# Daily Globe.

VOL. V. ST. PAUL, TUESDAY MORNING, MAY 30, 1882.---SIX PAGES. NO. 150


## WINDOM AND WHISKY.

*WORK OF WINDOM'S SENATE INVESTIGATING COMMITTEE.*

**A Statement from the Distillers' Standpoint—Benefits of Bond Period Extension Explained—Star Route Defendants in a Perturbed Frame of Mind—The Protest from the Democratic House Minority—A Bankrupt Bill—What Constitutes the Domestic Use of Timber—A Democratic Discussion—General Capital News.**

*Democratic Deliberations.*

WASHINGTON, May 29.—The Democratic members of the house held a conference this morning and after a general discussion of the present situation, it was proposed that a managing committee of five members be appointed to conduct the contest on the part of the minority. This proposition met with the suggestion that the gentleman who had been acting as the leader of the minority be requested to continue in that capacity. It was then unanimously agreed that Randall, Blackburn, Carlisle, Kenna and Atherton should manage the contest. A further agreement was reached to the effect that if the speaker should make an arbitrary ruling for the purpose of forcing the minority to submit to the will of the majority in the pending contest, that another conference should be held to determine the course to be pursued.

*Star Routes.*

DEFENDANTS DISTURBED.

WASHINGTON, May 29.—In the star route cases Wilson continued his argument on the motion to quash, in Turner's behalf. The ground for the motion is that Turner is not charged in the indictment with the commission of any overt act in furtherance of the objects of conspiracy.

Tatten followed Wilson, and Kerr replied for the prosecution. Chandler then took up the motions in Brady's case.

After prolonged argument Judge Wylie overruled the motion to quash the indictments in the case of Turner and Brady. Exceptions were taken to all rulings. Cole presented an affidavit sworn to by Reerdell and as the latter stated he absolutely knew of alleged misconduct of the jury, it was read. Judge Wylie manifested the greatest indignation as the reading proceeded and interrupted Cole to say as to his own knowledge it was wholly untrue. "If that paper is filed I give you warning, I will cause Reerdell to be prosecuted for perjury." Cole endeavored to explain that it was perhaps his fault, inasmuch as he drew up the affidavit and Reerdell had signed it in a hurry. Perhaps he thought he was swearing to his belief not his knowledge, but the paper had already been filed and the court refused to allow its withdrawal, leaving the defendant visibly disturbed.

Bliss said there was some matter in Reerdell's motion which should be called to the attention of the court, such, for instance, as the charges that the grand jury met on May 10, when the court was not in session. The court said this was true but the presentment was made on another day, and there was nothing in the indictment to show it had been considered upon that day.

Merrick then asked the defendants to be called upon to plead, and the court ordered them to stand up in a body and plead. Pleas of not guilty were entered by all the defendants

A number of other motions were made by the defense and over-ruled by the court without allowing them to be read.

Wilson renewed his request that the prosecution inform them under which indictment they were to be proceeded against.

Merrick declined to do this and Wilson appealed to the court to order a nolle prosequi of the first indictment, because by their own statement it appeared that they were alike,

The prosecution objected to this, saying there might be further obstructions placed in the way of a trial and the court would see that the defendants were not twice tried for the same offense,

The court said the defendants were in no jeopardy from the first indictment if they proceeded with this after the trial had begun, the sureties under the first indictment might be relieved.

In answer to a reference by Mr. Wilson while filing another motion in Reerdell's behalf, the court said the confession of one of the conspirators could not be held as evidence against another.

It was likely that this trial would be long, tedious and expensive Judge Wylie thought it would require a close watch to prevent the admission of unnecessary evidence. There were other jail cases which should be tried before this, and he would take up this trial Thursday next.

Court adjourned.

*The Democratic Protest.*

WASHINGTON, May 29.—The protest read by Representative Cox is as follows:

WHEREAS, The minority of this house have heretofore under the rules of the house successfully resisted the efforts of the majority to consider the case of Mackey vs. O'Connor because a thorough hearing has not been granted to the contestee by the committee on elections as to the allegations of forgery and fraud in the evidence submitted by the contestant; and

WHEREAS, The majority in order to prevent and avoid such investigation, have proceeded to change the rules in a manner not provided for in the rules, in which alone they can or ought to be changed; and

WHEREAS, The speaker has made a ruling which justifies a proceeding unknown to the principles of the constitutional and parliamentary law, and subversive of the rights of the minority;

Therefore the undersigned, representatives of the people, hereby protest against the proceedings of the majority and rulings of the speaker as unjustifiable, arbitrary and revolutionary, and expressly designed to deprive the minority of that protection which has been established as one of the great monuments of the representative system by the patriotic labors of advocates of parliamentary privileges and civil liberty.

[Signed]

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| J. Fred. Talbot, | Abram J. Hewitt, |
| Morgan B Wise, | Daniel Ermentrout, |
| L C. Latham, | Miles Ross, |
| Henry S. Harris, | H. A. Herbert, |
| G. W. Hewitt, | Oscar Turner, |
| First district Kentucky. | |
| Phil. B. Thompson, | John B. Clark, Jr., |
| Oliver Wellborn, | S. S. Cox, |
| John F. House, | J. C. S. Blackburn, |
| Jordan E. Cravens, | H. G. Turner, |
| Gillson Atherton, | J. S. Hobilitzell, |
| J. White, | Wm. S. Holman, |
| G. H. Oury, | Martin L. Clardy, |
| M. E. Post, | R. F. Armfield, |

Clem Doud and others.

*Investigating Whisky.*

A CONGENIAL PASTIME FOR CNOGRESSMEN.

WASHINGTON, May 29.—The bonded spirits bill investigation began this morning with the examination of Mayor Thomas, of Louisville. He detailed at some length the process in use in Kentucky in the manufacture of whisky, and also the methods employed in making high wines, and explained the difference in the products of the two modes of manufacturing bonded spirits. The witness had never been approached by any outsider with representations that he could secure influence with senators or members, and had never seen the time when, in his judgment, there was any occasion for an expenditure of one cent, to influence legislation, or secure influence with senators or memoers. He had seen charges through newspapers that money had been used with the press, but had never been approached by any newspaper reporters or journalists except with the request for news. He was never asked for a dollar, never offered one for newspaper influence and never heard any one, in the liquor trade say he knew of any such thing being done. The national liquor dealors and distillers association never raised a fund for lobbying purposes and never made assessment upon its members. Their only fund was the annual dues of, $10 for each member.

Thomas stated that owing to the over-production which was stimulated by the flush times of 1878 the stock of whisky now on hand would be sufficient to meet the demand if no more should be produced for the next four years; that only the relief which the house bill, if passed, would give the distillers, would save them from bankruptcy, and that this was in fact all the relief they had asked; that they are now selling whisky at a loss; that he (Thomas) has 10,000 barrels in bond which he would be happy to sell at cost. He further stated that 50,000,000 of 80,000,000 gallons now in bond have already been hypothecated for money borrowed, and that if the distillers are compelled by the government to pay at the expiration of two years $72,000,000 of the tax which will accrue within the next two years on spirits now in bond (as they are required by the existing law to do), the effect would be not only disastrous but ruinous to the entire distilling interest.

Mr. Harrison asked if indefinite extension of the bonded period would not lead to over production for speculative purposes and if distillers are not now asking relief from over production caused by a former extension of the bonded period.

Mr. Thomas denied both propositions. He admitted that the over production of which he had spoken followed chronologically the extension of the bonded period, but was not due to it.

The investigation will probably be resumed Wednesday.

*Timber for Domestic Uses.*

WASHINGTON, May 29.—Secretary Teller has just made an important ruling in regard to the construction hereafter to be placed upon the act of June 3, 1878, authorizing citizens of "Colorado, Nevada and the territories to fell and remove timber from the public domain for domestic purposes." The department has construed the words "for domestic purposes" to mean cutting of timber by individuals for their own use and not for sale. Numerous suits have been brought and many are now pending upon this basis. Secretary Teller holds that to take this view is to defeat the very intent of the act, which was to provide a way by which the needed timber for the mines, mills and pioneer towns can be legally obtained. He holds that any such use within the state or territory, whether by an individual cutting timber or by a mill or mill man to whom it has been sold, is consumption "for domestic purposes" protected by the act.

*A Bankruptcy Bill.*

WASHINGTON, May 29.—Senator Hoar has introduced a bill to establish a uniform system of bankruptcy. It is substantially the amended Lowell bill as reported to the house committee on judiciary by the sub-committee which measure is known as the Humphreys bill. It is the intention of the friends of the Lowell-Humphreys measure to offer this bill as a substitute for the "equity" bill, recently reported by Mr. Ingalls from the senate judiciary committee.

*General Capital News.*

EXCESS OF EXPORTS AND IMPORTS.

WASHINGTON, May 29.—Excess of exports for the twelve months ending April 30, 1882 is $69,570,766. Excess of imports of gold and silver coin and bullion for the same period, $11,677,506.

CONFIRMATIONS.

Leland C. Bacon, consul at Samana; Clark Rude, collector of customs for the district of Sandusky, Ohio.

Postmasters—Frank C. Mosbaugh, Cambridge City, Ind.; Stephen Metcalfe, Anderson, Ind.; Fred Rosecrans, Tecumseh, Mich.; Elizabeth A. Stevenson, Greenville, Ohio.

ARMY APPROPRIATION.

The senate committee on appropriation has concluded the consideration of the house army appropriation bill, and the measure as amended will be reported to the senate by Senator Logan on Wednesday. The aggregate amount of appropriations provided for in the house bill was reduced several hundred thousand dollars by the senate committee, and the retirement clauses of the house bill have been changed materially.

BREVITIES.

Chairmen Briggs says nothing of importance was brought to light by the investigation of the alleged irregularities in the offices of the quartermaster general, commissary general and their auditor.

## TRADE TROUBLES.

**Strikes in Progress and in Anticipation in the Coal and Iron Mines.**

PITTSBURGH, May 29.—The district convention of coal miners to-day, resulted in rescinding the order for a general strike after June 1, and in its stead a resolution was adopted ordering a strike only in Pittsburgh, of operators who are filing contracts for mines now on strike or for those supplying the yards in the city. The session lasted eight hours and there was quite an animated discussion. Many were in favor of resorting to the policy adopted last week, and striking all over the district, but the majority were opposed to extreme measures. There was no disposition manifested to compromise, and those receiving four cents per bushel expressed their willingness to contribute $10,000 a week to support the strike rather than to submit to a reduction. It was also decided to continue the policy of passive resistance to the importation of colored miners, and to use every inducement to have them return to their homes. The operators express indifference as to the action taken to-day, and say they will continue to import colored laborers at the rate of about twenty-five per day.

There was no new developments in the iron situation to-day, and none is expected till the strike occurs on Thursday.

CHICAGO, May 29.—A conference of the iron manufacturers of this district, embracing Chicago, Joliet and Springfield in this state and Milwaukee and Detroit, with representatives of the Amalgamated association of iron and steel workers was held here to-day. Representatives of the workmen presented a duplicate of the Pittsburgh wages schedule to take effect June 1st and to last a year. After some talk the manufacturers stated they would accept that scale provided the Pittsburg employers would do the same. This was not satisfactory to the workmen. Finally a resolution was adopted that both parties would endeavor to secure delegates to a future conference.

## OBITUARY.

**An Old Army Officer Departs—A Sail Maker Gives up the Ghost.**

PHILADELPHIA, May 29.—Maj. Gen. George H. Crossman died last evening at his residence in this city. He was an old army officer and was born in Taunton, Mass., in 1798.

DETROIT, Mich., May 29.—John Bloom, the oldest sail maker on the lakes and one of the first members of the board of trade; also of the First Baptist church of this city, died this morning, aged eighty-six. He was born in Sweden and came to Detroit in 1834.

**A Telegraphic Amnesty.**

NEW YORK, May 29.—The election of a new board of directors of the Mutual Union Telegraph company to-day resulted as follows: John G. Moone, Geo F. Baker, George W. Ballou, Jay Gould, Russell Sage, George S. Scott, Harris O Fahnestock, Geo. G. Haven, Geo. J. Gould, George A. Holt, Charles F. Peck. The election of Gould and his friends to the board of directors of the Mutual Union settles the question of the future relations of the two companies. They are to be friendly and co-operative and conservative in business. The election was freely made without the presence of Gould who is at Irvington.

## DECORATION DAY.

**The Arrangement for Its Observance in St. Paul—List of the Graves To Be Visited, and Programme of Exercises.**

The thirteenth annual observance of Decoration day in St. Paul, under the auspices of Garfield and Acker posts, G. A. R., will take place to-day. The procession will be formed on Court House square, from which the column will move promptly at 1:30 o'clock p. m., and all commands intending to participate are urged to be on the ground as early as 1:15 o'clock, so that no delay may occur. All parties having flowers that they propose to contribute to the decorating committee are urged to send them to the old court house not later than 11 a. m., as after that hour there will be no one in attendance to receive them. The public offices, national, state, city and county, will be generally closed in the afternoon to give all desiring an opportunity to take part in the beautiful tribute to the soldier dead Leaving the general rendezvous at the old court house, the order of procession and line of march will be as follows:

ORDER OF PROCESSION:

Platoon of Police,
Fort Snelling Band,
Chief Marshal. Gen. John B. Sanborn,
Assistant Chief Marshals, Col. A. R. Keifer and Maj Jackson, U. S. A.,
Detachment United States Regulars,
Garfield Post No. 8, G. A. R.,
R. A. Becker, Commander,
Carriages with little girls and baskets of flowers,
Great Union Band,
Acker Post No. 21, G. A. R, Hon. W. T. Burr, Commander,
Other ex-Officers and Soldiers of the Late War,
W. C. Wilson, Commander,
Orators of the Day in Carriages,
Emmet Light Artillery,
Capt. C. M. McCarthy, Commanding,
Great Western Band,
First Battalion Minnesota National Guards,
Maj. W. B Bend, Commanding,
Company "C," Capt. F P. Wright,
Company "D," Capt. E. S. Bean,
Company "E," Capt. J. P. Moore.

LINE OF MARCH.

Start from court house square, west on Fifth to Washington, south on Washington to Third, down Third to Jackson, up Jackson to Seventh, down Seventh to Broadway, up Broadway to Mississippi, out Mississippi to Oakland cemetery. The entire procession will proceed to the cemetery.

*At the Cemeteries.*

The general decoration ceremonies will be at Oakland cemetery, where the following order of exercises will be observed:

Dirge.....Great Union Band
Reading of General Orders....J. J. McCardy
Prayer.....Rev. David R. Breed
Vocal Music.....Care for Them Tenderly
Orpheus Club.
Annual Address.....Col. Henry G. Hicks
Music.....Great Western Band
Recitation.....Miss Agnes Green
Vocal Music.....Our Heroes Brave and True
Orpheus Club.

DECORATING THE GRAVES.

Then will follow the ceremony of decorating the graves of the dead heroes, by Acker and Garfield Posts, assisted by eighteen little girls, daughters of ex-soldiers. The following is believed to be a correct list of the soldiers buried in the different cemeteries whose graves will be decorated:

OAKLAND CEMETERY.

Gen. Willis A. Gorman, U. S. Vols.
Gen S. A. Gilbert, U. S. Vols.
Capt. W. H Acker, 16th U. S Inft.
Col Wm. H Nobles, Penn Vols.
Maj Jno. C. Hamilton, 178th Ohio Vols.
Maj Jno C Becht, 5th Minn.
Capt. R. Schoenemann, Minn. Vols.
Capt. Wm. Paist, Co H, 8th Minn.
Lieut. Harry H. Wilson, Co. R, 1st Minn. Heavy Art.
Timothy J. Linehan, 3d Ill. Cavalry.
John Schaefer, drummer, Co. K, 8th Minn.
Gen. J Sloan, surgeon U. S. A.
John D. Wilson, Sergt. Maj., 2d Minn.
Lewis B Birge, Conn. Vols.
Private Robert Gibbens, Minn. Vol. Cav.
Maj. Howard Stansbury, T. E. U. S. A.
Lieut. Mark A. Hoyt, Co. F, 1st Minn.
Corp. Wm. M Cobb, Co. A, 6th Minn.
Sergt. Benj. S. Terry, Co. G, 6th Minn.
Surg. Wm. H Morton, 1st Minn.
Lieut. Samuel F. Raguet, Co. C, 1st Minn.
Capt. Thomas M. Saunders, 16th U. S. Inft.
Private George G. Strong, Co. D, 2d Minn.
" Wm. Russell, Co. A, 6th Minn.
" Julius Smith, Co. C, 1st Minn.
" Geo. E. Green, Indpt Vol. Cav.
Capt. Eugene H Fales, 131st N. Y.
Com. Sergt. Henry L. Walker, 26th Iowa.
Sergt. Wm. Irvine, Co. A. 6th Minn.
Private Chas. Helberg, Co. A, 4th Minn.
" Robert Baxter, Minn. Vol. Cav.
Mus. Franklin T. Brawley, Co. G, 6th Minn.
" Karl R. Seidel, Co. E, 6th Minn.
Lieut. David O. Oakes, Co. F, 5th Minn.
" Hiram Lobdell, Co. D, 2d Minn.
Corp. Erastus Harrington, Co. G, 2d Minn.
Private Fred. T. Abell, N. Y. Vols.
" George Trett, Co. H, 8th Minn.
" Marshall Sellers, Co. K, 8th Minn.
Capt. F. M. McFall, Ohio Vols.
Private Seth Fielding, Minn Vols.
Lieut. Charles Rampe, Co. G, 2d Minn.
Corp. Solomon Walters, Co. A, 6th Minn.
Sergt. C. A. Branch, Co. H, 8th Minn.
Lieut. F. J. H Beever, A. D. C.
Private Wm. Gordon, Co.—, 22d N. Y.
Private Lewis Watson, Co. G, 1st Mass. Cav.
Lieut. Lyman S. Kidder, Mounted Rangers.
Lieut. Wm. S. Alexander, 8th U. S. Inft.
Private George C. Birge, Conn Regt.
Corp. Chas. L. Norris, 1st Ohio Battery.
Lieut. Jacob E Baldwin, Co. A, 6th Minn.
Private Orson C. Murray, Co. H, 7th Minn.
Private James Wiley, 165th N. Y.
Private Chas. C. Cavender, Co. C, 8th Minn.
Capt. Emil A. Burger, 2d Co. Sharpshooters.
Capt. John G. Telford, U. S. A.
Lieut. Theo. Spangler, 180th Penn. Inft.
Capt. John H. Morton, gunboat service.
Sergt. John Colledge, Co A. 6th Minn.
Private Lut. Williams, Co. I, 134th Indiana Vols.
Lieut. Anthony C. Helmcamp, Co G, 6th Minn.
Lieut. H. Stebbins.
Private Wm. Hockridge, Co. I, 3d Minn.
Private August Scherer, Co. E, 6th Minn.
Private Jacob Kernan, Co. E, 6th Minn.
Private Samuel Gaheim, Co. E. 6th Minn.
Private John H. Osborne, U. S. A.
Private Nelson Shellafoo.
Private J. F. Donley.
Private J. G. Pritchard.
Carlton W. Race, master mate, navy.
J. T. Sargent.
Nicholas Smith.
J. S. Cornelle.
Major James B. Caryl, New York artillery.

EPISCOPAL CEMETERY.

Capt. Wilson B. Farrell, Co. C, 1st Minn.
Private Albert Colgrave, Co G, 6th Minn.
Surg. Wm. Penn Lambert, U. S. A.
Lieut. Chas. Koch, Co. E, 5th Minn.
Private Joseph W. Colter, Co. B, 3d Minn.
Private George Colter, Co. A, 6th Minn.

CALVARY CEMETERY.

Surg. J. A Vervais, 5th Minn.
Private John H. McKay, Co. I, 1st Minn.
Private Daniel Wolff, Ohio Vols.
Private James Manning, Co K, 10th Minn.
Corp. David Stuart, Co. C, Brackett's Bat.
Private Hugh B. McCauley, Co. A, Hatch's Bat.
Private William Rouleau, 3d Bat. Light Art.
" Patrick Maloney, Co. K, 10th Minn.
" Peter Reuter, Co. A, Brackett's Bat.
Corp. William Best, Co. E. 6th Minn.
Private Edm. Semper, 1st Co. Sharpshooters.
" Geo. T. Hour, Minn. Vols.
" Richard Pillion, Co. A, 95th Ill.
" E. Kleinschmidt, Co. C, 2d Minn.
" Henry Rouleau, Co. A, 6th Minn.
" Thomas Ryan, Co. I, 9th Minn.
" Peter Bacon, 10th Minn.
Private David Guerin, Co. G, 6th Minn.
William Gibbons, Wis. Cav.

LUTHERAN CEMETERY.

Maj. Henry Von Minden, Indpt. Cav.
Privtae Charles Beyer, Co. B, 11th Minn.
" Nich. Krech, Co. A, Brackett's Bat.
Corp. F. C. W. Boneken, Co G, 6th Minn.
" George Schleif, Co. G, 6th Minn.
Private Charles Lang, Co E, 5th Minn.
" Cornelius Braus, Co. A, Brackett's Bat.

The ceremony of decorating individual graves completed, there will be a general assembly at the stand, followed by music by the Fort Snelling band, and decoration of the cross by Hon. W. T. Burr, commander of Acker post, and R. A. Becker, commander of Garfield post, concluding with the rendering of "America," the Fort Snelling band assisting, the benediction concluding the ceremonies.

CLOSING PLACES OF BUSINESS.

As will be seen by the following announcement, the business houses of the city will very generally close at 12 o'clock noon:

ST. PAUL, May 29, 1882.

We, the undersigned, hereby agree to close our several places of business at noon on Tuesday, May 30, to permit employes to participate in Decoration day services:

Strong, Hackett & Co, Breuer & Rhodes, Farwell, Ozmun & Jackson, Robinson & Carey, Berkey, Tallmadge & Co., Maxfield & Co, Auerbach, Finch & Van Slyck, Albrecht, Lanpher & Finch, H. P. Rugg, Bowlin & McGeehan, Nicols & Dean, Campbell & Burbank, Beaupre, Keogh & Co., Minn. Coffee & Spice Co., P. H. Kelly & Co., Allen Moon & Co., J. G Freeman & Co., Forepaugh & Tarbox, C. Gotzian & Co., P. R. L. Hardenbergh & Co, Lindekes, Warner & Schurmeier, C R Groff, Noyes Bros & Cutler, Holl & Paar, Gordon & Ferguson, Powers, Durkee & Co., Averill, Russell & Carpenter, James Malonsy.

## CRITTENDEN'S CLEMENCY.

**Probable Pardon of Frank James—A Promise Required from Gov Hubbard.**

ST. LOUIS, May 29.—The *Post-Dispatch* will publish a statement this afternoon showing that Gov. Crittenden has been in negotiations with Frank James for the past ten days for his surrender and that the noted outlaw will be pardoned within a week. Sheriff Timberlake and Police Commissioner Craig, of Kansas City, and an attorney representing Frank James, accompanied by Frank James and three of his friends were in St. Louis Friday and Saturday. It is stated that Frank James has nominally surrendered to Sheriff Timberlake under a flag of truce, and that Gov. Crittenden has promised full and unconeitional pardon to the famous outlaw. Sheriff Timberlake was registered here at a hotel under an assumed name but was recognized by a *Post Dispatch* reporter and both he, Police Commissioner Craig and the attorney admitted that negotiations were pending for Frank James' pardon. They were in St. Louis for the express purpose of meeting Gov. Crittenden on his return from New York, but the latter passed right through to Jefferson City.

They further stated that the delay in the negotiations is occasioned by friends of Frank James insisting that a full pardon should also be secured from the governors of Minnesota and Texas, where the outlaw is under the ban of the law, and steps are now being taken to that end. These pardons are necessary for fear that Crittenden's successor might deliver up Frank James on a requisition from either of said states. There is scarcely a doubt that negotiations will be successfully consummated.

MRS. FRANK JAMES.

INDEPENDENCE, Mo., May 29.—Quite a flutter was occasioned this morning by the arrival of Mrs. Frank James and her five-year-old son Jesse. She arrived on the train from the west, and was met by her father, Col. Smal Ralston. This is the first time she has been at her home since 1877, and confirms the report that Frank James will shortly receive an unconditional pardon. She refused to say anything further about her husband, but added that he was in bad health since the death of Jesse. The general belief is that he has surrendered to Sheriff Timberlake. The little boy Jesse is a remarkably good shot with the revolver.

ST LOUIS, May 29.—Dispatches from Independence to-night say that Mrs. Frank James will not be interviewed regarding her husband or give any information respecting his whereabouts or intentions. She seems very anxious however to know if some arrangement cannot be made under which he can give himself up and receive executive clemency. It is generally believed negotiations are pending having this end in view, and the plan does not seem to be looked upon unfavorably. Report says Mrs. Samuels, mother of the James boys, is at Col. Ralson's to-night, and that she came to see Mrs. James, and will then go to Jefferson City with Sheriff Timberlake to see Gov. Crittenden and complete, if possible, the negotiatiations for the surrender of her son.

*What Gov. Hubbard Says.*

Gov. Hubbard was visited by a reporter last evening at the Merchants and asked if he had been applied to for a pardon for Frank James. He said he had heard nothing of the matter except through the newspapers, and declined to express any opinion as to his probable action in the event of being called upon as indicated.

## ASSASSINS' WORK.

**Murdered and Left on a Railroad Track—Divers Deviltries.**

KILLED AND MANGLED.

DUBUQUE, May 29.—As the passenger train from Chicago on the Milwaukee & St. Paul road this morning was nearing Massey station, six miles south of here, it ran over a man lying on the track and horribly mangled his body. When approaching him, the engineer and fireman saw two men run away and the theory is that they killed him and laid the body on the track. The sheriff went to the place and arrested several men found in the bushes in the vicinity.

They give the names of Frank Farrell, Frank Mitchell and Jim Clifford. They stated that yesterday another tramp, whom they call "Jersey Mike" was with them and when shown the body recognized it as his, mostly from the India ink marks. They admitted that they all left Dubuque yesterday; that they had some gin with them, of which all the party partook freely; that Farrell and Jersey Mike had a fight in which the latter was worsted; that soon after he disappeared and they had not seen him since.

KILLED HIS DAUGHTER.

SPRINGFIELD, Ohio, May 29.—A man named Kitzmiller becoming enraged at his daughter for keeping company with a man of whom he disapproved, drew a revolver and shot her dead this forenoon. He narrowly escaped lynching at the hands of neighbors before he was taken to jail.

AN INSANE SLAYER.

NEW TACAMA, W. T., May 29.—This morning, during a fit of temporary insanity, Thos. Rector, a prominent citizen of this place, fatally shot his wife and then blew out his brains.

**Steamship Movements.**

BALTIMORE, May 29.—Arrived, Prussian, Liverpool.

PHILADELPHIA, May 29.—Arrived, British Prince, Liverpool.

BOSTON, May 29.—Arrived, Marathon, Liverpool.

FATHERPOINT, Quebec, May 29.—Arrived, Cynthia, Glasgow.

REMOUSKI, Quebec, May 29.—Arrived, Persian and Lake Winnipeg, Liverpool.

LONDON, May 29.—The steamers City of Brussels, Germania, Salier and Westphalia from New York, arrived out.

NEW ORLEANS May 29.—Arrived, steamship Lone Star, New York.

NEW YORK, May 21.—Arrived, Scheldam, Amsterdam.


**Wanted.**

Contractors and builders to read the Fergus Falls advertisement on 4th page of this issue


## A TUSSLE FOR TRIUMPH.

*THE FIGHT BETWEEN THE HOUSE MAJORITY AND MINORITY.*

**The Democrats Slightly Worsted—A Day of Debate on a Point of Order—Debate Begun at Nightfall on the Main Question at Issue—Adjournment Over Decoration Day—A Session of the Senate—Claims and Appropriations the Subject of Business.**

*The Senate*

WASHINGTON, May 29.—The senate bill to reimburse the Creek Indian orphan fund was again considered and opposed with earnestness by Senator Cockrell. Senators Sherman and McMillan also spoke in opposition. The bill went over without action.

The site of the old postoffice in New York was ordered sold at a minimum price, $500,000.

Senator Garland offered a resolution instructing the committee on military affairs to inquire into the propriety and necessity of making further provision for the suffering people within the district of the Mississippi river overflow. Adopted.

Senator Lapham, from the committee on privileges and elections, upon a petition referred to them, presented a long report with a resolution direction the payment of $5,000 to Marie G. Underwood, administratrix of John C. Underwood, for his time and expenses in prosecuting his claim to his seat as senator from Virginia. Placed on the calendar.

Senators Harrison and Pugh were appointed as visitors to West Point.

Senator Plumb reported favorably from the committee on public lands the senate bill setting apart a tract of land on the Colorado River of the West in Arizona, as a public park. Calendar.

Senator Plumb also reported favorably from the committee on agriculture with amendment the house bill to enlarge the powers and duties of the department of agriculture. The amendments give elaborate details and a new section providing that, so far as consistent with the efficiency of the service, officers and employes of the department appointed by the president should be selected without reference to their party affiliations from the industrial classes in the various sections of the union.

The Japanese indemnity fund will come up as the regular order. Senator Hale gave notice of an amendment directing payments to Japan to be made in legal form directly by the United States through its minister to that country.

Senator Jones, (Fla.) also gave notice of a substitute probiding for the payment through the minister resident of Japan of the principal only—($785,000.)

Senator Van Wick asserted that nobody doubted the existence of an organized lobby to secure the passage of the bill, and he believed the claim of Wyoming was supported by the same combination.

A long debate took place upon the amendment allowing payment of a claim for property destroyed by fire, belonging to Consul Fisher, United States consul at Japan.

Senator Saunders finally withdrew the amendment and the bill was laid aside without action. Adjourned.

*House of Representatives.*

WASHINGTON, May 29.—As soon as the reading of the journal was ended Mr. Reed called up for consideration the proposed amendment to the rules, prohibiting dilatory motions on the contested election case. The question of consideration was instantly raised by Mr. Randall, and that was followed by a motion of Mr. Kenna to adjourn, and one by Mr. Blackburn that when the house adjourn it be to Wednesday, stating as the reason that Tuesday was Decoration day. On the latter motion the yeas and nays were ordered, and the tactics of obstruction thus put in operation. The vote on Mr. Blackburn's motion was announced—yeas 2, nay 147, and the speaker declared the motion lost.

Thereupon Mr Randall moved that when the house adjourns to-day it be to Thursday next.

On that Mr. Reed made a point of order that on the proposition to amend the rules, dilatory motions cannot be entertained.

Mr Randall denied the right of the speaker to put any such construction on his motion.

M. Reed proposed to discuss the point of order and suggested that a limit be put on that discussion.

No agreement to that end, however, was made and the speaker said he would not make the limitation less than an hour on each side.

Mr. Reed then opened the discussion—he claimed the house had under the constitution certain powers, expressly conferred upon it; powers which it could exercise without let or hinderance of any other body; powers which it could not surrender; which it could not trade away, which it must perform, and the first of these powers was to judge of election returns, and the qualifications of its own members. This house has been endeavoring for the last ten days to perform that duty but had been prevented by dilatory motions. The best and most orderly way to put a stop to that course was to amend the rules, and that was the object now.

He maintained that the proposition that whenever there is a duty imposed upon congress to accomplish certain work it is the duty of the Speaker to carry out that rule of law or of the constitution. He cited the ruling of Speaker Randall when there was filibustering against the execution of the electoral count law and when obstruction was attempted by Mr. Springer to the effect that he (Randall) had allowed this, and had allowed that, and had allowed the other in the way of motions, but the house was now brought to a point where it must act.

Mr. Reed referred to the decision by Mr. Blaine, to the effect that the pending proposition to change the rules on dilatory motions cannot be entertained. He closed by stating that the minority had no right further to delay the action of the house.

Mr. Randall proceeded to reply to Mr. Reed, He admitted that the rules of a legislative body were first for orderly conduct of business, and next for protection of the rights of the minority. In this latter point he quoted from the ruling of the speaker of the English house of commons. He argued that just as the constitution presented the manner in which it should be amended, so the rules prescribed the manner in which they should be changed. As to his own decision in the electoral count, he put it on the ground that the law under which the house was then acting was greater than the rules and cut off dilatory motions. In the present case, however, there was no law interfering with the rules. As to Blaine's ruling or rather dictum, Randall asserted that it had never been pressed nor advantage taken of it, but that on the contrary efforts had been made on that occasion when the civil rights bill was under consideration, to suspend the rules so as to cut off dilatory motions, but without success: so that after Blaine's dictum it had been conceded that only by a two-thirds vote could dilatory motions be cut off. In conclusion he justified the action of the minority in the contested election.

Mr. Kasson argued on the Republican side of the question, declaring if dilatory motions could not be cut off the minority could prohibit the majority from passing any appropriation bill or disposing of any other question, great or small, at the whim, not merely of the minority, but of a little over one-fifth of the whole number. Was it possible that any legislative body in a civilized community could be placed in that condition? If so, the house would be *functus officio*, its power would be dead and nothing would be left for it to do but to adjourn and leave the government to perish.

Mr. Kenna asked Kasson whether the minority had ever been refused the right to make such motions as the minority had made in the present case. Mr. Kasson replied that dilatory motions had not hitherto been made in election cases. In these cases the house sat judiciously, not legislatively.

Mr. Kenna further inquired whether the constitutional duty of the house was higher in election cases than in cases of raising revenue or passing appropriation bills.

Mr. Kasson replied that it was because the house must first fix upon men to be entitled to pass on such measures.

Mr. Robinson of New York, suggested that a simple remedy was by motion to suspend the rules.

Mr Kasson said he could not admit bona fide that suggestion coming from a man who had refused to vote, so as to deprive the house even of a majority vote. In conclusion he stated that this obstruction became revolution, not legislation. It was not a rule of proceeding but of non-proceeding. If the speaker did not at some point refuse to allow dilatory motions, then of course its hands were tied up and it could not perform its functions.

Mr. Carlisle, (Ky), spoke on the side of the minority. The house had established rules and was bound by them in all its proceedings. If the house could disregard them for one purpose it could disregard them for other purposes. He would not characterize this proceeding as it struck his judgment he would credit the other side with the same desire to preserve the honor and dignity of the house and the integrity of its proceedings that he claimed for his side. If the house were not bound by its rules now it would not be bound at any other time. The majority could in an attempt to take up a contested election case change the rules in order to establish a new method of proceeding. It could step in in the midst of an appropriation bill and change the rules that govern the proceedings of the house in the consideration of that measure, and so it would go on and on until the rules were frittered away and there would be nothing to govern the proceedings of the house but the arbitrary will of one man or the arbitrary will of the majority. [Applause on Democratic side.] That was where the house stood this morning and the country ought to understand it. He proceeded to quote the remarks of Garfield in defense of the rights of the minority, and yielded to Mr. Williams (Wis) to read some further remarks of Garfield on the same occasion, in which the action of the minority was characterized as revolutionary.

Mr. Carlisle asserted that Gen. Garfield had subsequently to those remarks engaged in just such proceedings as the minority is now engaged in, [cries of "never," from the Republican side] in the closing periods of the Forty-sixth congress. This filibustering policy had been resorted to by a Republican minority to prevent action on the apportionment bill. He did not consider that action revolutionary although he had considered it unjustifiable. The right of the minority to protect itself by a resort to parliamentary process was an unquestioned right in this country. In conclusion he defended the action of the minority in the present case, declaring that there was not an enlightened court of justice in Christendom that would not suppress the testimony which was objected to in this contested election case.

Mr. Haskell (Kas.) made an argument on the Republican side of the question. He declared that for the first time in the history of the country a parliamentary revolution had been organized to prevent a constitutional majority and quorum from discharging its clear and undisputed constitutional duty.

Mr. Blackburn (Ky.) submitted an argument in opposition to the point of order. He insisted that while asserting and granting the right of the house to change its rules, the change must be made according to terms and conditions which the rules themselves imposed. He showed the inconsistency of requiring the speaker to exclude dilatory motions on a question of amending the rules, while allowing for the last ten days such motions on a question of the highest privilege—the right of a member to his seat; it required two-thirds to suspend any rule for an hour, but now the claim was that on one day's notice a majority of one could change or abrogate all rules. In fixing the precedent now sought to be set, it could not be limited or restrained to the contested election cases. The same process might be resorted to in order to abrogate the rule that guards the treasury from "riders" on appropriation bills. He pleaded with the speaker to weigh well the consequences of what he was asked to do and consider the power which such a decision would give to an unbridled majority to act outside the rules. It would be an entering wedge for the abolition of all parliamentary government and would open the treasury to raids, robbery and plunder.

Mr. Robeson (N. J.) followed on the Republican side. He laid it down as a principle that where the constitution gives to the house the right of providing rules of proceedings, it did not contemplate either a single rule of obstruction, or collection of such rules, or practice under them. The right of filibustering had been used in the past, but never on the Republican side, when the other side had a majority, or were present. He quoted Speaker Randall's decision on the 24th of February, 1877, refusing to entertain a motion because he should not recognize it in any other light than as a dilatory motion. He argued that it was always better to repeal a bad law than to break it, or avoid it, and if the rules contained anything which authorized obstruction of the business, that thing should be swept away. The majority was proceeding in this instance to change the rule in the regular and orderly way.

Mr. Cox (N. Y) reminded the Republicans of how they had filibustered against the apportionment bill, against the tariff bill, and against the attempt to impeach George Seward for corrupt practices in his mission to China.

At the close of Mr. Cox's remarks the speaker stated that the hour originally contemplated as a limit to the discussion had been extended to three hours, and he intimated that he would soon have to bring it to a close.

Mr. Hooker (Miss.) sought the floor and the speaker recognized him, suggesting, however that he must be brief. Mr. Hooker thanked the speaker ironically for the privilege, and proceeded to argue on the Democratic side of the question.

Mr. McLane (Md.) followed on the same side.

The discussion was continued by Messrs. Reagan, Randall, Hazleton (Wis.) and Robinson, and closed by Reed.

The speaker then made his decision sustaining Reed's point of order, that dilatory motions cannot be made to prevent a change of rules.

Randall appealed from the decision of the chair, and Reed moved to lay the appeal on the table. The appeal was laid on the table. Yeas 150; nays none.

After announcement of the vote Mr. Cox (N. Y.) presented a protest signed by over 100 Democratic members against this ruling by the speaker. The protest was not allowed to go upon the journal, but was read as part of Mr. Cox's remarks, so as to be printed in the Congressional *Record*.

The report of the committee on rules was soon afterwards adopted. Yeas 150, nays 2.

At 6:45 the house determined to proceed to the consideration of the contested election case.

Mr. Miller (Pa.) took the floor to open the debate and then