoar then moved to lay the resolution on the table, which was agreed to by a vote of 35 to 21.

Mr. Beck called up the bill prohibiting senators or representatives from acting as attorneys for subsidized railroad companies, the question being on a substitute reported from the judiciary committee. Mr. Beck opposed the substitute and advocated the bill as introduced by himself.

Mr. Pugh, a member of the judiciary, compliented the substitute. He was opposed to such legislation, but if it was to be enacted he would have it carried out to its fullest extent.

Without reaching a vote the senate went into executive session, and when the doors were reopened adjourned.

House.

WASHINGTON, Dec. 15.—The speaker appointed Messrs. Caldwell, Eden and Cooper conferees on the electoral count bill.

After the transaction of some unimportant routine business the house in the morning hour went into committee of the whole on the bill for the allotment of lands in severalty.

Pending consideration the committee arose, the morning hour expired, and the bill went over as unfinished business.

On motion of Mr. Warner of Missouri the bill was passed bringing the cities of Atlanta, Galveston, St. Paul, Minneapolis, Indianapolis, Kansas City and Omaha under the provisions of section 5,191 of the revised statutes, which requires national banks in certain cities to keep on hand in money of the United States a sum equal to 25 per cent of their circulation and deposit.

The house then went into committee of the whole (Hammond of Georgia in the chair) on the sundry civil appropriation bill.

Mr. Burns of Missouri, from the committee on appropriations, reported a bill to supply the deficiency in the appropriation for public printing. Committee of the whole. It appropriates $85,000 for public printing and binding, $17,000 for distinctive paper for United States securities and $5,000 for the recoinage of silver.

The house then adjourned.

A Labor Candidate Victorious.

LYNN, Mass., Dec. 15.—George D. Hurt, workingmen's candidate, was elected mayor yesterday over Kimball, citizens' candidate, by a vote of 3,800 to 3,300. The vote on license was "Yes" 3,600, "No" 2,600.

Livery-Stables in Venice.

San Francisco Chronicle. There is a little company of business men who meet at lunch every day at a restaurant. Among them is one who is rather fond of theatricals, and keeps well posted as to what is going on in that department. He would be despised, but he happens to be a very successful man of business and makes a good deal of money. It does not require much sense of humor to conduct a business. A little more than is necessary to keep up this column, perhaps. I know somebody will say that, and it affords me great pleasure to get in ahead of him. But one man in this group, which contains several younger men of more lively dispositions, has attained to a large fortune and first-class bank account without a glint of humor. The morning after the Florences played "Our Governor," the little crowd was gathered together as usual.

"How was the play last night?" asked one of the young business men.

"Florence was very funny," observed the theatrical sport.

"I'd like to see a funny man on the stage just once," said the practical gentleman, who spoke in something of a foreign accent.

"Well, Florence is funny. He plays the part of a big liar. He tells extraordinary stories about when he kept a livery stable in Venice——"

"What!" yelled the growler. "What! I thought it was some such —— fool play. Liverv-stable in Venice! I've been in Venice, and I'll bet you $50 there isn't a livery-stable in Venice."

The group was quick enough to see a chance for fun.

"Well," said the theatrical merchant, "I haven't been in Venice, but I am quite sure a man like Florence, who has travelled all over Europe, would not come on the stage and talk of livery-stables in Venice——"

"I tell you there are no livery-stables in Venice. There hain't no use for them."

"Now don't say that so positively. Florence——"

"Florence is a —— fool. He don't know anything. Livery-stables in Venice. That's just as much as those —— actors you're always coaching up knows."

And he threw a napkin into an empty plate and marched out, and every day now they have some relief to dollars and cents by discussing the question of livery stables in Venice.

A Pleasant Incident.

Texas Siftings: Yesterday afternoon about 3 o'clock, a dog with a tin kettle tied to his wagging machinery, was observed on Austin ave. The dog did not appear to be much alarmed at the kettle any more than the average politician is when he is nominated to a lucrative office. He took it as a matter of course. There was a tall seedy-looking young man standing near a crowd on the sidewalk. He looked intently at the dog for a moment, then said:

"By thunder, that is Banker Thompson's little daughter's lost dog he has offered $50 for."

Immediately five different men, with their mouths sticking out like mucilage bottles, were trying to whistle, and saying:

"That's a good little doggy," advanced on the astonished animal. One very respectable looking gentleman with a silk hat on, tried to obtain the animal by his handle, but the dog got mixed up with his legs, and down he came like a pile driver. Several hackmen, who were subsequently arrested for leaving their teams, joined in the canvass, and when the procession turned the corner, with the dog and attachment twenty feet in advance, almost every class of our cosmopolitan population had its delegate in the pageant. Then it was that the sleek young man doubled himself up and went behind a door until his emotion had passed off.

LIVING A DOUBLE LIFE.

A Miser Who Wooed the Muses With Success.

Forty Thousand Dollars in Cash Found Among His Effects.

New York Times: The method of life, habits and characteristics of a man may never appear during his lifetime and yet all be set forth with startling clearness after his death by the collected words of many acquaintances. Such is the case of the miser James H. Paine, who was buried a year ago this coming Christmas, and whose home was in an attic of No. 177 Bleecker street. His life was a mystery to his friends, but its story will soon be told in the surrogate's court, where a contest over his property has begun and the taking of testimony in which will be entered upon to-morrow.

When the old miser died $40,000 in cash was found among his effects. How much more property he possessed will be divulged during the proceedings in court. No will was found, and the only heirs that could be discovered were four grandchildren of a deceased sister residing in Massachusetts—Sumner, Charles and Henry W. Claggett, and Eliza Paine Patch. Sumner E. Clagget, one of the grandnephews of Mr. Paine, was made administrator of the estate, with Mr. Charles F. Chickering, the piano manufacturer of this city. Certain friends of the dead miser came forward and represented that a will had been made. It could not be found, but heirs instituted proceedings to establish the lost will. The proponents will be represented by Charles J. Babbitt, and the grandnephews' claims will be looked after by Theodore H. Swift.

The story of Mr. Paine's early days was published in the Times last February, but recent investigation has brought to light new facts in regard to his habits. The life of the old miser is an interesting one in the contrast its two phases might have presented. Down town in his little attic on Bleecker street, it was a life of extreme avarice and miserly hoarding. Up town the man might have frequented the houses of learned and cultivated people; he was, also, a constant attendant upon operas and concerts, his criticisms upon which were generally respected. Mr. Paine's ancestry alone was enough to give him an entree in aristocratic circles. He was a grandson of Robert Treat Paine, one of the signers of the Declaration of Independence; a connection of Tom Paine, the atheistic writer, and his brother, Robert Treat Paine, of Boston, an astronomer of more than local reputation, died only a few months before the miser did.

James H. Paine was born, as near as can be determined, on Milk street, Boston, in 1810. He received as good an education as Massachusetts could give him. Though not specially trained with a view to writing or in art and music, young Paine early in life developed a remarkable aptitude for musical criticism and a quick ear for music itself. When seventeen years old he began to write articles on these subjects for the Boston Advertiser and the Boston Globe, which were read because of their eminent merit. Among his writings for the papers were also financial articles, which won for him a reputation in that line by their correctness and the wisdom of the propositions laid down. Paine came to New York about the year 1865, and resided in this city up to the time of his death. For eighteen years back he occupied the little old attic in Bleecker street. When young the avaricious spirit that characterized his later years was developed, and it increased in power rapidly. On coming to New York he was immediately received by the houses of literary and musical inmates. He wrote criticisms of opera faand concert singers and musical works, and it is understood that he was a correspondent of Dwight's Journal of Music, published in Boston. Music and art were his life.

During his later years Mr. Paine would spend his days in the old attic. The room was small and almost choked up with newspapers and magazines. Up to the last few years of his life he continued to write for the American Art Journal and other papers. An article written for a newspaper within a few weeks of his death will probably be offered in evidence. On rising in the morning the nurse would call for his pail of water, which his landlord was ordered to have ready, with scrupulous care. He would then take his bath. After it, without putting on any clothing, he would lie on his bed with the sun's rays streaming over him for two hours. He was very partial to his sun bath.

The miser lived penuriously, but not in squalor, and his habits were irreproachable as regards cleanliness. His clothing was very common and plain, but not ragged or patched. Invariably he wore a red handkerchief around his neck. His coat was always buttoned up to his chin. Shortly before he died he was still wearing the same cloak that, when twenty-four years old, he had bought in Boston. This cloak had been the old man's winter apparel year after year. He wore no stockings or drawers. He said woolen gave him salt rheum. After putting on the old cloak which came to be so well known to his friends he would go out for his meals. At night the old miser would start up to visit the opera or other musical entertainments. At the academy of music he was almost always to be found when any new or famous piece was on the boards. If no music was to be heard he would pay a visit to the home of some one with tastes like his own. The names of these persons will be a surprise when they are presented in the court proceedings.

But Mr. Paine did not change his dress to go up town. The same old cloak kept out the cold, and if the red handkerchief had been turned aside a flannel shirt would have been disclosed, and no collar. Once when going to an extra event at a private residence some friends induced him to put on a high collar. He was in the fidgets all the evening, and for once did not enjoy the music. Paine loved dainty food, but his avaricious tendencies overcame these desires, and he lived most plainly except when he ate at another's expense.

The miser of Bleecker street and the art critic of Twenty-third street was six feet in height, but his head was bent forward and there was a stoop in his shoulders. His gait was shuffling and his steps so short and measured that he seemed feeble. When young he looked in the face almost the image of Rufus Choate, but in later life a white beard changed his appearance. The face was oblong and the nose prominent. When his beard turned white it made him patriarchal. He studied a good deal in the Bleecker street attic, and attained a remarkable knowledge of history and of the location of places. He never went abroad, but could tell you the names of streets and how they ran, in all the principal cities of Europe, where the theaters were situated, and what pictures were in such and such art galleries in such and such cities. He often went to church, but probably more for the music than for the religious services.

Mr. Paine died alone in his Bleecker street home on December 13, 1885. Some friends buried him. On Christmas day as the bells were ringing, past the church in which he had often sat, he was borne without mourners, and past many houses where he might have been welcome as a man of culture and genius. He never asked any one to his Bleecker street room, and in the vicinity was known as James Henry. Up town he used his own name.

IN THE GRIP OF GOULD.

Public Men Created and Owned by His Railroad Purse.

Washington Dispatch to the New York World: Congressman Anderson, of Kansas, who was re-elected as an anti-monopoly independent, though previously an out-and-out republican, practically renounces the old-time republican ideas and announces himself a member of the new republican party. Mr. Anderson was opposed for re-election by the strongest syndicate of monopolists headed by Jay Gould and his Missouri Pacific railroad. He comes back the pronounced enemy of railroads. He says that Jay Gould had distributed in his district upward of one hundred thousand dollars to defeat him. Mr. Anderson gives evidence of Gould's effort to control the legislatures and delegations in congress from the states through which his roads run. He estimates that the Missouri Pacific railroad alone spent $2,000,000 in attempting to send the friends of the railroads to congress from the state of Kansas. In some instances Gould's candidates were elected, though not in districts where the people were given an opportunity to express their sentiments and vote without fear of the power the roads.

According to Mr. Anderson's idea, congress is being made up of too many men from the western states who are in the pay or under the influence of corporations. He thinks it is growing worse every year and now, he believes, is the time to drop the republican party, with its ideas of fostering and encouraging monopolies, and take up something in which the people are interested. Mr. Anderson thinks a new party will spring up in the west on this issue within the next few years.

Dead Letter Clerks.

Washington Post: The ladies in the dead letter office have no sinecures. They are all the while in a state of syncope trying to decipher the undecipherable and untangle the labyrinths of ink. They puzzle over them by day and dream about them by night.

"I don't know what I can ever do to recompense you for all this worriment," said Chief Clerk Perry to one of these the other day.

"Keep the grass banged upon my grave," she said demurely.

The next day came what she called the worry of her life—a letter from Germany to some place in the United States. What place? That was the question. She turned the superscription endways, sideways, upside down, crossways, catecornered and read it in all the languages she could think of. Then she wrote it out and stood it up in front of her and looked at the fascinating thing at intervals all the afternoon. It seemed to read thus:

"Wynheldonyorit?"

There was nothing in the geography that looked like it; and she was in despair. She carried it home that night and puzzled over it after she had got to bed. Finally, like a flash of lightning, the phonetic value of the writing struck her hard. She rose, lighted her tallow candle and regarded it. A radiant smile illuminated her comely features as she found in the jumble of letters the profane inquiry:

"Why in h—l don't you write?"

Clear as day! Then she again sought repose and slept the sleep of the triumphant.

Frank Bowyer, of Dayton, O., said that he could husk and crib seventy bushels of corn between sunrise and sunset, and Daniel Murphy said that he didn't believe it. He didn't believe it $50 worth; and, as Frank had $50 worth of confidence in his own ability, a match was made. So at sunrise, in the presence of a large gathering of farmers, Bowyer began, and by 4 o'clock in the afternoon had husked and cribbed eighty-two bushels of corn, and so won the $50 easily.

A mine-owner near Sheridan, M. T., reports the discovery of a new metal. It carries considerable gold in places, but the latter cannot be separated from the strange material by any process of working gold ores. The mineral when melted is as white as silver, but much harder.

A. O. Norton, a leading merchant of New Haven, Conn., was fined $50 and costs in the city court for giving his customers a chance to guess the number of seeds in a squash. The nearest guessers were to receive prizes. He was arrested on the charge of disposing of goods by chance. He took an appeal to the superior court.

General Anson G. McCook, secretary of the United States senate, was impolitely treated when he endeavored to obtain the privileges of the visitors' gallery in the British house of commons. He heaped coals of fire on the head of the British lion the other day by admitting two members of parliament to the floor of the senate.

Speaking of the royal manner in which President Arthur entertained his successor on inauguration day, a Washington correspondent reverts to the story that John Adams packed up his effects and left Washington the night before Jefferson was sworn in, and John Quincy Adams was out hunting during the ceremonies which inaugurated General Jackson.

A Safe Remedy is that which contains No Opium ALLEN'S LUNG BALSAM is such. for Colds, Coughs & Croup IT HAS NO EQUAL it is without Doubt the best Expectorant Remedy in use MOTHERS will find it a safe and sure Remedy for CHILDREN ALL DRUGGISTS sell it at 25¢ 50¢ & $1.00 per bottle.

WEAK MEN! MEN ONLY. The Sandow Electric Co. 169 LaSalle St. Chicago

I CURE FITS!

RULED BY PREJUDICE

Few persons realize how thoroughly they are controlled by prejudice even to their own disadvantage. For many years the treatment of Rheumatism, neuralgia, sciatica and headache has been by some outward application, and, therefore, without stopping to think that the orgin of these troubles must, from necessity, be internal, the weary sufferer continues to rub, rub and find no relief. Athlophoros is taken internally, and as a proof that this is the correct principle it cures surely and quickly. The statemen, of those who have been cured ought to convince the incredulous.

Palmyra, Neb., Aug. 3d, 1886.

I believe I have been greatly benefited by Athlophoros. I keep it in the house all the time, and if I feel a twinge of Rheumatism I take a dose, I have not not had to take any for months, and hope I am permanently cured. I have not hesitated to recommend it largely and have helped others with it. REV. E. J. BIRD.

Mrs. Geo. Hoffman, Cedar Falls, Iowa, says: "My husband was cured of Rheumatism by the use of Athlophoros. Three bottles of that medicine cured him entirely so that he has not had an ache of Rheumatism since, and that is now over a year ago For twenty years previous there was never a time that he was free from pain. Doctors nor medicine could drive the disease away. Having the sciatic rheumatism in his right side, the doctors said he would always have it, and did not think there was any cure. He was suffering from a severe attack. Athlophoros took hold of the disease at once, and by the time he had taken three bottles he was entirely well and has not been troubled since.

Every druggist should keep Athlophoros and Athlophoros Pills, but where they cannot be bought of the druggist the Athlophoros Co., 122 Wall st., New York, will send either, carriage paid, on receipt of regular price, which is $1 per bottle for Athlophoros and 50c for the Pills.

For liver and kidney diseases, dyspepsia, indigestion, weakness, nervous debility, diseases of woman, constipation, headache, impure blood, etc., Athlophoros Pills are unequalled.

MANHOOD RESTORED. A victim of youthful indiscretion, causing Debility, Lost Manhood, etc., having tried in vain every known remedy, has discovered a simple self-cure, which he will send FREE to his fellow sufferers. Address, C. J. MASON, Post Office Box 3179, New York City.

30 DAYS' TRIAL DR. DYE'S VOLTAIC BELT BEFORE—AND—AFTER Electric Appliances are sent on 30 Days' Trial, TO MEN ONLY, YOUNG OR OLD, Who are suffering from NERVOUS DEBILITY, LOST VITALITY, LACK OF NERVE FORCE AND VIGOR, WASTING WEAKNESSES and all those diseases of a PERSONAL NATURE resulting from ABUSES and OTHER CAUSES. Speedy relief and complete restoration of HEALTH, VIGOR and MANHOOD GUARANTEED. The grandest discovery of the Nineteenth Century. Send at once for Illustrated Pamphlet free. Address VOLTAIC BELT CO., MARSHALL, MICH.

THOMSON'S PATENT GLOVE FITTING

ARE STILL TRIUMPHANT!

For sixteen years, they have steadily gained in favor, and with sales