THE OMAHA DAILY BEE.

SEVENTEENTH YEAR. OMAHA, THURSDAY MORNING NOVEMBER 24, 1887. NUMBER 159

HELD TO BE CONSTITUTIONAL.

The Supreme Court Sustains the Omaha Police Commission,

AND SEAVEY HOLDS HIS JOB.

All the Law Points in the Great Municipal Conflict Fully Discussed By the Highest State Tribunal,

Tha Police Commission Sustained.

LINCOLN, Nov. 23.—[Special Telegram to the BEE.]—The supreme court handed down to-day the opinion in the Omaha police case, entitled Simeral vs Seavey, in which the court holds that the law creating the police commission is valid and operative; that the appointment of Seavey as chief of police under the law was valid, and a legal appointment within the scope and meaning of the act. In regard to the constitutionality of the law, the court held that the provisions of the act whereby it is made the duty of the governor to appoint a board of fire and police commissioners for each city of the metropolitan class are not repugnant to the constitution. The opinion is written by Judge Cobb and concurred in by the other judges. The written opinion covers thirty pages and discusses in full all the salient points raised by counsel. Judge Cobb, in discussing the opinion, says the complaint is in substance a quo warranto with a general object to obtain a judgment against the respondent Seavey upon his right to execute the office of chief of police; that the petitioners set up that the members of the board of fire and police neglected to enter into good and sufficient bonds; that they pretended to make appointments, while no rules and regulations had been adopted by the council to govern them. The petition claimed that the appointments of the board by the governor were invalid because not made by and with the consent of the senate. The act creating metropolitan cities, Judge Cobb holds, was not an amendment, but an independent statute, designed to be perfect in itself and by section 173 repealed the act creating cities of the first class and all acts in conflict therewith; that it contained an emergency clause and took effect and became a law immediately after its passage. There was no provision in the new law continuing any officer in power, and it is clearly the intent and within the scope of the act to establish a new government for the cities named in its class. In regard to the section of the law requiring the governor to appoint a board of fire and police commissioners, the court holds that there can be no doubt as to the intent of the law and while provisions are found in the act which the mayor and council find authority, it does not follow that the section itself can be neglected. The power giving the mayor authority with the council to establish night watch and police is a general provision and must not take the place of the definite section creating the board. The court holds that the constitutional clause concerning the imposing of taxes on the municipality is not violated. It is held by the court that the plea that the governor's appointments should be made by and with the consent of the senate, is not good; that the governor shall appoint is mandatory without carrying the consent of the senate with it. In regard to the argument that the legislature had not power to make party affiliation a qualification for office, the court holds that, the language of the act is simply directory to the governor and that whether the appointees are of one party or all parties, or no party, affects not the legality of the appointments. To the question of the act making the governor the appointing power, and if that is not repugnant to the constitution, the court holds it is not. The application, as made to the court, is therefore denied, and the cause dismissed.

Nebraska Supreme Court Doings.

LINCOLN, Neb., Nov. 23.—[Special to the BEE.]—Yesterday's proceedings were as follows:

Schaller vs Omaha; re.argument ordered.

Reed vs Jones; record ordered returned by December 10, 1887.

The following causes were dismissed: Brown vs Watson; Stephens vs state; More vs Wilms.

The following cause was continued: Heron vs Temple.

The following causes were argued and submitted: Dougherty vs Grouff; Dorsey vs Clapp.

Court adjourned to Tuesday, November 29, 1887 at 8:30 a. m. Foot of docket will be called Friday 2, 1887.

BISHOP BURKE.

A Cordial Welcome Accorded Him at Cheyenne.

CHEYENNE, Wyo., Nov. 23.—[Special Telegram to the BEE.]—Rt. Rev. Bishop M. S. Burke arrived in Cheyenne to-day to assume charge of the newly created diocese of Wyoming. Accompanying him were Father MacNamara, his secretary, Bishop O'Connor, of Omaha, and a number of priests from Nebraska and Colorado. The party was met at Pine Bluffs by a reception committee from Cheyenne. A public reception was tendered the bishop this evening, attended by prominent people of the city regardless of denominational beliefs. Governor Moonlight made an address of welcome to the new bishop and congratulated Bishop O'Connor on the work he had accomplished in Wyoming. Responses were made by Bishops Burke and O'Connor. Both spoke with confidence of the future growth of Wyoming and predicted a rapid development. The new bishop has created a favorable impression here, not only among Catholics but Protestants, and his coming is regarded as marking a new era in the advancement of Wyoming's spiritual and temporal growth.

THE PLANTATION STRIKES.

The Troubles Break Out Afresh in Louisiana.

THIBODEAUX, La., Nov. 23.—The labor troubles had about ceased, when, on Tuesday afternoon, the people of this town were reliably informed that an attack would be made upon the the town during the night. To prevent any trouble a strong guard of deputy sheriffs was posted at all approaches. At 7 o'clock in the morning two of the guards were shot from ambush and seriously wounded. Two of their friends rushed to their assistance and while they were attempting to relieve their wounded comrades they were also fired upon from ambush. Luckily they were not harmed. A fearful state of excitement arose and the armed guard of the town rushed to the scene of action. They were again fired upon from ambush and then returned the fire by a general fusilade, which was kept up until the rioters were dispersed. Some six rioters are known to have been killed and as many more wounded. The people are determined to preserve the peace and all good citizens are in perfect accord.

The casualties so far are sufficiently numerous, but there is a feeling among the best citizens that the worst is over, that the passions aroused by the utterances of New Orleans communists, the so-called friends of labor, have been stilled and that no more blood will be shed or more lives lost. The feeling against these New Orleans communists is very strong, and on every hand their conduct is denounced in the most unmeasured terms.

Weather Indications.

For Nebraska and Iowa: Light snow, followed by fair weather, slightly rising temperature except in eastern Iowa, falling, followed by rising temperature, light to fresh variable winds, shifting to east from south.

For Eastern and Central Dakota: Warmer, generally fair weather, light to fresh variable winds.

BOUGHT OFF.

The Injunction Suit Against the Chicago Gas Trust is Dismissed.

CHICAGO, Nov. 23.—[Special Telegram to the BEE.]—One hundred and fifty thousand dollars is said to be the price that the Chicago gas trust paid the Hoffman estate of New York for 400 shares of stock in the Chicago Gaslight and Coke company to-day and by means of which transfer the injunction suit and application for a receiver for the Chicago Gaslight and Coke company by the executor of the Hoffman estate of New York City, which was in hearing before Judge Tulley several days last week, was dismissed by the plaintiff's attorney this morning. The par value of the shares is $25, so that the premium is 1400 per cent. It is also said that the gas trust will pay all the legal expenses which the estate has incurred so that on the whole New York is ahead and Chicago far behind on to-day's transaction. Moses & Newman, the Chicago lawyers for the Hoffman estate, in the matter did not feel at liberty to name the amount but said that his firm were acting under direct instructions for the New York lawyers and had not been consulted as to the advisability of the settlement. Mr. Newman expressed the regret of his firm that they had not been allowed to carry on the litigation to the end. He continued: "This is the first time in the history of corporate litigation that a stockholder has ever attempted to have a receiver appointed for a corporation. Hitherto the courts have always refused to make such appointments. But we managed to get possession of such damning facts against the gas trust and the gas company that the court would have been compelled to appoint a receiver. The lawyers representing the gas trust and gas company knew that Judge Tulley would appoint a receiver and therefore they advised their clients to send an agent to New York and they did send two gentlemen who have been in New York for ten days carrying on negotiations."

It was subsequently learned from an undeniably trustworthy source that one of the emissaries to New York representing the trust was E. G. Forman of Forman Bros., bankers, also that one of the damning facts alluded to was that a number of Philadelphia and Chicago capitalists formed a combination to control all the gas companies in Chicago and in order to do so they organized what has been known as the gas trust whose business it was to manage all the companies and to pay out the profits in the way of salaries, etc., so that the stockholders would get nothing at all and they placed a $10,000,000 mortgage on the property of the Chicago Gas Light and Coke company and divided $7,000,000 of it among themselves. This is now specifically known to be a fact. The original bill was for an injunction to restrain the Chicago Gas Light and Coke company from issuing a $10,000,000 mortgage upon the property. Their clients held 400 shares of stock in this company. They feared that the issuance of the mortgage would swamp the corporation and that the mortgage was simply intended as an instrument by which the manipulators should wreck the gas company because the company could never have paid the interest on the bonds and upon failure to pay the interest the holders of the bond would have foreclosed and then the syndicate would have bought the property, just as they did in the case of the Consumers Gas company. In speaking of this part of the subject Mr. Newman said: "We found that they, (the Chicago Gaslight & Coke company) pretended to have made the mortgage and to have issued the bonds and sold them to the Union National bank of Chicago for $7,000,000. Upon this view of the case our injunction to restrain them from doing what they had already done would have been useless. We therefore concluded to change our position, to amend our bill and apply for the appointment of a receiver." The motion for a receiver was argued before Judge Sulley last week and he took the matter under advisement. "We regret the cessation of hostilites" said Mr. Newman. The appointment of a receiver would have destroyed the distrust. They would not have controlled the plant, we were not consulted by our New York lawyers or clients as to the propriety of selling the stocks. First we were asked to carry on the litigation and afterwards to dismiss it."

UNDER ONE MANAGEMENT.

Consolidation of the Santa Fe With the St. Joseph & St. Louis.

ST. JOSEPH, Mo., Nov. 23.—[Special Telegram to the BEE.]—Mr. Winslow Judson, president of the St. Joseph & St. Louis railroad company, officially announced to-day, for the first time, the relations which the St. Joseph & St. Louis road would sustain to the Atchison, Topeka & Santa Fe. Mr. Winslow said: "The property of the St. Joseph & St. Louis and the Atchison, Topeka & Santa Fe will be under one management known as the St. Joseph, St. Louis & Santa Fe. There will be a local management in St. Joe, and although the roads will be a part of the Santa Fe system they will be operated separately. The same friendly relations will exist between the St. Joe & St. Louis and the Chicago, Milwaukee & St. Paul, and the immense northwestern traffic of the latter road will be carried to St. Louis over the St. Joe & St. Louis."

The Anti-Powderly Knights.

CHICAGO, Nov. 23.—[Special Telegram to the BEE.]—The work of reorganizing the Knights of Labor on an anti-Powderly basis is meeting good progress, according to Charles F. Seib, secretary of the "Kickers" provisional committee. He claims to be in daily receipt of letters from local assemblies in various parts of the country, and asserts that most of the communications express discontent with the present head of the order and the methods of the present administration.

NEW YORK, Nov. 23.—[Special Telegram to the BEE.]—The trouble between certain members of the home club and the central office of the Knights of Labor is likely to result in an open withdrawal from that organization of a number of local assemblies that are controlled by a few discontented "kickers" against the authority of Powderly. The men who lead this revolt are those who have repeatedly tried to get control of the order, for what purpose other than personal gain none but themselves know. They created a disturbance at Minneapolis during the convention, and accused Powderly of nearly every crime that they dared to.

Preachers of Anarchy.

NEW YORK, Nov. 23.—[Special Telegram to the BEE.]—Next Tuesday members of the Belleville avenue Congregational church of Newark, will vote on the question of retaining Hugh O. Pentecost as pastor. Ever since Pentecost preached a sermon a fortnight ago, denouncing the anarchist execution and expressing sympathy with the anarchistic doctrine, a feeling has increased in the church that a change should be made in the pastorate. Most of the officers of the church are in favor of retaining the pastor, and they expect a majority for him Tuesday. In Hartford last night Unity church decided to retain Rev. John C. Kimball as the pastor regardless of his sermon comparing the Chicago anarchists to Christ. The Kimball faction was composed largely of ladies. The meeting was lively throughout.

Weeds For August.

CHICAGO, Nov. 23.—Nina Van Zandt, the proxy wife of Anarchist Spies, went to a millinery store with her mother this morning and ordered a mourning bonnet sent to her residence. Her mother objected to Nina purchasing a heavy veil, but Nina, after a few hasty words, had her way and the veil was bought. Miss Van Zandt did not wear mourning at the anarchist funeral, and the purchase to-day is the first public intimation that Nina will wear weeds for August.

Death of General Marcy.

NEW YORK, Nov. 23.—Brevet Brigadier General Randolph B. Marcy died at Orange, N. J., last evening, at the age of seventy-six.

THE HUDLESTON LAND CASE.

A Letter From Secretary Lamar in Reference to It.

STOCKSLAGER FULLY SUSTAINED

The Decision of the Land Office Also Affirmed in Another Timber Culture Entry in the McCook District.

Two Decisions Sustained.

WASHINGTON, Nov. 23.—[Special Telegram to the BEE.]—Secretary Lamar has addressed a letter to Acting Land Commissioner Stockslager in reference to the D. C. Hudeltson land case from McCook, Neb., which is of more than local interest. The following is its full text: "I have considered the appeal of D. C. Hudeltson from your office decision of May 22, 1886, denying his application to make homestead entry for the northeast quarter of section 25, township 7 north, range 48 west, McCook, Neb. Instead of the land being the northwest quarter of the same section, town and range named in his homestead declaratory statement, Hudeltson filed his homestead declaratory statement August 12, 1885, and on March 26, 1886, made his application to enter the other land. After filing he returned to Kansas for the purpose of closing up his affairs preparatory to removing permanently to his homestead claim. He says in his letter dated March 26, 1886, and filed in support of his application, that it was impossible for him to return in the fall and since January 1 the winter has been so severe that he could not move with his family and young stock till the present time; that he arrived in McCook on his way to said land late last evening and on applying to homestead the land covered by his said filing this morning, was informed for the first time that said tract was covered by a homestead entry—No. 558—made March 11, 1886, by Elisha T. Smith. This affidavit is duly corroborated. The circular of December 15, 1882, allows entry to be made for the same tract of land named in the declaratory statement after the expiration of the six months after the date of filing. In cases where the failure results from sickness, misfortune or any insurmountable case which shall be properly alleged and satisfactorily shown and where no adverse right has intervened, where such cause has prevented entry and an adverse ruling has been admitted, it will be held proper within the discretion of this office to allow any entry upon another tract, provided that it shall be shown to the full satisfaction of the commissioners that the default was practically beyond the power of the claimant to avoid.' The applicant has not in this case presented a state of facts that brings it within the provisions of this circular. He does not state any of the circumstances that prevented his return to the land in the fall of 1885, before the setting in of cold weather, neither does he show that the winter of 1885-86 was exceptionally severe, or that travel was interrupted by storms or snow blockades. In short, there is nothing in his application to show that he honestly endeavored to comply with the requirements of the laws and was prevented therefrom by circumstances beyond his control. Your said decision is affirmed."

The secretary's decision in the appeal case of R. G. Gilfillan, of the McCook land district, also involves a general question. Gilfillan made a timber culture entry January 14, 1885, and July 22, 1885, filed a relinquishment. On June 2, 1886, he filed his petition to have his right restored and at the same time filed an application for another entry. In passing upon that application the land commissioner said. "It seems that the party relied too much upon the representation of others in making his entry. I must therefore decline his request and for the further reason that the law of June 14, 1878, allows but one timber claim entry."

From this decision Gilfillan appealed. This application is accompanied by the affidavit of the applicant, duly corroborated, which sets out in substance that he was induced to make the first entry by the false representation of a certain locater, who represented that there was no right or claim to the land except an old pre-emption claim which "had run out and was no good whatever, and that the pre-emptor had abandoned the same and had never lived on the land and that there would be no trouble in this applicant securing the land." He further states that he was a young man, only twenty-one years of age, from the east, and not being acquainted with the manner of taking land, relied on the statements of the locator; that shortly afterwards he found he had been deceived and misled as to the facts concerning the land. When he learned that he had been misled and had no chance to hold or get this land, he relinquished his right to the government without consideration. The secretary says to the commissioner: "If by the statement that the act of June 14, 1878, allows but one timber culture entry, you mean that under no circumstances may a second entry be made. I cannot concur with you. Entries under the timber culture law should be governed as to amendments and the allowances of second entries by the rules that govern homestead entries under like circumstances. There are circumstances under which a second entry may be properly allowed, as where, through no fault or neglect of the entryman, the first entry was incapable of being carried to a patent. The petition in this case does not set up facts that entitle the applicant to the relief asked. It appears that he was aware that there was a declaratory statement for the land on file and this was sufficient to put him upon his guard. The pre-emption filing was no bar to his entry for the land. He simply took the chances of that filing being perfected into an entry. That he was misled and deceived by the party whom he hired to locate him, while unfortunate for him, is not sufficient reason for allowing him a second entry. The petition does not show that the applicant exercised the slightest care or prudence in making his selection even to the extent of inspecting the land in person. For the reason stated your decision rejecting the application is affirmed."

Thanksgiving Day in Washington.

WASHINGTON, Nov. 23.—[Special Telegram to the BEE.]—Very few senators and representatives are in Washington to-night and less than one-fourth of all will eat their Thanksgiving dinner here to-morrow. The bulk of them have returned to their homes for that. Most of those who are keeping house here, were in the market early this morning buying yellow legged turkeys at 15 cents a pound and celery at 25 cents a bunch. It will be a quiet Thanksgiving day in Washington. All of the churches will have special services and there will be a street parade after a drill at the barracks by the national guards. Only the markets will be open and they will close early. No business will be done in the departments and commercial men will generally take a rest. It will be like Sunday to-morrow in Washington.

Personal Gossip.

WASHINGTON, Nov. 23.—[Special Telegram to the BEE.]—Representative Jahn A. Gear, of Iowa, is at the Ebbett.

Secretary Whitney was able to be at his desk to-day and to attend a dinner given by the Chinese minister to-night.

Mrs. Belva A. Lockwood has received a letter from a gentleman in Denver, Colo., stating that he sees no reason why he should not employ an attorney to procure a wife for him and then places his case in her hands. He states that he is engaged in the banking business and would therefore prefer the widow of a banker. He then proceeds to describe himself and his financial condition, temperment, etc., and asks her aid. Mrs. Lockwood has already secured the address of a lady whom she supposes will fill the bill.

A Postal Ruling.

WASHINGTON, Nov. 23.—In response to an appeal taken by a prominent New York news company from the ruling of Postmaster Pierson at New York, exacting a first class rate of postage on certain third and fourth class mail matter now held at the New York postoffice, the postmaster general has replied that while he has no power to authorize any modification of the law regarding permissable printing on wrappers enclosing such matter, the statutes do confer upon him the right to remit penalties. Holding that the extra charge of postage in this particular case falls into the nature of a penalty, the penalty or additional postage is remitted. The postoffice department is preparing a circular letter, which will be sent to all postmasters, authorizing them to remit penalties in all similar cases or where the circumstances seem to require it.

A BAD MAN CAPTURED.

Capture of a Tough With Many Aliases at Duluth.

DULUTH, Minn., Nov. 23.—[Special Telegram to the BEE.]—James Egan, alias James Somers, desperado, dive keeper, illicit seller of whisky and wanted in several states for various crimes, was captured by Deputy Sheriff Free yesterday morning at Tower and lodged in the county jail at this place for safe keeping. Egan is 5 feet 9 inches in height and about thirty-five years old, with a hard, "devil-may-care look." Egan sets himself up for a "holy terror" and has already once stood off the county authorities successfully, but this time he had a determined, resolute man to deal with, and is now safe behind the bars. The town of Ely and surrounding country has for some time past been partially run by this ruffian, who openly defied arrest, swearing that it would cost any man his life to attempt to arrest him. So sure was he of immunity that he attempted a few days ago to shoot an explorer named Palmer, who refused to associate with him. He came up behind Mr. Palmer and, exclaiming, "Damn you, I'll kill you anyway," put a pistol to his head and fired. Palmer luckily ducked his head and escaped with a bad scalp wound. He fell to the ground, and Egan, thinking he had been successful in killing him, walked off, coldly reloading his revolver. He robbed two men not long ago, at the point of a pistol, of a canoe and all their camp equipments and repeatedly sent verbal messages to Deputy Sheriff Free daring him to arrest him, but his time came at last. As soon as Mr. Palmer recovered sufficiently he went to Towes and waited there until the would-be murderer should appear. In due time he came there and put up at Dave Kelley's. Dave Free went there and waited for his man, who never expected for one moment that even a complaint had been laid against him, much less that he would be arrested. The deputy waited near the door of the bar-room and as Egan put his nose inside the door he found himself looking down a pistol barrel, at the other end of which was a short, dark man, who evidently meant business. The desperado was taken aback, but Mr. Free had the drop on him, so there was nothing for him but to surrender. The bracelets soon clinked around his villainous wrists and in the twinkling of an eye he was in the lockup. Yesterday he was brought before Judge Williams, of Tower, and bound over to the next term of court in the sum of $1,000. This is a very important capture, as this villain has for years existed by robbery and terrorizing other men, and the authorities of Missouri, Illinois, Wisconsin, Northern Michigan, Nebraska and other places have been looking for him. He is a muscular, well-built fellow. He last came from Marinetto, Wis., where he is wanted for shooting a man. Last summer he kept the lowest kind of a dive up on the shores of Long Lake, where he and his fellow-pirates held high revelry. He bears a very hard character and one which does not seem to possess a single redeeming feature.

Johann Most's Trial.

NEW YORK, Nov. 23.—Assistant District Attorney Nicoll made the opening argument for the people to-day in the case of the State vs. Johann Most. Nicoll told the jury that the clause of the penal code under which the indictment was brought provided that any assembly of three or more persons at which was threatened any unlawful act was an unlawful assembly and the participants were guilty of a misdemeanor. Colonel Fellows will sum up the case for the prosecution. Detective Roth, for the prosecution, was the first witness called. The witness told how he and his brother officers were present at the meeting in disguise, and gave a detailed account of what was said and done. Saxe, another detective, corroborated Roth in full.

The cross-examination of Saxe was begun by Mr. Howe. An effort was made to show that the witness had given different testimony before the grand jury. The witness had not given his account of the meeting so full as at the trial, and he admitted having made a mistake before the grand jury in saying that Most began his speech with the words, "Fellow Slaves." The words used by Most were "Bruder Anarchists." He thought Most had used the English plural of anarchist and not the German. Simons Dreifus, a reporter, corroborated the other witnesses substantially. A man had sat next him at the meeting who jumped up saying, "Why not to-day? We're ready." Most concluded by saying: "I am an anarchist. Rise anarchy! Long may it live!" He thought it time to get out, which he did. He did not take notes because he did not want to be carried out dead. The witness did not suffer much under a severe cross-examination. The state rested its case and the court adjourned.

President Grevy Will Resign.

PARIS, Nov. 23.—President Grevy to-day informed Maret, radical member of the chamber deputies for the department of the Seine, that he had decided to resign.

He said he would to-morrow ask Ribot to form a ministry to superintend a meeting of congress of the senate and chamber of the deputies which will elect a new president. If Ribot should refuse to form a ministry he will ask Goblet to do so. Grevy further stated that he will not quit his post before issuing an address to the country in which he will repudiate the responsibility for the present state of affairs, and declares that his retirement is forced by the impossibility of governing the country. He will depart from the presidency with the sincerest wishes for the future of the republic. The president held a two hours' conference with Ferry and Raynal.

It is reported that Ribot, member of the chamber of deputies, will form a new cabinet, among the members of which will be Goblet and Peves.

It is stated that during the interview with Marett to-day President Grevy was greatly affected and pleaded piteously for time. Marett was obdurate and told him it was his duty to resign not later than Saturday. It is reported that Grevy worked at his message until a late hour to-night.

Clemenceau, Granet, Lockroy, Rocheforte and others held a consultation to-night regarding Grevy's successor. It is rumored that all military candidates were rejected.

The Charles P. Chouteau Burned.

GREENVILLE, Miss., Nov. 23.—Last night the steamer Charles P. Chouteau burned at Sunflower landing. A colored fireman and and colored deck passenger were burned to death. The boat and cargo of cotton are a total loss, nothing being left of the great cotton carrier but her immense iron hull.

Wants Its Charter Forfeited.

NEW ORLEANS, Nov. 23—The German-American Insurance company to-day filed a petition in the civil district court, praying for the forfeiture of its charter, the cause assigned being the failure of Rank & Co., of Kentucky, the company's largest correspondents.

"Blinky" Morgan Sentenced to Hang.

CLEVELAND, Nov. 23.—At Ravena to-day judge Johnston overruled the motion for a new trial in the case of "Blinky" Morgan, and sentenced the prisoner to be hanged in the penitentiary at Columbus, March 16, 1888. The case will be carried to the circuit court.

Chairman Jones Will Not Resign.

PITTSBURG, Nov. 23.—Hon. B. F. Jones, chairman of the national republican executive committee, denies the report that he intends resigning at the coming meeting of the committee.

WHO FREED QUIN BOHANNON?

A Jury Says Locksmith Klocke Didn't Do It.

BURGLARS PREPARE FOR WINTER.

Clothing Worth $500 Stolen From a Fremont Store—A $30,000 Fire at Conway, Ia.—Murder at Silver City.

More Victims of the Shotgun.

CRETE, Neb., Nov. 23.—Claude Williams and George Harrington, twelve-year-olds, while hunting on the Big Blue river yesterday, were dangerously injured by the accidental discharge of a gun. Williams' arm and stomach were perforated with shot and the flesh torn from Harrington's left arm. The latter will probably lose his arm.

A Blaze at Clarks Station.

CLARKS, Neb., Nov. 23.—The elevator of Clark, Heaton & Co., was destroyed by fire this morning. Two horses in an adjoining barn were also burned. The origin of the fire is unknown,

Klocke Cleared.

NEBRASKA CITY, Neb., Nov. 23.—[Special Telegram to the BEE.]—The case of Dick Klocke, charged with assisting Bohannon in his escape which has been before the district court for the past two days was concluded today by the jury finding Klocke not guilty.

Damages For a Broken Leg.

FREMONT, Neb., Nov. 23.—[Special Telegram to the BEE.]—A jury in the district court this evening brought in a verdict of $500 damages against the city for Martin Brenner who broke his arm by slipping and falling on an inclined sidewalk some months ago. He sued for $2,000.

Trying to Prove an Alibi.

SIOUX CITY, Ia., Nov. 23.—[Special Telegram to the BEE.]—The day has been consumed in taking testimony by the defense in the Arensdorf case. An attempt is being made to prove an alibi for the prisoner. A large number of witnesses have been on the stand. There are no new ones as yet, however. The testimony of the Josephsons is still the talk on every hand.

The Pella Poisoning Case.

KNOXVILLE, Ia., Nov. 23.—[Special Telegram to the BEE.]—The trial of Vandeven, charged with poisoning his wife at Pella last August, has been in progress here for the past three days. The evidence for the prosecution is now nearly all in. The state has endeavored to show that the defendant was not on good terms with his wife before she died and to establish the existence of poison in her stomach. The defense deny the latter and claim that she died from natural causes.

Murder in Mills County.

DES MOINES, Ia., Nov. 23.—[Special Telegram to the BEE]—Sunday afternoon Isaac Rook and a young man named McQueen living near Silver City, Mills county, became involved in a quarrel which resulted in Rook's striking McQueen a terrible blow over the head with a hoe. A post mortem examination is now being held, and an indictment will probably follow.

Fire at Conway.

LENOX, Ia., Nov. 23.—[Special Telegram to the BEE.]—Fire broke out at Conway in Houston Bros.' hardware at 2 o'clock this morning. In thirty-five minutes it had burned Houston Bros.' hardware store, James Anderson & Co.'s general store, the postoffice, James Mathews' general store, William Benson's ice-house, and Bates & Co.'s blacksmith and wagon shop. Loss, $30,000; insured for $9,000.

Foster Pleads Not Guilty.

LENOX, Ia., Nov. 23.—[Special Telegram to the BEE.]—Milford Foster, the supposed murderer of Emmet Reed, pleaded not guilty to-day at Bedford. The trial takes place next Tuesday. It is generally expected that he will be the subject of the first legal hanging in Iowa for twenty years.

THE YOUNGEST GUELPH.

Christening of "Victoria Eugenie Julia Ena" at Ballater.

[*Copyright 1887 by James Gordon Bennett.*]

BALLATER NEAR BALMORAL, (via London), Nov. 23.—[New York Herald Cable—Special to the BEE.]—One year ago to-day was born a son to the princess Beatrice. This, its first anniversary, was celebrated by the queen as christening day for the princess' little girl. The ceremony throughout was simple and indeed democratic. Little about it suggested royalty. Doubtless as a special compliment to Scotland, the queen chose the baptism formal of the Scotch Presbyterian church and selected to officiate at the font, Dr. Lees, only three days home from his visit to New York. He is the minister of St. Giles, Edinburgh, a dean of the Thistle and principal Scottish chaplain to the queen. Thus, for the first time—because the Stuarts were Catholics—a royal infant has been baptised into the Scotch Presbyterian church. One o'clock was the hour selected, the place being that drawing room so often referred to in the queen's books, with windows overlooking the picturesque valley of the river Dee, in the background of which rise the shadows of the historic Grampian hills. It is a plainly furnished apartment, such as a successful merchant might plan—a long room, rich in windows, light and views, with curtains of Balmoral tartan dropping upon a carpet of the Stuart hunting tartan. There is not one very luxurious belonging about the room. Upon the walls hang proof engravings of Landseer's famous deer scenes or his suggestions of hunts over the heather and hills. At one extremity of the drawing room stood groups of Balmoral tenants, keepers and attendants—good sturdy highlanders—with their families, all in picturesque and variegated costumes. At the other extremity was ranged an aristocratic group of guests—the Princess Fredericka of Hanover, the dowager Duchess of Roxburg and the Marchioness of Ely, court ladies-in-waiting, the Countess of Erroll, the Earl of Hoheton, who is the lord high commissioner to the Church of Scotland, the Rt. Hon. C. Ritchie, cabinet minister-in-waiting, Sir Henry Ponsonby, the queen's confidential secretary, Prof. and Mrs. Profci, the queen's particular neighbors and her family friends, together with many other guests. Several deer looked in from the lawn and seemed startled when the exercises began with the singing of a Scotch hymn by a selected Aberdeen choir. In the center of the room stood the royal grandmother surrounded by her Indian servants, dark orientals blazing red and gold. It did not seem that a queen and empress stood there but rather a woman and a mother wearing a smile which suggested youthful tenderness. She wore a dress of black silk trimmed with black lace. Across her breast she wore a narrow scarf of the Balmoral plaid. Beside her stood the father, mother and nurse, who held the cooing cause of the assemblage, all fronting the chaplain, who, in dress, suggested the well-known picture of John Knox. Not far away was another nurse, holding the year old prince who looked around with knowing wonderment. There was nothing royal or pretentious in the dresses of either baby although the christening robe, with its wealth of bottom embroidery and adornments of lace crossed with a Scotch rib ben, was the object of much admiration. Curiosity was visible upon all faces as the minister approached the naming, because as yet the name was a secret. He announced it as "Victoria Eugenie Julia Ena." Eugenie after the empress, Julia after the Princess Battenberg, the German grandmother, and Ena as a Scotch name. The water used was from the river Jordan and after the baptism was sung a new hymn by Sir Arthur Sullivan. The service concluded with singing of a German hallelujah. The whole affair passed off in a thoroughly domestic way and next came the luncheon for the "classes" and afternoon jollity for the "masses."

Sensations in Court.

[*Copyright 1887 by James Gordon Bennett.*]

LONDON, Nov. 23.—[New York Herald Cable—Special to the BEE.]—The several law courts to-day were busied with sensational cases. Judge Manisty and a special jury had a case involving the interesting point that, although the original plaintiff, a wine merchant who was libelled, had died, yet his executors could continue the action so far as it slandered his title to a wine trademark. The defendant was the London agent of Messrs. Delbeck, of Rheims. The opening statement of the Q. C., which was sustained by the evidence was that Messrs. Delbeck had a champagne trade mark in America in 1870 which they registered in France as L' Delmonico, as a trade mark for the champagne. They only sold this wine to one or two people in England and did not push the trade here for fear of interfering with the American trade and did not register their trade mark in this country until May, 1883. The plaintiff in 1879 registered the Delmonico champagne and the defendant inserted in two trade circulars the following caution: "L' Delmonico champagne. Messrs. Delbeck & Co., of Rheims, finding a wine stated to be Delmonico champagne being advertised for sale in Great Britain hereby give notice that such wine cannot be the wine it is represented to be as no champagne shipped under that name can be genuine unless it has their names on the label. Such wine being shipped from France they will take proceedings to stop such shipments and such other proceedings in England as they may be advised." This publication was the ground of action upon the former trial. Their non-suit on the ground of action, being personal, died, when the plaintiff died. The divisional court held hat though this was, so far as the action was concerned, one libel, yet proceedings could be continued so far as the action asked damages for slandering the title to the trade mark. Defense—no malice and statement true. Both Macs made speeches sparkling with spirited champagne, as it were. When the jury expressed their opinion that the publication was a libel on the trade-mark, but published without malice, and assessed damages at £5, Mr. Justice Manisty said: "Is there no malice? Then the verdict should be for the defendants." Accordingly the action was dismissed.

Four other sensational proceedures were also dismissed. In the Bow street court came a cross summons for assault between Debensaude, husband of Violet Cameron, and his old butler. The latter ignominiously turned "chucker" on his old master and ejected him from le maison Violet. George Lewis, for Miss Cameron and the butler, obtained the Irish verdict of "guilty but served him right."

In another court Madame Nicols was suing an aquarium company for breach of contarct in discharging her while she was acting as the vanishing lady in the celebrated French trick. Justice Keywick waxed humorous over the case, non-suiting the vanishing lady and saying her case had vanished and looking as if he would tell her it was now time for her really to perform her trick.

Ex-Lord Mayor Sir Francis Truscott, as alderman, was meanwhile dismissing the agent of an American watch factory who, for an advertisement, had dangled an exaggerated watch on a cord and pulley stretched across the street. On the trial, after the accused had spent some time in another kind of a watch house, he was accused of obstructing the highway.

At the same hour of the day at Cheltenham a magistrate, amid great apdlause in court, dismissed a complaint made by one Gottwaltz for assault against Joel Thomas, father of a young lady whom the former had seduced under promise of maraiage. It was said in court to be the case of a "masher mashed" with a horsewhip. The accused realized his name by precipitate flight. All the parties are of high family connection.

Taffy For Scotchmen.

LONDON, Nov. 23.—In a speech at a meeting of the national union of conservatives at Oxford to-day, Lord Salisbury said he saw in the success of the conference the happiest augury for the future. The information from Scotland showed that the calm sense of the Scotch would not sanction any scheme endangering the integrity of the empire. He acknowledged the generous and unstinted help of the liberal-unionists and declared that so long as their support was assured the country would rest in peace, secure from the assaults of the party of disorder.

At the evening conference Lord Salisbury said he would not renew the discussion of the question whether home rule should be established or not. It would pass the wit of man to produce a home rule scheme which would be pleasing to both Trevelyan and Davitt. The coming session of parliament would be devoted more to measures that would satisfy the pressing wants of England. He did not intend until there was a manifest change in Ireland to propose increased powers of local government there. The government was prepared to face the obstruction. The present system of procedure was not enough. Drastic reforms were required to prevent wanton waste of public time. He hoped the effect of these measures would be the restoration of the character and usefulness of the house. The question of regulation of the liquor traffic would have a foremost place in the local government bill. He was in favor of liberty in that traffic as far as was consistent with social order. He was strongly opposed to church disestablishment, but admitted that the government was bound to reform the church by removing whatever evils were proved to exist. He promised a measure for the removal of the tithe charges from the land. The state of agriculture, he said, was deplorable. Whatever measures of relief might obtain general consent would receive the readiest consideration of the government. Referring to the Trafalgar square troubles, he said he regarded the meetings there as lawless demonstrations. They were the natural results of Gladstone's words. Gladstone could not preach to an Irish mob to defy law without having his advice applied in England as well. The government was determined at all costs to maintain the supremacy of the law. He could not understand what it was that excited the sympathy of the English liberals in the case of William O'Brien, who had broken the law and incited others to lawlessness.

Significant Words.

WARSAW, Nov. 23.—At the military banquet this evening General Gourko, on proposing a toast to his officers, said: "Unless the Almighty has allotted me a very brief span of life it will not be long before I will again lead you to the field, as I did a decade ago."

ALL UNITED FOR CARLISLE.

Little Doubt That He Will Be the Next Speaker.

SAM RANDALL TO SUPPORT HIM.

An Effort at Harmonic Effect—The President as an Equestrian—Senator Riddleberger Delivers Himself—Washington News.

All Agreed on Carlisle.

WASHINGTON, Nov. 23.—[Special Telegram to the BEE.]—It is conceded by all factions that Mr. Carlisle will be re-elected speaker without noteworthy opposition. This evening's Star says that it is asserted that one of the independents, Mr. Anderson, of Iowa, will enter the democratic caucus, as he canvassed his state for the democratic ticket in the recent contest. If that is correct, even should the other three independents vote with the republicans, the democrats would have thirteen majority. It is said that Mr. Randall would put Carlisle in nomination for speaker in the caucus but, as it is customary for a candidate to be put forward by his own state delegation, that course will, in all probability, be pursued. But the nomination will be seconded from among the protectionists, perhaps by Mr. Randall and Mr. McAdoo as a mark of evidence of harmony existing in the party.

Grover Will Learn to Ride.

WASHINGTON, Nov. 23.—[Special Telegram to the BEE.]—President Cleveland, who recently subscribed to an annual membership in the riding school in the northwest section of the city has decided to take an active part in the school. He will take private lessons in order to reduce his weight and to insure as much privacy as possible, he proposes to receive his instructions very early in the morning. As soon as he secures a good seat the president will purchase a handsome saddle horse and will join Secretary Fairchild in his daily rides. President Cleveland has not yet walked a distance of five blocks within the limits of the city of Washington. Among others who have taken membership in the riding school are Secretary's Whitney, Lamar, Endicott, Bayard and Fairchild; Commissioners Wheatly, Webb and Ludlow; Senator's Edmunds and Cullom; Charles C. Glover, John W. Thompson, E. Francis Riggs, Mrs. R. C. Hitt, Mrs. Mildred E. Carlisle, Dr's. Florence Donahue, Hon. John M. Glover, Justice W. T. Cox and Judge John Davis.

Riddleberger's View.

WASHINGTON, Nov. 23.—[Special Telegram to the BEE.]—Senator Riddleberger, of Virginia, was here to-day on his way to Philadelphia, where he addresses the Clam-na-Gael and the United Irish Society to-night. During his wait at the railroad station he delivered a few opinions, political and otherwise. He thought the republ