OMAHA, TUESDAY MORNING, APRIL 15, 1890.

THE NEAGLE CASE DECIDED.

Judgment of the California Circuit Court Affirmed.

THE DEPUTY PERFORMED HIS DUTY.

Terry's Taking Off Pronounced Lawful and Mandatory Under the Circumstances-Lamar and Fuller Dissent.

WASHINGTON, April 14 .- The United States supreme court, in an opinion by Justice Miller, today affirmed the judgment of the California circuit court in the case of Cunningham, sheriff, plaintiff in error, vs David Neagle. This case grows out of the shooting of Judge Terry at Lathrop, Cal., last August by Neagle in order to protect Justice Field, whom Terry had assaulted. The decision is in Neagle's favor.

After reviewing all the facts bearing upon the homicide the opinion says that they pro duce upon the court "conviction of a settled purpose on the part of Terry and his wife amounting to a conspiracy to murder Field."

Justice Miller takes up the proposition ad-

vanced by Neagle's counsel, that Justice Field, when attacked was in the immediate discharge of his duty as a judge and that Neagle was charged with the duty, under the laws of the United States, to protect Field from violence. The law requiring justices of the supreme court to go on circuits is quoted nd the court says that in traveling to perform this duty Justice Field was as much in the discharge of the duty imposed by the law as while sitting in the court and trying cases."

The court does not suppose that any special act of congress exists which in express terms authorizes marshals or deputy marshals to act as a body guard to justices while on their circuits, but in its view of the constitution any obligation fairly and properly inferable from that instrument or any duty of a mar-shal to be derived from the general scope of his duties comes within the provisions of the habeas corpus act directing the release of persons who are in custody for an act done "in pursuance of the laws of the United States,"

"It would," says the opinion, "be a great reproach to the system of government of the United States if there is to be found within the domain of its powers no means protecting judges in the discharge of their duties from the malice and hatred of those upon whom their judgment may operate unfavorably. If a person in the situation of Justice Field could have no other guardian of his personal safety

while engaged in the conscientious discharge of a disagreeable duty than the fact that if he was murdered his murderers would be subject was mirrorered his mirrorers wound observed to the laws of the state, and by those laws would be punished, the security would be very insufficient. We do not believe the government of the United States is thus inefficient and that the constitution and laws have left officers of the government so defenseless and unprotected."

It is in the executive department that the court finds the power of protection to exist and in the language of the constitution direct-ing that the president "shall take care that the laws be faithfully executed" and providing him with the means to fulfill this obliga-tion. "Is this duty," asks the court, "limited to the enforcement of the acts of congress and treaties, or does it include the rights, duties and obligations growing out of the constitution and international relations?" The court answers the question by calling attention to the fact that there is no law in the United States authorizing the government to protect a naturalized citizen of the United States who on visiting his native place States who on visiting his native place is arrested and made to do military service, and then cites the case of Martin Mueszta, an Austrian, where the government without any specific authority from congress demanded and obtained his release.

The regulations of the land office appointing timber agents and providing for their payment, which have been held valid by the supreme court though there is no positive provision in law for their payment, and the power of the attorney general sustained by the supreme court to bring suits to set aside patents obtained by fraud, though there is no tatute on the subject, are cited in support of this doctrine.

Continuing, the court says it cannot doubt the power of the president to take measures for the protection of a United States judge, who, while in the discharge of his duty, threatened with violence, and that the department of justice is the proper one to set in motion the necessary means of protection and that Neagle had the proper authority for the steps he took for the protection and de-fense of Justice Field. "There is," says the opinion, "a peace of the United States, and a United States marshal in such a case stands in the same relation which a county sheriff does in maintaining the peace of a county, it being his duty to guard the judge and being present at a critical moment when prompt action was necessary, it was his duty, which he had no liberty to refuse to perform, to take the steps which resulted in Terry's

The court next takes up the contention that the question of the guilt of the prisoner charged with the crime of murder is a question to be determined by the courts of Cali-fornia, and that the United States court had no power to take the prisoner and release him without a trial by a jury according to the laws of California. The court's response to this contention is that the express terms of the habeas corpus act directs such a course where the act is done in pursuance of the laws of the United States and that such has been shown to have been the case h There was no occasion then for any furtrial in the state courts and the United States circuit in the state courts and the United States circuit court was as competent as any other tribunal to ascertain whether the act was performed in pursuance of the laws of the United States and under proper authority and it was not at all necessary to empanel a jury for that purposo.

Justice Lamar, in behalf of himself and the

chief justice, delivered a vigorous dissent, The ground on which they dissent is that in considering the habeas corpus act a wholly inadmissable construction is placed on the word "law" as used in that statute, and that word "naw as used in that statute, and that a wholly inadmissable application was made of the clause "in custody in violation of the constitution of the United States." "All agree, assuming the facts of the case to be as shown by the record, that the personal protection of Judge Field, as a private citizen, even to the death of Terry, was not only right but the duty of Neagle and of any other bystander, and we maintain that for the ex-ercise of that right or duty he is answerable to the courts of the state of California, and to them alone, but we deny that Neagle had any duty imposed upon him by the laws of the United States, growing out of the official character of Judge Field. In short we think there was nothing, whatever, in the fact of his official character in the transaction, and therefore we think the United States courts have in the present state of our legislation no jurisdiction whatever in the premises." In conclusion the dissenting opinion holds

that a marder is not an offense against the United States except when committed at places where the national government has exchasive jurisdiction. "It is a well settled fact that such a crime must be defined by statute and no such statute has been pointed out. The United States exceptioners. out. The United States government is thus powerless to try and punish at thus powerless to try and punish at the property of the prepared to affirm that it is omnipotent to discharge from trial and to give immunity from all liability to any trial anywhere unless that of compress to manufact the property of the proper un express statute of congress is produced commanding such discharge. We are the less reluctant to come to this conclusion because we cannot permit ourselves to doubt that if the appelled had been indicted and gone to trial before a jury of his own coun-trymen. God and his country would have given him good deliverance."

Important Decisions. PORTLAND, Ore., April 14.-Judge Daily, in the United States circuit court today in the | dfterncon,

cases of the Washburn & Meen manufactur-ing company of Worcester, Mass., and El-wood of DcKalb, Ill., against Knapp, Bunell & Co., of Portland, Orc., agents for the St. Louis & Braddock wire company of Pittsburg denying the motion for an injunction and holding the Glidden patents invalid. These decisions affirm the decisions of Judge Treat of St. Louis and Judge Shiras of Iowa.

A FEEBLE ATTEMPT.

Chicago Master Carpenters Try to Start Up with Non-Union Men. Chicago, April 14 .- | Special Telegram to THE BEE !- According to programme the master carpenters belonging to the Builders' association have made an attempt to start up work to finish the centracts on hand with non-union men. The movement was not general, as the number of non-union men on band was not very large. It is declared that if the master carpenters continue putting non-union men at work a general strike of the bricklay-ers and masons will be ordered.

Judge Prendergast is All Right.

Carcago, April 14.—The most important move in the carpenters strike was made this morning when the matter was brought before Judge Prendergast in the county court, on the request of Andrew McNally that the ourt proceed with work on the new Rand McNally building on Adams street. The court's connection with the matter comes through the recent failure of the company which had the contract for the wood work on the building. When the assignee was appointed he was instructed to continue as an officer of the court or all existing contracts, and thus the county court, at the time of the strike, occupied the same position as the other contractors. Judge same position as the other contractors. Judge
Prendegyst said he could not force men to
work and did not wish to do so and would
make no such endeavor. He instructed the
assignee to comply with all the demands of
the men and give them 40 cents an hour,
eight hours a day and full recognition of the
union. Further than this he would not go at
present

Encouraging the Strikers. CHICAGO, April 14.—A dispatch was received at the carpenters' headquarters today from President Gompers of the American Federa-tion of Labor, congratulating them on the stand taken and urging firmness.

Poor Prospects of a Settlement.

CHICAGO, April 14.—[Special Telegram to THE BEE.]-Today offers no hope of a settlement of the strike. Both the bricklayers' and the masons' unions have signified their ntention of supporting the carpenters, and they will refuse to work upon buildings where non-union men are employed. All the other unions of the building trade are expected to follow this example, so that building opera-tions in Chicago will be very limited until the strike is settled.

Backing the Boston Carpenters.

Boston, Mass., April 14.—The organizers reported at the meeting of the carpenters' district council last night that every trade organization in the state promises to financially support the carpenters in their eight and nine hour demands. The union—carpenters of the hour demands. The union carpenters of the state number 6,500, and they are urged by their leaders to make every effort to secure concessions without a strike.

Miner Delegates at Columbus.

Columbus, O., April 14.-A large repreentation of miner delegates from the difrevent states interested has arrived to attend the joint meeting of the miners and operators tomorrow with a view to re-establish the interstate agreement and fixing a scale of prices for the coming year. The miners intimate that the strikes will continue throughout the district unless a decision is reached.

ESHER AND ANTI-ESHER.

Each Faction Still Deplores the

Other's Headstrong Course. CHICAGO, April 14.—Bishop Esher's conference of the Evangelical church today adopted a resolution setting forth the unfortunate dissensions in the church, and authorizing the trustees of the Illinois conference to take all the necessary steps to prevent any attempted alienation by the other faction of the property of the Illinois conference, or such real and personal estate as is under its control. until the next session of the general confer

Bishop Esher, speaking of the notice sent e the Sheffield avenue conference last week notifying the preachers there that if they did not appear before the conference they would not be assigned, said that under the provisions of the discipline of the church those ministers not having appeared had forfeited all their rights as ministers. He advised the ministers present when they returned to their congregations to act conservatively and not to pegin any lawsuits. If any were begun Petitions were received from fifty-five of the seventy-two churches in the conference recognizing the Wisconsin street conference and asking that preachers be sent from that

The Sheffield avenue conference has sent out an address explaining its position. It cites the fact of Bishop Esher's suspension and that he nevertheless insists on exercising his functions, disregarding the provisions of the discipline and the protests of the conference, It charges that a meeting of laymen the day efore the conference arranged for placing Esher in the chair, etc. The address goes on to say that to avoid scandal and possibly riotous demonstrations the trustees of the Sheffield avenue church believe it their duty to debar all persons not ministers in good standing

More Battling Brethren.

CHICAGO, April 14. - The troubles in the First Baptist church of Joliet are not yet settled. It will be remembered that Pastor Whitman, who came there from Prince Edward's Island, was found guilty by his old congregation some time age on charges of untruthfulness and improper conduct. The Joliet congregation last week considered the matter and the paster was vindicated by a vote of 97 to 79. A tremendous row was reated in the church and today three of the deacons who were ousted came to Chicago to consult pasters here as to the advisability of calling a council of ministers to try Whit-

Fatally Gored by a Cow. NEWARK, N. J., April 14.-Mrs. Peter Monighan and Herman Heinrichs were fatally gored by a cow at South Orange, N. J., last They approached the animal's calf, when the cow broke the chain by which she was fastened, knocked both of them down

Steamship Arrivals.

At London-Sighted: The Russian Prince, from Philadelphia,

and then attacked them with her herns and

At Baltimore-The Barrowmore, from At Southampton -The Elbe, from New At New York-The Servia, from Liver-

The Weather Forecast.

For Omaha and vicinity: Fair, followed For Nebraska and South Dakota: Fair, clearing in the western portion of South Dakota, warmer, southerly winds.

For Iowa: Fair, warmer, southerly winds. A Grand Dake Arrested. BUCHARDST, April 14.-The Tielgraful of lassy states the Grand Duke Constantine has been arrested at St. Petersburg for being connected with the revolutionary profit-

Two Laborers Drowned. SEATTLE, Wash., April 14.-Mart Manson and Sig Johnson, Swedes, were drowned while unloading a barge near here yesterday UNANIMOUS FOR MR. FURNAS.

Nebraska's Delegation Names Him as a World's Fair Commissioner.

POOR PICKING IN DORSEY'S DISTRICT.

More Unprofitable Postoffices Than in Any Other in the United States An Interview With Groff.

Washington Bureau The Omara Bee, 513 Fourteenth Street, Washington, D. C., April 14.

The members of the Nebraska delegation have unanimously agreed to recommend Hon. R. W. Furnas of Brownsville, Neb., for appointment to the position of commissionerat-large for the world's fair, and as soon as the world's fair bill passes the senate the delegation will wait upon the president and urge the appointment. The ex-governor's friends have endorsed him in very strong terms and believe he will be appointed. The bill, which has passed the house and is expected to pass the senate this week, provides for the appointment of eight commissioners-at-large. POOR PICKING.

The statements made the other day in these dispatches giving the number of postoffices in Mr. Dorsey's district and the number of changes under this administration appears to have stirred up the republicans in that district to a considerable extent, and surprise is expressed that more changes have not been made. The reason that more changes have not occurred is that the majority of the offices are undesirable, as they carry neither salary or incidental amounts. There are more un-profitable postoffices in Mr. Dorsey's district than in any other in the United States it is said at the postoffice department. Nearly every office which is desirable to anybody capable of filling it has been changed under the pres-ent administration. It is probably not gen-erally known, but it is nevertheless a fact, that not more than one-third of the postofflees in the United States are sought by political aspirants, because they are unprofitable. During the past six months thousands of letters have been received at the postoffice department from postmasters begging to be re-leased, but no one capable of filling and wil-ling to accept them can be found, consequently a great many postmasters are being retained.

AN INTERVIEW WITH GROFF.

I handed Land Commissioner Groff a copy of an Omaha newspaper today mentioning his name in connection with the governorship of Nebraska and the successorship to Senator Paddock. The paragraph also suggested that the way to the governorship and the United States senate seemed to be clear if Judge Groff would take up his residence at After reading the statements care-

fully Judge Groff said:
"I am not insensible to the compliment "I am not insensible to the compliment which my friends in Nebraska are paying me by connecting my name with either of these great offices, but I could not suffer my name to be used in connection with the senatorship so long as Senator Paddock desired to hold the pesition, nor would I want my name used for the governorship while Governor Thayer is before the people. They are among my warmest and most steadwhile Governor Thayer is before the people. They are among my warmest and most steadfast personal friends and I hope to see them remain in public life as long as they wish. I am a citizen of Omaha and intend to be so long as I am a citizen of Nebraska and I could not think of taking up my residence in Lincoln or any other part of the state for political purposes. I have received no intimation of any general expression involving my name for the governorship except in the Omaha newspapers. Senator Paddock has never spoken to me about the senatorship nor have any of his friends."

any of his friends." RANDALL'S DEATH. There will be a larger attendance on the part of men in public life at the funeral of ex-Speaker Randall on Thursday than has prob-ably ever been seen at the funeral of any congressman. Arrangements are being perfected with a view to the attendance of every senator and representative in the city, and special trains are to carry to Philadelphia the men in public life who wish to be present at the in-

Both houses adjourned today immediately after the reading of the journals out of respect for the dead statesman and the caucus of the republican members of the house which was to have been held this evening was postponed on account of the death. It is likely that there will be no session of congress on Thursday,

Mr. Randall was more of a national charac-Air, Randah was more of a hational charac-ter than any democrat in congress because he was considered a presidential quantity. The observation made by Representative Mills of Texas that—had it not been for the extreme tariff protection views of Mr. Randall he would long since have been the democratic nominee for the presidency—is endorsed by the leading democrats in Washington.

Mr. Randall was always able to hold the twelve or fifteen democrats together in the house who opposed the radical free trade position of the majority of the democrats, and there is considerable speculation now as to whether any effort will be made to keep the whether any effort will be made to keep the protective wing of the democratic party in the house together. There is now no leader for them to follow and for the present at least the democrats in the house may be regarded as solidly for free trade.

PRECAUTIONARY MEASURES. The committee on the investigation of th ergeant-at-arm's office will soon begin the ormulation of a set of rules to govern the ffice. It is probable that they will adopt substance the rules that are now in force in the senate covering the sergeant-at-arm's of-fice. The committee, of which Mr. Adams of the committee, of which MF. Admis of Chi ago is chairman, is now waiting a satisfactory form of bond from the present sergeant at arms, who is now in Iowa, and as soon as it is received will adopt a set of rales. This is the outgrowth of the Silcott defalcation and it is found necessary to properly segret the government as the construction of the Silcott defalcation and its found necessary to properly segret the government as the construction. cure the government as the courts have rently decided that the government is responsible for any defalcations that may occur in

the sergeant-at-arm's office. ARMY NEWS. The abandonment of Fort Sidney, Neb., and Fort Bridger, Wyo., has been definitely decided upon, as will be seen from the following paragraph in the Army and Navy Journal ing paragraph in the Army and Navy Journal:
The secretary of war has approved the recommendations from the commanding general
for the withdrawal of the troops from the following points as soom as the department-managers can prepare suitable accommodations
elsewhere: Forts McGinnis, Sidney, McDöwell,
Thomas, Verde and Little Rock barracks.

Enquiry at the war department makes it

seem probable that the two companies of the Seventeenth at Fort Bridger will be sent to Fort Russell and the headquarters and com-panies of the Twenty-first, now at Sidney, will be sent to Fort McKinney.

MISCELLANEOUS, Senator Ingalls has gone to Atchison, Kan, He will be absent about two weeks. The president's only callers this morning were Attorney General Miller and Senator

Spooler.
S. Carson Mitchell, late of Temple lodge,
No. 170, A. F. and A. M. of Garden Grove,
In., died at Providence hospital on Saturday
night of consumption. At the request of rand Master Sample, Naval lodge took charge of the remains and the funera took place from Hoteler's undertaking estal lishment, Eightieth street, east, this after-noon. The interment was in the grand lodge

lot in Congressional cemetery.

Instructions were issued today by the commissioner of the general land office to George missioner of the general land office to George Dash of Pocatello. Samuel J. Pritchard of Silver City. and Walter P. Ramsey of Rossford, Idaho, to preceed at once to the townsite of Pocatello and appraise and place a valuation upon each tot and parcel of land of the same and also upon the improvements found thereon with a view to disposing of the same as provided for by the fifth section of the act of congress approved September I, 1888, at public auction. The sales will likely occur in August.

The appointment of Mrs. J. Harding to be The appointment of Mrs. J. Harding to be | Franca.

postmistress at London, Nemaha county, vice J. Harding, deceased, was today announced.

A. M. Sloeum was appointed postmaster: t Berton, Miner county, vice J. Huger, sus

pended.

A petition signed by a lot of citizens in the vicinity of Chadron, Neb., has been received, sustaining the appendment of Colonel William Gockless superintendent of the census in that district. The endorsement proves the harges against Colonel Gockl to be false and

Ex-Congressman Fuller of Iowa is here cir-Ex-Congressman Funer of lowa is here cir-culating among his friends, Senator Pettigfew today made a favorable report upon his bill dousting a section of land on the Wahpeton and Sisseton Indian reserva-tion in Sout hDakota and buildings thereon for a permanent encampment of the militia of

that state.

Dr. J. J. Evans of Nerden has been appointed a member of the pension examining board at Springfield, Neb. Representative Dorsey was at the capitol today, having recovered from his recent illness, and found several hundred letters on

The Nebraska delegation did not get together this afternoon, as was arranged, to agree upon the appointment of four land officers at Alliance and Broken Bow, owing to a conference by the senatorial silver com-mittee, of which Senator Manderson is a member. It is understood that the delegation will agree upon the four names which were mentioned in these dispatches to Tar Bra the other day. other day.

Captain R. O. Phillips of Lincoln left to-night for Philadelphia to attend the twenty-fifth anniversary of the meeting of the Loyal legion of the United States.

Major J. W. Paddock of Omaha is regis-

tered in Philadelphia tonight, where he is attending the Loyal legion as a delegate from the state of Nebraska.

Judge John Reese of Broken Bow is expected here tomorrow, Judge Reese is a prominent and probably successful candidate for a Broken Bow land office. for a Broken Bow land office.

Perry S. Heath.

FAILURE PREDICTED.

Formation of Western Associated Railways by No Means Assured.

CHICAGO, April 14.- [Special Telegram to THE BEE. |- The reorganization meeting of the Interstate Commerce Railway association convenes again tomorrow morning. It is known in advance that the Missouri Pacific will refuse to join in the movement and that temporarily, at least, the attempt to form the Western Associated railways from the remains of the Interstate Commerce association will be a failure. In addition to the refusal of the Missouri Pacific neither the Northern Pacific, St. Louis, & San Frannor Kansas City, Fort Scott & Memphis have shown any interest in the matter. No satisfactory association can be formed in the west and southwest without all these lines, and for the northwest it is still doubtful if the Northern Pacific will care to have the Wisconsin Cen-tral join. Such prominent railroad men as Vice President McMullin of the Alton, General Manager St. John of the Rock Island and Assistant General Manager Tucker of the Assistant General Manager Tucker of the St. Paul voiced the opinions of all Chicago railroad men when in answer to questions they agreed perfectly on the following points: "There will be no advance in rates which will be permanent until a strong association is formed to enforce the rates. There is no present prospect of the formation of any association, let alone a strong one. The absence of any of the strong lines from an association would destroy its effectiveness." The membership of every western line in the territory contemplated is necessary for the formation of any association stronger than the Interstate Commerce Enilway association. It is impossible to secure this full membership in an association strong enough to amount to anything. The main reason for the whole trouble is hostile legislation. Not a line in Iowa is making money or has any hope of making money under the present burdensome legislation. The same trouble applies in a less degree in almost every western state. less degree in almost every western state. This situation cannot last forever, but the only hope of relief is in legislatures treating the roads in a business way and allowing them to make rates which will guarantee fair returns to the owners. In the present chaotic

rate is considered a paying rate and every attempt to go back to a paying basis is met by a storm of abuse and charges of extortion against the reads. Rates have been gradually lowered in the west and are now lower than they have ever been."

General Manager Chappell explained today

that the Alton had refused to sign the agree-ment for an advance in western rates for the reason that the present rates were being manipulated on all sides and until an association could be formed strong enough to keep the roads in line any advance in rates would be used simply as an additional means of cut-ting secretly.

It will be remembered that the Atchison and Rock Island have refused to pro rate with connecting lines on business between the Missouri river and Chicago. In addition to this the Atchison today served notice on the Missouri Pacific, Alton and Wabash that business originating west of the Missouri and destined for St. Louis (to which point the Atchi-son has no line) it would demand either an increased percentage division or full local rates from the point of origin to the Missouri. Beginning tomorrow, local rates will be charged and the St. Louis lines must pay here or come to the Atchison's terms of centage. This is a new fireband and will stir up a large amount of ill-feeling before it is

Sr. Louis, Mo., April 14. - President Mackey of the Mackey railroad system, who arrived here last night, emphatically denied the rumors to the effect that the "Big Four" people are figuring on the absorption of the Mackey system. There are no such negotia-tions going on, he said, and nothing of the kind had ever been considered,

A Broken Agreement. PHILADELPHIA, April 14.—Some time ago an agreement was made between the Reading and the Pennsylvania roads, by which, in con sideration of the Pennsylvania not antagonizing the Reading, the latter was to supply the Pennsylvania with 1,000,000 tons of anthracite traffic annually for ten years. Only 600,000 tons have been supplied. The Pennsylvania claims damages and has appointed Chairman Walker of the Interstate Railway association as arbitrator. The Read-ing was asked to appoint one but re-fused, and today filed a bill in fing was asked to appoint one but re-fused, and today filed a bill in equity to compel the Pennsylvania's surrender of the agreement. The Reading people claim that the Pennsylvania has per-sistently violated the terms and spirit of the agreement whenever it was to its interest to do so. The Pennsylvania denies this and says it was only by reason of help extended by the Pennsylvania that the support of banking houses was obtained for the Readin

Swallowed by the Union Pacific. Sr. Paul, Minn., April 14.-A Tacoma Wash., special says the Tacoma & Lake City railroad has been secured by the Union Pa-cific. As it stands the line is worth several and its completion to Olympia will make it of immense value.

Claassen Plead Not Guilty. New York, April 14.—Ex-President Class sen, the wrecker of the Sixth National, Lenex Hill and Equitable banks, this morn-

ing answered the grand jury's indictment in

the United States circuit court. He pleaded

not guilty. Manain, April 14.-Fire broke out Madrid gas works this evening and is blazing flercely. Immense crowds were attracted to the scene and great consternation prevails. The consequences will probably be disastrous.

Heir to Three Million. HARTTORD, CORR., April 14.—Ernest Leon Dickinson, a freshman of Trinity college, has received news of his accession to a fortune of \$3,000,000 through the death of his nucle in

REMEMBERED WITH RESPECT.

The Death of Mr. Randall Casts a Gloom

Over Congressmen. BOTH HOUSES ADJOURN IN HIS HONOR.

Committees Appointed From Each Body to Attend the Funeral-Plumb's Bill to Increase the Circulating Medium.

Washington, April 14.—An air of sadness prevailed in the house when the speaker called the body to order. Draped in black and ornamented with a handsome floral design, the seat long occupied by Mr. Randall recalled to the members the fact that their old colleague had passed away forever. A crayon portrait of the ex-speaker hung lobby was also tastefully draped with emblems of mourning. In his prayer the chaplain made a touching allusion to the dead congressman, and when he had concluded Mr. O'Neill of Pennsylvania said: "t rise to announce the death of my colleague, the Hon. Samuel J. Randall, who died yesterday morning. This annoucement is exceedingly painful to me. He

and I have been intimate, familiar friends. He started in life at twentyone years of age a full man in every respect, intellectually and politically, and as one who had the element of supreme leadership, which in his later years was complete in the estima-tion of his state and country."

Mr. O'Neill then offered the following reso-

lutions;
Resolved, That the house has heard with deep regret and profound sorrow of the death of Hon. Samuel J. Randall. late representative from the state of Pennsylvania.
Resolved, That a committee of nine members of the house, with such members of the senate as may be selected, attend the funeral of the deceased.
Resolved, That the house do now adjourn.
The resolutions were unanimously adopted and the speaker appointed the following committee; Messrs. O'Neill, Carlisle, Harmer, Cannon, Forney, Springer, Reilly and Me-

Cannon, Forney, Springer, Reilly and Mc Kinley. The house then adjourned.

Washington, April 14.-In the senate today Mr. Plumb introduced a bill for the disposi tion of certain funds in the treasury and asked if it could be read, as he desired to call the attention to the finance committee to it. It provides that the money required to be deposited for the redemption of national bank circulation be carried into the treasury and treated as funds available for the reduction of the public debt and for the current expenses of the government; that all the funds held for the payment of the matured debt and and interest due and unpaid be similarly treated and hereafter that no funds available above the sum of \$10,000,000 be retained in the treasury. This \$10,000,000 be retained in the treasury. This is not to be construed, however, as permanently diminishing the fund of \$100,000,000 now held for the redemption of treasury notes. He said there was less than \$700,000, of circulation for the use of the 65,000,000, of people of the United States, probably not more than \$10 per capita. The system of finance that had been built up and maintained had brought about that result. It had its merits and its great defects. One of its greates defects was the compulsory holding in the treasury of a very large sum of its greates defects was the compulsory holding in the treasury of a very large sum of money on the theory that it was needed and on the further theory that the secretary of the treasury was to be the arbiter of financial questions. It had been stated in the public prints that in pursuance of his policy of controlling the finances of the country the secretary of the treasury had contracted the currency during February eyer \$10.000.000. He (Plumb) be-

lieved that the retention of money in the treasury and the assumption on the part of the secretary might have been at one tun proper, but that it now constitutes a menace to the business of the country and ought to be prohibited by law. A senator sitting near him had asked him for what nominal purpose \$250,000,000 was held in the treasury. He would tell him. A \$100,000,000 was held in assumed obedience to the law of 1882, to proride for the redemption of legal tenders treasury notes. Sixty odd millions were held for the redemption of national bank notes—of banks that had gone out of business or that were re-tring a portion of their circulation. Between \$5,000,000 and \$6,000,000 was held for the redemption of such notes of the na-tional bonds as from time to time came into the treasury and were found to be unfit for further circulation. About seven million dol-lars was held for the purpose of the payment of coupons due and not presented and of debt which had matured from time to time, but the evidace of which had not been pre sented and some of which had not been pre-sented and some of which probably never would be presented. As to the remainder, it was inpossible to tell why it was held. The confusion of subjects and amounts was such that it was impossible for any one to tell about it, but the whole sum retained was about \$250,000,000. During the last year nearly \$100,000,000 of the national bank circulation had been withdrawn. To meet reduction there was a coinage of silver

February over \$10,000,000. He (Plumb) be

000,000 monthly—and coinage of gold, experience showed that not were there two agencies needed, was also needed paper money to the maximum amount outstanding at any time.

The business of the country was languishing. New enterprises were withheld, old enterprises were struggling to keep on their feet. Such a condition of things would continue until a remedy was attained, an that remedy could only come by legislation because legislation, combined with executiv action had brought the country to where

Congress would legislate some of these days on the silver question, but no one knew when and no one knew how. Whatever was done would result in a great addition to the of the country, but this measure of his would rive an addition at once and the money coulbe disbursed within sixty days. He had ven-tured thus publicly and briefly to call the matter to the attention of the finance com-mittee and he hoped it would report on something like it after its next meeting. The bill was referred to the finance committee. A message from the house announcing the leath of Mr. Randall and the appointment of a committee to attend his funeral was pre sented and read. Mr. Cameron moved con-currence. Agreed to and Messrs, Quay, Alli-son, Dawes, Voorhees and Eustis were apcointed as the senate committee to attend the uneral. As a further mark of respect to Mr. Randall's memory the senate adjourned

A Tribute from Friends. Washington, April 14.—A largely attended meeting of friends of the late Samuel J. Randall was held this morning to take appropriate action on his death. The venerable ex-Governor Curtin of Pennsylvania was elected as chairman of the meeting and J. N. Cracroft of Pennsylvania and P. W. Rhodes of New York acted as secretaries. Governor Curtin, who was a life-long friend of Mr. Rundall, made a most feeling address in calling the assemblage to order and spoke of the deceased in terms of the tenderest endorse-ment. A committee on resolutions was ap-pointed and reported a set of resolutions setting forth the national less in the death of Mr. Randall. Speeches eulogistic of Mr. Randall's high character, loyalty, ambition Randall's high character, loyalty, ambition and honest purposes, pure and exalted manhood and firm, courageous devotion to conviction, were made by Congressmen McCreery of Kentucky, Blount of Georgia, and John Rogers of Kansas, Commissioner Bragg of Alabama and others.

There was a steady stream of callers at the Randall residence today to express sympathy with the heroaved family. A large number of telegrams of condolence were received from well known persons. The remains will be taken from the house at 8 o'clock Thurs.

be taken from the house at 8 o'clock Thurs-day morning to the church, where they can be viewed uptil 9:30, when the services begin.

opened and an opportunity of the dead man to view the The honorary pall bearers. Childs, A. J. Drexei, Colo Clure, William McMuilen, exdrew G. Curtis, Charles A. Senator Gorman, ex-Congressman Sot sentative Blount, Senator Bar-las Sanders.

SILVER CAUCUS COMMI, TEES. The Spirit of Concession Character izes Their Proceedings.

WASHINGTON, April 14 .- At the session of the house caucus silver committee there was a general disposition to reach some kind of an agreement, and a spirit of concession characterized the entire proceedings. The basis of the agreement will be the Windom bill as it emerged from the house committee on coinage with the addition of a few provisions intended to meet the views of the sliver men. It will probably provide for the un limited purchase of bullion mined in the United States at the market price, not to exceed \$1 for 3714 grains, and when that price is reached there is to be free coinage. In the afternoon Secretary Windom was present, but contented himself with the reitoration of his well known views on the subject. He would not abate his opposition to the plan to make treasury notes issued for the purchase of silver re-deemable in anything else than silver bullion, but having carefully discussed this matter the committee decided to incorporate in the bill a provision allowing their redemption in bullion or coin at the option of the purchaser.

The republican senatorial silver committee also held a meeting today. The discussion at times was quite animated, but a spirit of compromise was shown. Three propositions were

1. That the secretary of the treasury shall buy 4,500,000 ounces of silver bullion monthly and issue notes in payment for the same, the notes to be redeemable in bullion or lawful

2. That the national banks be allowed to 2. That the national banks be allowed to issue notes to the full par value of the bonds deposited to secure their redemption, which would add 10 per cent to the volume of the national bank currency.

3. That the \$100,000,000 retained in the

treasury for the redemption of treasury notes be put into circulation.

The committee will meet the house comnittee tomorrow.

The Trustees Rather Tardy.

CHICAGO, April 14. - [Special Telegram to The Bee.]-M. B. Newton of Omaha has written to Thomas W. Sennott, clerk of the probate court, inquiring what the trustees of the late Allen C. Lewis of New York are doing toward carrying out his bequest for the establishment in Chicago of the Lewis institute and polytechnic school. Mr. Sennott hunted through the files of old wills and finally discovered the will of Mr. Lewis, which leaves lots 1, 2, 3, 4, 5 and 6, in block 68, original town of Chicago, and \$800,000 for the construction and maintenance of the institution. The philantropist died in 1877 and his will was admitted to proof by County Judge M. R. M. Wallace November 1, 1877. The will was executed in 1873 and left a large amount of personal property invested in railread, government, Cook county and Chi-cago bonds and personal bonds secured by mortgage to James M. Adis, Henry F. Lewis, his brother, and Hugh A. White of Evanston with instructions to establish a free practical school for male and females where lectures on arts, science and natural philosophy should be given and branches not taught in the public schools should be taught at night.
There is also to be a free reading room. Mr.
Lewis directed that these plans should be put in execution by 1885 or as 3000 as his personal estate, amounting to \$800,000, was settled up, requesting that \$250,000 be the cost of the building, \$50,000 to be spent for books, and the balance, \$500,000, be held for the institution's maintenance. "This will was admitted this to be spent for books, and the balance, \$500,000, be held for the institution's maintenance. admitted thirteen years ago and everybody Sennott. "I understand that the fund left by Mr. Lewis now amounts to the required \$800,000, but I also understand the trustees

have made no effort and are taking no steps to commence the building."

Business Toubles. New York, April 14.—The schedule of John F. Plummer & Co., dry goods merchant was filed today in the court of common pleas. The liabilities are stated at \$888,000; nominal assets: \$1,041,000, actual assets, \$76,000. New York, April 14. Silberborg & Selignan, ribbon manufacturers, made ment today without preference; libilities and

assets not given.

NASHYLLE, Tenn., April 14.—The Merchants' and Traders' exchange, B. Lanier,
Hugh McCrea, A. R. Duncan and Isaac teese, made an assignment today for the enefit of its creditors. The liabilities are estimated at \$100,000. The exchange hopes to pay in full. The failure was caused by the recent rise in wheat and pork and the fall in Tennessee coal and Louisville & Nashville

ATLANTA, Ga., April 14.—Phelan & Co. dealers in cotton and produce, failed today; liabilities, \$50,000; ne assets. Tonosto, Ont., April 14.—F. C. Thayer & Co., wholesale jewelers, are in financial diffiulties. Liabilities, \$50,000; assets, nominal-

Fired Into a Minister's House. Sioux City, Ia., April 14. [Special Telegram to The Bee. |—Two revolver shots were fired into the residence of Rev. J. W. Southwell, paster of the West Side Methodist church, late last night, after the family had retired to bed. Mr. Southwell has been active in prosecuting saloonkeepers, and is a easier in the law and order league, which is the same organization with which Dr. Had-dock was connected at the time of his mur-der. Mr. Southwell believes the shots were red by whisky men whom he was prosecut-

Changed Its Name. CHICAGO, April 14.—The National linseed il trust, as a trust, has ceased to exist and in its place now stands the National linseed oil mpany, chartered under the laws of Hili-is. It is the owner of forty-nine linseed all mills, forty elevators, ranging in capacity from 720,000 bushels downward, and a line of tank cars. The capital stock is \$18,000,000. The old board of trustees have been elected

A Package of Dynamite.

Minneapolis, Minn., April 14.—A package ontaining three and one-half pounds of dynamite, several cartridges and a twenty-fivefoot fuse was found near the state reformatory at St. Cloud, Minn., and it is thought some one intended to blow up the institution and had left it there, probably being frightened away at the critical moment,

Found Dead in a Creek. MITCHELL, S. D., April 14.— Special Tele-

gram to The Bee. | Mrs. Andrew Schuster, wife of a German farmer living ten miles northwest of here, was found dead in a creek today. She is supposed to have suicided by drowning. Suspicions are aroused against Schuster. His wife was missing a week beforche told any one. The coroner is investi-gating the case.

Pan-American Conference.

Washington, April 14, - The Pan-Americau conference today adopted the report of the committee on banking and the supplementary report of the committee on sustants regula-tions recommending the establishment of a central union bureau of information and statistles concerning customs:

Shot By Constables,

DES MOINES, Ia., April 14 .- | Special Telegram to THE BEE.]-A dispatch from Camridge, Story county, says that Eric Mo-Allister was shot and killed by Constable James A. McKee while resisting arrest this afternoon. No particulars of the affair have been obtained.

STARCH FACTORY BURNED.

Complete Destruction of the Extensive Works at Chesterfield, Ia.

LOSS THREE HUNDRED THOUSAND.

The Iowa Representative Districts Bill Passed by Both Houses of the

Legislature The State

Appropriations.

DES MONES, In., April 14.—[Special Telegram to THE BEE.] Gilbert's five-story starch factory at Chesterfield, southeast of the city, was destroyed by fire at noon today. The fire started in some shavings in the box factory, a wooden structure just east of the big brick building, and quickly spread to the boiler room, where it burned off the hose and effectually prevented any effort at stopping the flames. No lives were lost, as the whistle blew and gave all of the men and women who were in the factory ample time to get out, The loss on the building, machinery and contents is probably \$300,000, and the insurance was \$200,000. The property was, it is reported, turned over to the starch trust a few ported, turned over to the starch trust a few days ago and permission was given by the insurance people, so that the insurance helds good as against the companies. The factory was in full blast and employed 112 men and about as many more women and children. The insurance is blaced as follows: Commer-cial Union, \$15,000: American, New York, \$15,000: Providence, \$7,500; Newark Fire, \$6,000: Fire Association, \$5,000; Hamburg-Bremen, \$5,000; Sun Fire, \$5,000; American, Pennsylvania, \$5,000; Norwich Union, \$5,000; Rhode Island Underweiters, \$5,000; National, Pennsylvania, 85,000; Norwich Union, 85,000; Rhode Island Underwriters, 85,000; National, 85,000; Traders', \$5,000; Niagara, \$5,000; Phoenix, New York, 85,000; Liverpool, Lendon and Globe, \$5,000; Liberty, \$5,000; Michigan Fire and Marine, \$5,000; Queen, \$5,000; Ætna, \$5,000; North British and Mercantile, \$5,000; Northern, \$5,000; Microhants', New Jersey, \$1,500; Springfield, \$3,000; Connecticut Fire, \$1,000; California, \$3,000; Syndiente, \$1,500; Denver, \$1,500; American, New Jersey, \$1,500; Anglo Nevada, \$2,500; California, \$2,500; State, \$2,500; Buffalo German, \$2,500; Freman, \$2,500; Cuiton, California, \$2,500; Continental, \$2,500; Citical California, \$2, man, \$2,500; Eireman's Fund, \$2,500; Union, California, \$2,500; Continental, \$2,500; Citizens, \$2,500; Orient, \$2,500; United States, \$2,500; Sun, California, \$2,000; Milwankeo Mechanies, \$2,000; Hawkeye, \$2,000; Royal, \$2,000; Pennsylvania Fire, \$2,000; Amazon, \$2,000; Northwestern National, \$2,000; Jersey City, \$2,000; Now Hampshire Fire, \$1,500; Insurance Company State of Pennsylvania, \$1,500; Westchester, \$1,500; Mercantile Fire Marine, \$1,500; American, Massachusetts, \$1,500; total, \$200,000.

The Legislature. DES MOUNES, In., April 14.—The senate this morning passed the house school book bill by a vote of 34 to 14. The plan outlined by the bill is district purchase of text books, with optional county uniformity. Other house bills passed were: To enable institutions for the deaf and dumb to collect from parents or committees the railroad fare of pupils to and from the institution; to regulate the manner of drawing money from the state treasury; to appropriate \$1,000 to assist discharged convicts to lead honest lives; to abolish the Iowa weather service and reto abous the loware to protect an employer in claims for wages. The following appropria-tion bills were passed: Boys' reform school, Eldorn, \$20,850; hospital for the insane, Mount Pleasunt, \$37,100; hospital for the insane, Clarinda, \$180,400; hospital for the insane,

grounds, \$100,000; Renedlet home, \$0,000.

The senate this afternoon passed the follow ing senate bills: To increase the salaries of chaplains in the penitentiaries to \$1,000 a year; to amend the code in relation to the issuance of bonds by counties; also the house bill to extend to cities of second class addi-tional power in the construction of sewers. House appropriation bills were passed as follows: Agricultural college, \$50,000; college for the blind, \$5,000; hospital for the insare, for the blind, \$8,000; hospital for the insane, Independence, \$2,000; feeble minded children, \$41,600; soldiers' home, \$28,250; state university, \$125,000; state normal school, \$52,600; orpitans' home, \$46,000; girls' industrial school, \$18,125; Anamesa penitentiary, \$38,850; institution for the deaf and dumb, \$26,050; Fort Mudison penitentiary, \$9,700; industrial home for adult blind, \$50,000; senate bill for fish commission, \$3,000. The house bill apportioning the state into representative districts was taken up under suspension of the rules and passed. A under suspension of the rules and passed. A joint resolution calling for the submission of an amendment to the constitution to prohibit

the manufacture and sale of intoxicating liquors was taken up and ordered engrossed.

This evening the senate passed house bills as follows: To legalize the establishment of an electric light plant at What Cheer, Ia.; to legalize the establishment of an electric light plant at Keokuk, Ia.; to legalize the acts of Galva, Ia.; to legalize the acts of the council of Casey, also of Dyerville, Ia.; to legalize the acts of the independent school district of Red Oak, Marion county; also senate bills to legalize the acts of the town council of Sioux Rapids and What Cheer, Ia. A great deal of time was spent discussing the Gatch bill to prevent outside constables from enforcing the prohibitory law in cities and it was lost on engrossment. The house anti-trust bill was taken up. It prohibits all combinations for keeping up prices in any commodity, any firm, corporation or individual en-tering into such combination to be prosecuted either by the attorney general, county attorney or other attorney general, county attorney or other attorney, and such prosecutor gets a per cent of all the fines levied. Persons belonging to a trust or combination are not liable for the payment for such goods. The penalties prescribed are very severe. The discussion of this was carried on till 12:25, when the bill passed and

carried on till 12:25, when the bill passed and the senate adjourned.

The house this morning passed the senate bill to extend the power of cities of second class and to extend the power of boards of supervisors. An attempt was made to bring up the normal school bill, but it was defeated. The remainder of the session was spent in considering the state planmacy bill. At the afternoon session the first thing done was the passage of the pharmacy bill.

Both the democrats and the republicans of the house held caucieses this noon on repre-

Both the democrats and the republicans of the house held cauceses this noon on representative district bills. In neither caucus was definite action taken, but on the democratic side there was a disposition to accept the republican measure.

The representative districts bill came up again in the house on reconsideration and was passed by a vote of 50 to 15. It is a republican measure, and though some of the opposition were against it, they said it must be passed or an extra session would be necessary. The remainder of the afternoon was seen to the

remainder of the afterneon was spent on the general appropriation bill. It was passed without amendment, though strong attempts were made to change it. The bill appropri-ates \$144,904 to pay the general expenses of

the next bleanish period.

This evening the house passed the following senate bills: To provide for the calling of a constitutional convention; to appropriate \$1,000 for a library; also the hou e bill to proide for printing state reports.

Alleged Murderers Caught.

Marsualliton, April 14. [Special to True But.]—A dispatch from Visalia, California, Saturday last announced the arrest of Charles Mark and James Rice, charged with being implicated in the murder of Henry Johns six years ago in Hardin county, In., in revenge for his having broken up a counterfeiters gang of which they were members. The prisoners arrived here this morning and were lodged in jal. They were taken to Eldora tonight for trial and there is renewed interest in the mysterious murder of Johns, the criminal career of the notorious Rainsbarger pack, and the thrilling events of that dark period in Hardin county's history will

The Death Roll. Loxnov, April 14. - Matthew Harris, member of parliament for East Galway, is dead.