THE RECORD-UNION.

VOLUME LXXXI.--NO. 63. SACRAMENTO, WEDNESDAY MORNING, MAY 6, 1891. WHOLE NO. 15,461.

NEW ORLEANS TRAGEDY

Result of the Grand Jury Investigation.

THE TRIAL OF THE ITALIANS.

Talesman Approached in Various Manners.

SIX MEN INDICTED FOR ATTEMPTED BRIBERY.

O'Malley's Detective Agency a Menace to the Law—The Verdict Rendered by the Jury Contrary to Law and Evidence, and Was Secured Mainly Through Designing Agencies Employed for the Purpose of Defeating the Ends of Justice—The Mafia Composed of Criminals Cast Off by the Italian Government—The Killing of the Italians the Outgrowth of Popular Indignations—None of the Participants Indicted.

Special to the RECORD-UNION.

NEW ORLEANS, May 5.—After six weeks' investigation, the Grand Jury completed its labors in the Italian case, and this afternoan presented a voluminous report to Judge Marr.

The report recites the killing of Chief of Police Hennessy, the trial of Italians, etc., and, referring to the verdict rendered, says: "We cannot be mistaken in the assertion that the verdict was startling, amazing, a bitter disappointment, shocking to public opinion, provoking repeated accusation that some of the jury had been unfaithful to their office."

The report goes on at considerable length to speak of comments made on every side before the termination of the trial touching the action of some members of the jury; the remarks dropped in and about the court-room; the quarrel in the jury-room, etc.

Careful observers, it says, testify with special reference to the marked inattention of the jury as the witnesses submitted their evidence, to conduct most unbecoming and fraught with the gravest consequences when the momentous import of the issue is considered.

"We are led," continues the report, "to conclude that the jury undertook to try the case when it was submitted by their own estimate of the value of the statements made by parties not called as witnesses. With strange unanimity they dwelt upon what they knew by reading and hearsay of certain incidents of the assassination prior to the trial, and made those the basis of a powerful persuasion for giving the accused the benefit of the doubt, and concluding the deliberations in their favor. We take occasion to say that it was not expected to obtain any evidence of undue influence from the members of the jury; for those who were uncorrupted had nothing to reveal, while others would not make themselves *particeps criminis*, yet in their numerous statements much was obtained having direct connection with and supported by a great volume of testimony elicited during the course of inquiry.

CONCLUSIVE EVIDENCE.

"It is clearly brought out by evidence of the jurors that, as affecting three of the accused—Politez, Scaffedi and Monasterio—the jury engaged in their deliberation four or five hours, and, on repeated ballots, stood six guilty and six not guilty. This is a clearly defined indication of the conviction of the jury as to three of the accused. It forces the conclusion that the evidence was sufficient to justify the six jurors who stood resolute and determined for a verdict of guilty, making it well-nigh impossible to reach any other conclusion than a mistrial.

"The three accused named above were probably unwilling actors, designated by the leaders of the conspiracy to execute the villainous part in which they had neither personal motives nor interest. Following this investigation, it was quickly learned that

THE TALESMEN HAD BEEN APPROACHED

In various manners, the vile work being carried forward in the court-room during the trial. One favored expression was that big money might be made by going on the jury, and doing right. There is no doubt that such attempts were made by various parties in the service of the defense, and entertained by some talesmen and scornfully rejected by others. In some instances a rebuff was met with an answer that it was a joke, but surely it was a well-directed joke of deep significance when the leading part was enacted by counsel of one of the accused awaiting trial, now under indictment for attempting to bribe jurors.

"Another class of talesmen took special care to deny any knowledge of the vile work, or showed remarkable deficiency of memory, causing us to conclude that they were silent from fear, or had been cautioned about incriminating anyone. A number of witnesses most emphatically denied having been approached or spoken to, even after telling their friends, who informed us. Among the talesmen were a number of our citizens, who have nobly come forward, relating their experiences, furnishing some of the missing links in the chain of circumstantial evidence drawn around the

ORGANIZED GANG OF JURY-BRIBERS.

It is not to be questioned that the work was systematically executed, after careful preparation, and had to be done quickly. The necessity was imperative, for the complete list of talesmen, and the Grand Jury knows that list was in the office of O'Malley & Adams at 11 o'clock Sunday morning, February 22d, though on the trial the Judge had issued special orders that the list was not to be made public or given to counsel of either side until Monday. It is not shown by whose hands the list was received, but enough is shown to confirm the secret and powerful influence of the so-called private detective agency and counsel Adams to handle the machinery of the court. The evidence shows that the lists of

NAMES WERE TAMPERED WITH

When drawn from the jury-wheel and before they reached the jury-box in court. O'Malley was put in possession of the lists almost immediately after the names were drawn, and before they reached the District Attorney's office. Influential friends alone could accomplish this, but this was secured in the person of one of the Jury Commissioners, lately removed.

"It is further learned that in the office of the detective agency, is kept a book of the names and addresses of the jurymen. Out of three hundred names drawn for the February panel, thirty-two were on O'Malley's list, and later as talesman were drawn. Many more names appeared that were on that list. Truly, the business of this enterprising detective agency was facilitated when thirty-two names of their selection could be drawn on a panel of three hundred jurors from a wheel containing one thousand names."

The report goes on to speak of the unreliability of some of the Deputy Sheriffs about the court and at the parish prison, although they were not detected in any act of infidelity. When the indictments against McCrystol and Cooney were read in the court-room in blank, the fact was at once communicated to indicate the men through some subordinate of the court. When these men were arrested in O'Malley & Adams' office, the Deputy Sheriff, at the request of O'Malley, reported to the court that the arrest was made on the street.

CONSPIRACY AGAINST THE LAW.

The report dwells on the sworn statement of Thomas Collins as of the greatest value. He, after entering the employ of O'Malley & Adams, was commissioned as a special by the Mayor and paid by the city.

"His duties," says the report, "while acting in his double capacity, were performed with the strictest fidelity, as evidenced by the daily reports of everything seen or heard. Its details and material features are so closely connected with the circumstances of the trial, as confirmed by other witnesses, that there is not the slightest reason to doubt the accuracy and correctness of Collins' sworn statement. It unfolds the whole story of iniquitous doings of the arch-conspirator and his Lieutenants, revealing the boundless power of a man to overcome and defy the majesty of the law in criminal and civil proceedings through the operations of an unscrupulous private detective.

"The difficulties of establishing the existence of such conspiracies by adequate proof are most insurmountable. Secrecy is the essential element, and seldom does it happen that any one of the participants will reveal the villainy, either before or after its execution. Sufficient evidence, however, was offered by voluntary and reliable witnesses to justify the

INDICTMENT OF SIX MEN,

As follows: Thomas McCrystol and John Cooney, with D. C. O'Malley, for attempting to bribe talesmen, and Bernard Glandi, Charles Granger and Ferneard Armant, for an attempt by each to bribe three different talesman.

"The guilt of these parties is closely shown, and were it not for their interference we believe the verdict would have been radically different, and as a natural consequence the tragic occurrences of the 14th of March never would have been recorded. McCrystol's voluntary statement to the Grand Jury, partly in the shape of a confession, reveals some points, and causes us to think that he would have told more, but for the power and influence of O'Malley and his associates. McCrystol and Cooney were the trusted accomplices, and figure throughout the whole affair with prominence, showing the high appreciation in which their services were held.

"We cannot fail to refer to the intimate relations existing between a class of ward politicians and the prime mover in all these infamous doings. We have it most directly confirmed that a person holding the position of Inspector of Weights and Measures was often at the agency, and was seen coming to the Court-house in company with a talesman the day he was accepted as a juror.

"There is confirmed evidence that the influence of O'Malley with a night watchman and an inspector at the electric plant was so great that he caused them to manipulate the light at the corner of Girod street and Basin the night the jury was taken to the scene of the assassination to correspond with its alleged actions the night of the murder. His influence also accounts for the alterations in the book of records at the electric light point. * * *

"From the beginning of the investigation there is continuous evidence of a pernicious combination of what is known as O'Malley's Detective Agency. It advertises that one of the ablest criminal lawyers at the bar is attorney for the agency. We know for an absolute certainty that a bank account is kept, and checks drawn in the names of O'Malley & Adams, the interested parties being D. C. O'Malley and Lionel Adams. Such a combination between a detective agency and prominent criminal lawyers is unheard of before in the civilized world, and when we contemplate its possibilities for evil we stand aghast."

O'MALLEY'S FORMER RECORD.

The report then goes over O'Malley's record from the time he served a term in Cleveland for larceny, detailing the indictments found against him, New Orleans convictions for minor offenses in Criminal Courts, etc., and says: "So pernicious to the administration of justice were his doings that while Judge Roman presided in the Criminal Court he ordered O'Malley excluded from the room. This was during the time the detective's present associate, Lionel Adams, was District Attorney, and it is a significant fact that two indictments against O'Malley for tampering with witnesses were not brought to trial, but were nolle prosequied by the District Attorney prior to the expiration of his term.

"The inside view we were enabled to get of the workings of this detective agency through detective Collins, abundantly corroborated from many sources, convinces us that it had at its command a board of perjurers, blackmailers, suborners and jury-tampers, and that it has for some time been an element of discord in the community and a stumbling-block to the administration of justice, which should be eradicated. That its career of crime had not been cut short is a matter of wonder, and is, no doubt, due to the fact that O'Malley and his co-workers banded together for self-preservation.

THE MAFIA.

"The extended range of our research has developed the existence of the secret organization styled the 'Mafia.' Evidence comes from several sources fully competent in themselves to attest its truth, while the fact is supported by a long record of blood-curdling crimes, it being almost impossible to discover the perpetrators or secure witnesses. The officers of the Mafia and many of its members are now known. Among them are men born in this city of Italian origin, using their power for the basest purposes, be it said, to their eternal disgrace. The larger number of the society is composed of Italians and Sicilians, who left their native land in most cases under assumed names, to avoid conviction and punishment for crimes. Others were escaped convicts, outlawed in their own land, seeking the city of New Orleans for congenial companionship of their own class. These men knew the swift retribution of the law in Italy, for hundreds have been shot down at sight by the military in the mountains of Sicily without a second thought.

"To-day there is recorded in the office of the Italian Consul in this city the names of some eleven hundred Italians and Sicilians landed here during several years past, showing the official records of their criminality in Italy and Sicily. Hundreds of them are among us to-day. We doubt not that the Italian Government would be rather rid of them than to be charged with their custody and punishment. It cannot be questioned that the secret organizations whose teachings are hostile to the fundamental principles of the Government of the United States must be a continual menace to the good order of society and the material welfare of the people. The law is the safeguard of society; its just executions expresses the will of the people in condemnation of crime, but where this lofty principle is condemned by the practice of assassination for revenge or spite and concealment under the most binding oaths, rendering powerless the efforts of the law to reach the chief actors and secure witnesses, it becomes the duty of the people in the exercise of their sovereign rights to issue their decree of condemnation. That verdict has been rendered. The power of Mafia is broken. It must be destroyed as an element of danger, a creation of leprous growth in this community."

REFLECTIONS ON THE JURY.

The report severely reflects on the action of some of the jurymen in the trial, and says: "Some of the jurors testified in the most emphatic terms that had it not been for the persistent and the well-directed efforts of three jurymen, conspicuous from the first, the verdict would have been materially different. It is certain that the special effort of counsel for the defense was to select for service such as were well under O'Malley's influence. What can be thought when three jurors were accepted with some unimportant question, or the clerk told to swear them without question? This is a proceeding almost unheard of, but it has its meaning as well as the other instance."

EVILS OF IMMIGRATION.

The Grand Jury goes on at great length to talk on the immigration question, setting forth the evils of the present methods, instancing the recent introduction of Italian immigrants, without any examination whatever, and whose names, even, were not on the passenger lists of the ship. It declares that the crisis is reached, and on the magnitude of the issue, it becomes the duty of the next Congress to quickly enact such laws that complete protection shall be afforded.

The Grand Jury says it has at no time lost sight of the necessity for a thorough investigation of the whole affair. They examined a large number of witnesses, embracing those who were present at the memorable meeting on Canal street, in the vicinity of the prison, etc.

"It is shown in the evidence," says the report, "that the gathering on Saturday, March 14th, embraced several thousands of the first, best and even the most law-abiding citizens of the city. We found the general sentiment among the witnesses, and also in our intercourse with the people, that the verdict rendered by the jury was contrary to law and evidence, and secured mainly through designing and unscrupulous agents employed for the special purpose of defeating the ends of justice.

"At that meeting a determination was shown that the people would not submit to a surrender of their rights into the hands of midnight assassins and their powerful allies. The assassination of Hennessy was deemed necessary to prevent the exposure and punishment of criminals whose guilt was being fast established by his diligent pursuit.

"The condition of affairs in this community as to a certain class of violators of the law had reached such a state that the law itself was well nigh powerless to deal with them, so far-reaching was their power and influence.

"In regard to the public meeting on Canal street, general and spontaneous in character, as truly indicating an uprising of the masses, we doubt if any power at the command of the authorities would have been sufficient to overcome its intentions. The evidence is before us from official sources that eleven persons were killed in the attack on the prison. We find that eight of them were beyond question American citizens, and another had 'declared his intention,' which act comes with its renunciation of allegiance to his native country. The magnitude of the affair at the prison makes it a difficult task to fix the guilt upon any member of the participants. In fact, the act seemed to involve the entire people of the parish and city of New Orleans, so profuse was their sympathy and extended their connection with the affair.

"In view of these considerations, a thorough examination of the subject has failed to disclose the necessary facts to justify this Grand Jury in presenting indictments."

DIAMOND DUST.

Results of Yesterday's Eastern Baseball Games.

CHICAGO, May 5.—Stein for the Chicago's allowed two singles to be made off his delivery, but was wild, and gave seven men bases on balls, perfect support alone winning for him. Galvin was also very effective. Score: Chicago 13, Pittsburg 0. Batteries—Stein and Kittridge; Galvin and Mack.

AT CLEVELAND.

CLEVELAND, May 5.—There was heavy hitting all around to-day. Young, however, being in good form until the sixth inning. Score: Cleveland 14, Cincinnati 10. Batteries—Young and Zimmer; Duryea and Keenan.

AT PHILADELPHIA.

PHILADELPHIA, May 5.—The Phillies were easily shut out by the New Yorks this afternoon. Score—New York 5, Philadelphia 0. Batteries—Buckley and Rusie; Clements and Gleason.

AT NEW YORK.

NEW YORK, May 5.—The Bridegrooms played like children to-day, thereby losing the game. Score—Boston 12, Brooklyn 6. Batteries—Ganzell and Getzien; Kinslow and Lovett.

AMERICAN ASSOCIATION.

BOSTON, May 5.—Boston 7, Washington 4.

PHILADELPHIA, May 5.—Athletic 18, Baltimore 5.

WESTERN ASSOCIATION.

ST. PAUL, May 5.—St. Paul 19, Kansas City 10.

MILWAUKEE, May 5.—Milwaukee 8, Lincoln 12.

SIOUX CITY, May 5.—Sioux City 7, Denver 2.

MINNEAPOLIS, May 5.—Minneapolis 6, Omaha 11.

EQUAL RIGHTS ASSOCIATION.

The Colored Citizens Hold a Convention at Cincinnati.

CINCINNATI, May 5.—The American Citizens' Equal Rights Association, composed of colored men, held a convention here to-day. They adopted a series of resolutions affirming their purpose to secure a full and free exercise of every right given them by the Constitution. They entered a protest against the efforts of a few so-called leaders of the race to induce the administration to recognize them, to the exclusion of the more progressive class, whose aim it is to work in the interest of the whole people. They also called the attention of the organization to the fact that colored men were appointed to office mainly in the South, where the only political service the colored men can render is to send delegates to National Conventions, and are denied to those in the Northern States whose votes are necessary to the success of either party.

James W. Townsend, of Indiana, was elected President. Among the Vice-Presidents is Rev. J. E. Johnson, of California.

The bloom that is on the rye is all right. It is the bloom that comes on the nose that is all wrong.

MICHIGAN'S GOVERNOR.

The Supreme Court Ousts Governor Boyd.

DISQUALIFIED ON ACCOUNT OF NON-CITIZENSHIP.

Thayer, His Predecessor, Sworn in as the Chief Executive—President Harrison Said to Have Been Instrumental in Bringing About the Order for a Close Sea at the Seal Fisheries—Fears of a Great Flood Along the Rio Grande River.

Special to the RECORD-UNION.

LINCOLN (Neb.), May 5.—The Nebraska Supreme Court to-day rendered a decision in the Boyd-Thayer quo warranto case, ousting Boyd (Dem.), who at present holds office, and declaring Thayer, his Republican predecessor, legal Governor of Nebraska. The opinion recites the fact that Boyd was legally elected Governor of Nebraska, but is disqualified on the ground of non-citizenship.

After quoting the constitutional provision relative to aliens, the opinion proceeds to the question of successorship, and disposes of the claim of Lieutenant-Governor Majors in the following words: "Under Section 1 of the Constitution the person elected to the office of Governor is entitled to discharge the duties and receive emoluments of office for the term of two years from the first Thursday after the first Tuesday in January following his election, and until his successor is duly elected and qualified.

When the person receiving the highest number of votes for the office of Governor is ineligible, under the Constitution to be elected, the Governor holds over. The duties of the Chief Executive officers of State devolve upon the Lieutenant-Governor in certain contingencies, among which are failure of the Governor-elect to qualify and disability of Governor. It cannot be said there has been failure to qualify where no person has been constitutionally elected to office.

A writ of ouster was served on Governor Boyd, and his attorney, John D. Howe of Omaha, went to the Supreme Court to file a motion for a stay, but as the judgment had already been entered and the writ served, it was too late. Boyd accordingly turned over the office to Governor Thayer, who had in the meantime taken the oath of office and filed his bond.

The opinion was signed by Chief Justice Cobb and Justice Norvall, Justice Maxwell dissenting. It is stated that Boyd will carry the case to the United States Supreme Court.

The decision was considerable of a surprise, it being thought here that in the event of Boyd being ousted, Lieutenant-Governor Majors would be named as successor.

Boyd's ineligibility consists in the fact that his father, who was a native of Ireland, had failed to even perfect his citizenship in this country and thus is not an American citizen.

THE SEAL QUESTION.

President Harrison Plays an Active Part in the Negotiations.

NEW YORK, May 5.—The *Herald's* Washington correspondent says: "I am informed that Secretary Blaine's proposal for the total suppression of seal catching within the Behring Sea will be formally communicated to Minister Pauncefote today, or by Wednesday at the least. Not the least interesting circumstance connected with this new departure in our Behring Sea policy is the direct and active part played in it by President Harrison. Notwithstanding his temporary absence from Washington, I am assured that it is due to the President's decisive judgment and instructions that the British Government is now to be invited to join with the United States in stopping the further killing of fur-seals in the waters and islands of the Behring Sea upon terms equally fair to both parties.

"So little had the President's course been anticipated that the lessees of the Pribylov Islands have made all their arrangements for a busy season of seal-slaughter. Their vessels have been supplied and a working force was all ready to start from San Francisco. The Treasury agent who was to supervise and tally their catch of sealskins had been designated and ordered to proceed from his Eastern station to San Francisco, to take passage for the islands.

"The fact that President Harrison is determined to face all that loss and accompanying disappointment and inconvenience indicates the serious view he takes of the consequences of an unsettled policy and the unrestricted pursuit of seals in the Behring Sea this year. The losses and disappointments to owners, outfitters and crews of sailing vessels at British Columbia will also be severe, if Lord Salisbury should decide to meet the President half-way, by the temporary prohibition of seal-fishing in Behring Sea, It is not expected here that the Government of Canada will acquiesce without at least a mild protest on behalf of its Pacific Coast citizens in this sudden and much-delayed measure by the Washington authorities. Notwithstanding this and other formidable obstacles to the President's new project, the utmost confidence is expressed by the members of the Administration here that the project will be realized and that an entire season of recuperation will be secured to the seals, so lately menaced by the approaching slaughter of probably 300,000 of their number within the next three months."

TUPPER MAKES A STATEMENT.

OTTAWA (Ontario), May 5.—Minister of Marine Tupper has denied that he made the statement that the United States Government has intimated that there would be no interference on the part of American cruisers with British Columbia sealers in Behring Sea this season. He also stated that the Dominion Government has given no assurance to owners of the sealing fleet that their vessels would not be molested, as no such assurance has been asked for.

MEDICAL ASSOCIATION.

Physicians Should Recognize No Geographical Boundary Lines.

WASHINGTON, May 5.—The American Medical Association was called to order this morning by Dr. Patterson of Washington, the Chairman of the Committee of Local Arrangements. President Dr. Briggs of Nashville, Tenn., delivered the address.

In substance he said: "Physicians should recognize no geographical boundary lines. The good of the human race was the object of all physicians of the American Medical Association. Beyond uniting the physicians of the country, the association helped to spread the knowledge throughout all the world. It gave the medical world *esprit de corps* in its code of ethics, which is the golden rule of medicine. Two great objects were continuously before the association—to encourage instruction in medicine and to elevate the standard of medical education and medical men. The great cry now was for a higher grade of education, and when this is reached the American Medical Association should congratulate itself upon having achieved one of its objects. But though moral suasion, not coercion, was the principal action, yet the time is coming when legislative power should be given this body, by which it might act with authority for the whole profession of the United States. Let us ask those members who sulked away from us to come back; that harmony and peace should be the rule. Without exception the result of the American Medical College Association ought in every way to be upheld, and those colleges which refused that constitution ought to have its members declared eligible to the American Medical Association."

Dr. Briggs then begged that all transactions should be done in harmony and with success, and closed amid applause. A vote of thanks was given the President, and a committee of five was appointed to take charge of the address and report in regard to the sentiments therein contained on Friday next.

LABOR TROUBLES.

New Phase in the Miners' Strike in Iowa.

OTTUMWA (Ia.), May 5.—A new phase of the miners strike developed to-day. Yesterday the miners of the Hiteman and Three Cedar mines held a joint meeting, and the delegates made a formal demand for eight hours a day, which was refused at the Phillips fuel mine, No. 2. At Forbush, Willard, and other places, the miners who had gone to work came out to see what the other mines granted. The coal operators think the strike of short duration, but those intimately connected with the mines believe that the strike is now to be fought in the Iowa coal fields, since there are fewer miners and those in other States can better contribute to their support.

MINERS RETURN TO WORK.

CHICAGO, May 5.—A dispatch from Terre Haute, Ind., says that the block-coal miners returned to work to-day, signing the contracts under protest. The scale of prices remains the same as last year. The bituminous miners will undoubtedly be influenced by this.

SITUATION MORE BRIGHT.

ST. LOUIS, May 5.—The prospects for a settlement between the carpenters and master builders on an individual basis becomes more bright, as several firms gave in to the union scale to-day, and only about 200 carpenters remain out.

Spotted Fever.

CLEVELAND, May 5.—According to Health Officer Ashman there are many indications that the grip will be followed by many cases of cerebro spinal meningitis, which is sometimes called "spotted fever." There have been at least a dozen deaths from the disease during the past two weeks, and Dr. Ashman finds that the grip was the primary cause of all of them. This disease, which attacks the membranes of the brain, soon throws the patient into horrible convulsions. This new form taken by the grip epidemic is regarded as very startling by Dr. Ashman, and worthy of the immediate attention of the medical and civil authorities.

Tin-Plate Industry.

CHICAGO, May 5.—The annual meeting of the Diamond Plate Glass Company, whose works are at Kokomo, Ind., and which is controlled by Ohio, Indiana and Illinois capitalists, was held to-day and Colonel A. L. Conger of Ohio was elected President. The meeting discussed the advisability of establishing a tin-plate factory at Elwood, Indiana, but a final decision was postponed for a week.

Colonel Conger says he and his associates believe that if they decide to go into this business there will be no lack of funds to insure its sucess.

Heavy Frosts.

CHICAGO, May 5.—Dispatches from points in Indiana and Southern Michigan state that ice was formed last night and much damage done in the fruit belt.

WATERLOO (Iowa), May 5.—This section was visited by a severe frost last night. Small streams were covered with ice an eighth of inch in thickness. The thermometer registered 28°. Much damage was done to fruit trees, which were in full bloom. Small fruits were not injured much, being a little backward. The indications are for another heavy frost to-night.

Blaine's Position.

NEW YORK, May 5.—One of Secretary Blaine's most intimate friends says: "Blaine is not a candidate for the Presidency; neither does he want to be, but this does not imply that he will not be. No one has the right to make any such statement as the one which appeared in Russell B. Harrison's paper. If Harrison can be nominated and elected, Blaine will stand loyally by his chief and do everything possible to help him, but this talk that he pledged himself to do so two years ago is all nonsense. He has never said he would not be a candidate."

Three Land Decisions Affirmed.

WASHINGTON, May 5.—In the case of the United States vs. William Bates, involving land in the Oregon City district, the decision of the Commission was sustained.

In the case of the United Stater vs. Morris Prayer, involving land in the Oregon City district, the decision of the Commissioner was affined.

The decision of the Commissioner was affirmed in the case of Robert Hayne Crump vs. Timothy Ellsworth, involving land in the San Francisco district.

United States Steamer Alert.

WASHINGTON, May 5.—Assistant Secretary of the Navy Solely has been notified by wire that the special board appointed to make recommendations as to what would be necessary to make the Alert ready for sea has completed its report. It was not transmitted by wire, but it was stated that the estimated cost of repairs would be $1,100.

An order was issued to-day to make the repairs according to the recommendation of the board.

Great Flood Feared.

SANTA FE (N. M.), May 5.—The Rio Grande is now within a few inches of the highest point reached by the flood of 1884, and on account of the large amount of snow in the mountains, it is feared the flood will be the greatest ever known here. The bridges at Albuquerque and Los Lunas are wrecked below Socorro, and at several places above Albuquerque the waters are running over the banks and devastating the fields.

Special Postal Service Discontinued.

WASHINGTON, May 5.—The special postal service to Monserrat, San Diego County, Cal., will be discontinued after May 15th.

ALL AROUND THE WORLD.

There are 1,500,000 gypsies in Europe.

A York (Pa.) woman, ninety-seven years of age, says that she never took a drop of medicine in her life.

A Lancaster (Pa.) man recently received $50 through the mail, with a letter stating that it was stolen from him forty years ago.

A mirror brought to this country in 1776, stands in the window of a Chester (Pa.) furniture store.

Of the 11,000,000 square miles of Africa, only 2,500,000 remain in the hands of the native rulers.

The only time the average woman never talks back is when she accepts your seat in a street car.

THE ITATA SEIZED.

Captain Manzeum Placed Under Arrest.

TWO MORE SHIPS ORDERED TO BE SEIZED.

The Remains of the Late John F. Swift Expected to Arrive From Japan To-Morrow—A Young San Joaquin County Farmer Accidentally Killed—Fatal Accident Near Placerville — The Olsen Murder Trial.

Special to the RECORD-UNION.

SAN DIEGO, May 5.—This evening United States Marshal Gard seized the Chilean steamer Itata, now receiving supplies in the harbor, and placed Captain Manzeum under arrest.

Telegrams have been passing between this city and the Department at Washington which brought about the above results. Two boats have left to seize the two vessels seen outside, one of which is supposed to be the Robert and Minnie and the other a ship belonging to the insurgents, which have been hovering around the entrance to the harbor to receive supplies taken on board the Itata.

The warship was first sighted about noon to-day passing north. Ten hours later she repassed the harbor, going south, laying first north of the Coronado Islands.

Customs Officer Berry sent a party out to investigate, who reported seeing a large vessel under steam, which they could not approach nearer than two miles, on account of her steaming away from them.

Orders were received from Secretary Blaine to seize both vessels, if found within the twelve-mile limit, and both Marshal Gard and Collector Berry have gone out to-night in different tugs for that purpose.

At midnight last night the Itata received forty head of cattle, twenty-five head of sheep and 3,000 pounds of dressed meat from the ferryboat Coronada. To-day the vessel has been receiving other stores, including 800 tons of coal from the Spreckels bunkers. As soon as all the provisions and fuel were on board she expected to leave the harbor and cruise between here and Catalina, to meet the schooner Robert and Minnie, from which she was to take the Remington rifles and ammunition. She was to sail this evening.

THE LATE MINISTER SWIFT.

His Remains Expected to Arrive To-morrow.

SAN FRANCISCO, May 5.—The remains of the late John F. Swift, United States Minister to Japan, are expected to arrive by the steamer Belgic on Thursday. A meeting of the friends of the deceased was held at Parlor A, Palace Hotel, this evening to make arrangements for the funeral ceremonies. Under the orders of the State Department at Washington, the dead Minister will be given a military funeral, to which his rank entitled him.

It is now expected that the steamship Belgic, bearing the remains of John F. Swift, will arrive in port some time to-morrow night, but she may not arrive until Thursday morning.

Collector Phelps said this afternoon that it has been arranged that the United States revenue cutter Corwin shall await off Meiggs' Wharf Thursday morning to receive the committee appointed to meet the incoming steamer, and to transfer the party to the Belgic. It has also been arranged that the Belgic shall await the coming of the Corwin. The cutter will have steam up at daybreak Thursday morning and will be in readiness to proceed at once. Word will be sent to Collector Phelps as soon as the Belgic is sighted, and he will notify the committee.

The Treasury Department has instructed the Collector to extend the customary courtesies. Should the Belgic arrive at night she will be held to await the commitee. The full arrangements for the obsequies have not been completed. It has been arranged that the army will furnish an escort of two troops of cavalry, a light battery and a battalion of infantry for escort duty. The army arrangements are under the direction of Colonel Shafter. At the meeting of the committee this evening various details will be considered.

SONS OF VETERANS.

Officers Elected for the Ensuing Term Yesterday.

BAKERSFIELD, May 5.—The Sons of Veterans received an address of welcome last night by Hon. G. W. Wear, responded to by Fred V. Wood, Colonel of the order. They transacted only routine work to-day.

The following officers were elected: S. L. Blodgett of Bakersfield, Colonel; George D. Barker of Oakland, Lieutenant-Colonel; D. J. Matlock of Los Angeles, Major; Representative to the National Encampment, R. K. Gordon of San Francisco. The next encampment will be held at Fresno.

To-night the delegates were banqueted.

GLENN COUNTY.

The Divisionists Carry the Day by 300 Majority.

SAN FRANCISCO, May 5.—A *Chronicle* Willows special says: The Glenn County divisionists carried to-day's election by about 300 majority. Nine out of the twelve precincts show 378 majority. Three precincts to hear from will reduce this to about 300. The entire Glenn County ticket is elected. The latest returns show a majority outside of the Willows precinct, for Glenn County. Willows precinct cast 386 majority for division.

BLED TO DEATH.

A Young San Joaquin Farmer Accidentally Killed.

STOCKTON, May 5.—Thomas Denton, a young farmer, was accidentally killed to-day near this city. He was riding in a buggy with his brother. They had two scythes with them in the buggy, and while driving along the levee the horse shied, overturning the vehicle. Edward Denton was not hurt, but Thomas fell upon one of the scythes, which entered his thigh, severing the femoral artery and entering the abdominal cavity. The flow of blood could not be stopped and he bled to death before a physician reached him.

CHINESE SMUGGLING.

A Port Townsend Attorney Mixed Up in the Matter.

PORT TOWNSEND (Wash.), May 5.—Attorney John Trumbull was arrested to-day on a charge of aiding and abetting entering Chinese into the United States. Special Mulkey has for several months past been investigating the frauds in connection with the landing of Chinese in this country.

Trumbull is accused of procuring certificates which are used by Chinese laborers. These certificates were offered for sale in Victoria for $30 and $90 each.

Trumbull was brought before United States Commissioner Swan this morning, but the examination was postponed until Monday next, and Trumbull was released on $200 bail.

Ah Tom was arrested for smuggling opium, and is said to be an accesory to the smuggling of Chinese.

Deputy Collector Chas. B. Wood has been suspended pending a full investigation of the fraud.

OVERLAND TICKETS.

Rates Advanced Between California and the Missouri River.

SAN FRANCISCO, May 5.—The next California rate sheet from the Transcontinental Association, which will be issued about the 18th inst., will quote a heavy increase in the passenger rates between California and Missouri River points. This advance will amount to $5 on second-class tickets and $10 on thirty-day limited tickets, making the second-class rate between California and the Missouri River $40, and advancing the thirty-day limited from $60 to $70. This month the second-class rates are advanced for the first time in seven years.

Olsen Murder Trial.

MERCED, May 5.—The defense closed their case in the Olsen trial to-day. They succeeded in proving a strong alibi, but the prosecution claims they will knock that out on rebuttal. Angelo Basso, the first witness in rebuttal, testified that shortly after the Ivett murder Henry Gray told him that he could get $500 for clearing Olsen. Monday morning, November 10th, at 2 o'clock, he saw a horseman pass his house, on the Snelling and La Grange road.

Fatal Accident Near Placerville.

PLACERVILLE, May 5.—John Davey, a well-known and respected citizen, was killed at his ranch, near here, to-day, by the explosion of a spraying pump. He was engaged in spraying his orchard trees, using for the purpose a bean cylinder spraying pump. While in the act of pumping, the cylinder exploded, and one of the flying fragments tore away one-half of his head, killing him instantly.

Napa City's New Officials.

NAPA, May 5.—At the municipal election held here yesterday the following officers were elected: J. A. Fuller, John Even and William H. Corlette, Trustees; C. W. Mero, Marshal, and T. F. Raney, Treasurer. The new Board of Trustees will have to arrange for the erection of a new drawbridge across the river at Third street.

British Columbia Mines.

VICTORIA, May 5.—A deposit of $150,000 has been made in this city as the first payment of the total sum of $1,500,000 offered for the purchase of the Silver King mine on Load Mountain, West Kootenay. It is understood, however, that the owners will not consider any offer that is not well up in the millions.

Believed to be a Murderer.

MERCED, May 5.—William James has been arrested for the murder of a negro named Tom Gordon, found dead near Coulterville yesterday with his throat cut. It was at first supposed that Indians did the deed, but the officers think they have proof enough to fasten the crime on James.

Heavy Rainstorm.

YREKA, May 5.—The heaviest rainstorm for months has been raging here for the past twenty-four hours. It was preceded by heavy winds.

SAN RAFAEL, May 5.—Light showers began falling here this afternoon about 3 o'clock. The weather is cloudy. A gentle rain is falling over Cottonwood Valley.

FOREIGN INTELLIGENCE.

BLOODY TRAGEDY.

Terrible Work of an Italian at a Watering Place in Ireland.

LONDON, May 5.—A terrible affair is reported from Southport, a watering-place on the Irish Sea, near Preston. Mr. Sawyer, a landlord, was attacked by an Italian named Cummino. The assault was sudden and apparently unprovoked. The Italian used knife. Sawyer was unarmed, but defended himself the best he could with a chair, which was soon smashed in the struggle. He was succumbing under the strokes of his assailant when his wife and daughter rushed upon the scene and tried to rescue him. Cummino drew his revolver and fired upon all three, following up the shots with his knife, and then fled. The wife and daughter are dying. Sawyer cannot recover. The assasin has been captured.

A Murderous Italian.

LONDON, May 5.—A terrible affair occurred at Southport, a watering place on the Irish Sea, near Preshon. Mr. Sawyer, landload, was attacked by an Italian numed Cummino. The Italian used a knife with terrible effect. Sawyer defended himself as best he could with a chair, which was soon smashed, and he was succumbing under the strokes of his assailant when his wife and daughter rushed upon the scene and tried to rescue him. Cummino drew a revolver and fired upon all three, following up the shots with his knife, and then fled. The wife and daughter and Sawyer cannot recover.

Chile Revolution.

PARIS, May 5.—An official dispatch received from Chile says it is proposed that three members of the Congressional or Insurgent party and three members of the Balmaceda or Presidential party should be appointed and ordered to confer upon and discuss some arrangement which would bring peace to Chile. President Balmaceda has solicited the good offices of Brazil, the United States and of France in an effort to restore peace in Chile. He has asked these three countries to unite in the endeavors which they may make in this direction.

Took His Own Life.

LONDON, May 5.—Lord James Edward Sholto Douglas, brother of the Marquis of Queensberry, committed suicide to-day by cutting his throat with a razor. Lord Douglas had been traveling from Ireland during the night. He behaved in such a strange manner that the railroad officials, noticing he was apparently in a demented conditiou, ordered one of the company's employes to accompany him to London. Upon his arrival in this city Douglas put up at a hotel, and subsequently eluded his attendant and cut his throat.

Newfoundland Troubles.

ST. JOHNS, May 5.—The proposal of Sir William A. Hiteway, the Newfoundland Premier, to the House of Lords to pass a local Act enforcing the *modus vivendi* and the acceptation of arbitration and treaties, was received here with distrust and surprise. At the request of delegates the session has been prolonged in order to give time for consideration. Such a measure may pass, thought it is distasteful.

The Fortune Bay prisoners are now on trial. Their summary conviction is likely.

Influenza Epidemic.

LONDON, May 5.—The influenza epidemic is unabated in Sheffield, and it has now attacked Nottingham and Carnaevon. Numerous deaths are reported. The Government whip, Sidney Herbert, is prostrated with the malady.