

N. G. THE IOWA SUPREME COURT DECIDES AGAINST THE PROHIBITORY AMENDMENT.

An Elaborate Opinion Filed on Saturday—The Points Wherein Its Unconstitutionality Consists—It Was Illegally Adopted and is Revolutionary in Its Character.

DEBUIQUE, Ia., April 21.—The decision in the amendment case was not filed until 5 o'clock this afternoon. The opinions are voluminous, the majority covering eighty-four pages of legal cap, and the minority, consisting of Judge Beck alone covering 113 pages. The majority opinion is in harmony with that rendered at the first hearing, declaring the amendment null and void.

The opinion of the court was delivered by Chief Justice Day. On the new question raised in the argument for rehearing that of jurisdiction, the court is positive that the courts are instituted for the purpose of adjudicating the acts of the legislature.

The court says: The petition for a rehearing was presented in this cause and the whole case has been reargued by eminent counsel with much ability and research. In view of the great interest which has attached to this question and of its public importance, it is deemed not only proper but necessary to examine with considerable fullness the leading points relied upon as necessitating a conclusion different from the one reached in the foregoing opinion.

It is asserted in the petition for a rehearing that "the judicial department of the state has no jurisdiction over political questions, and cannot review the action of the nineteenth general assembly and of the people in the matter of adoption or amendment of the constitution of the state. This position practically amounts to this, that the provisions of the constitution for its own amendment are simply directory, and may be disregarded with impunity. For it is idle to say that these requirements of constitution must be observed if the department charged with their observance are the sole judges as to whether or not they have been complied with.

This proposition was advanced for the first time upon the petition for a rehearing, and if correct, it is of course an end to the controversy. Upon this branch of the case the council cite Luther vs. Borden, chap. 7 Howard sec. 1.

As this case has principally been relied upon by the advocates of the theory now under consideration, and has given great prominence in the discussions which have taken place, the court presents its facts with a degree of fullness which under ordinary circumstances would perhaps be considered unnecessary, to the end that the degree of its applicability to the present case may be fully understood.

Here follows the statement of the facts of the Luther case and the law questions raised. Of the correctness of that decision no one can entertain a shadow of doubt but the differences between that case and this, says the court, are so many and so evident as to deprive it of all force as an authority in the present controversy.

WASHINGTON.

WASHINGTON, April 22.—A question was raised before the French and American claims commission yesterday to which considerable interest is attached. It was recently agreed between the diplomatic representatives of the United States and France that the case of Isaac Taylor against the French republic should be withdrawn; that it was excluded by the treaty organizing the commission as a case already adjudicated. It was at the same time agreed that if upon inquiry any cases against the United States should be found falling within the same class as Isaac Taylor's case, they should also be withdrawn. On calling the docket yesterday, when the case of Perdauville against the United States was reached the counsel for the United States declared that it was suspended under the arrangement in regard to the case of Taylor. Counsel for France then moved that the case which the counsel for the United States contended came within the class should be proceeded with, that evidence should be taken and field, and a commissioner called upon to determine whether they came within the agreement. Counsel for the United States held, on the ground, firstly, that as it was agreed between the diplomatic representatives, the secretary of state and French minister to withdraw the Taylor case, the same representatives should agree to withdraw the other cases; secondly, that if the commission took up those contested cases it might be obliged to decide them only under the provisions of the treaty, disregarding the agreement between the diplomatic representatives, so that, while the Taylor case might be withdrawn, other cases might be retained against the United States by the commission. The dissent was ended by the commission calling for the correspondence between the two governments. Counsel for the United States further contended that the proper course was to leave the Taylor case, as well as the other cases, to the judicial determination of the commissioner and not undertake to dispose of them diplomatically.

Pension Commissioner Dudley has issued a circular requesting special examiners to give public notice that they are not authorized to collect money for fees or expenses from pensioners or applicants for pensions. Also that all special examiners are supplied with certificates signed by the commissioner of pensions and secretary of the interior and bearing the seal of the interior department. Without such certificates all persons claiming to be pension examiners are forbidden to act.

PHILADELPHIA, April 22.—The stone mill of Daniel Jones & Son, wooden goods, was partly burned this evening. Loss, about \$30,000; insurance, \$15,000.

NEW YORK, April 22.—Alexander Rhind, a linen merchant, died at the Brick church, N. J., of pneumonia.

Ice in Red River.—The ice began to move last evening, but did not finally clear Louise bridge until 7 o'clock this evening. When it started en bloc and proceeded as far as St. Johns, where it lodged. The water is about as high as it was when the ice went out last year. But the water being stationary would indicate the near approach of a fall in the river instead of freshets, as last year. Broadway and Louise bridges are now past any danger. The ice has also broken in the Assinibois and will probably pass into the Red river to-morrow, but no danger is expected from it. Navigation may now be considered open, and steamers will come from the mouth of the Assinibois to their moorings on the levee.

Outrage on a Colored Clergyman.—The Texas Siftings says that the Rev. Melancthon Fish, a colored divine, received a call from a colored congregation, provided he gave satisfaction. The other Sunday he preached his trial sermon. After it was over he walked home with Uncle Mose, who is celebrated for being the most candid nigger in Austin.

Profitable Deals.—PHILADELPHIA, April 22.—The Fairmount coal and iron property 4,900 acres, has been purchased by a syndicate identified with the Buffalo, New York & Philadelphia railroad.

Delegates to Philadelphia.—CHICAGO, April 22.—The Old Guard of the Irish brotherhood and Fourth ward land league to-day appointed delegates to the Irish national convention at Philadelphia. The Fenian delegates were instructed to advocate the dynamite policy. The land league delegates were uninstructed, but those appointed are said to favor force.

Ocean Steamships.—NEW YORK, April 22.—Arrived: The City of Berlin, Italy and Nevada, from Liverpool; the Thingvallur, from Stelton, and the Sneria, Hamburg.

CRIMES AND CASUALTIES.

A CIRCUS ATTACKED.—DOVER, Del., April 22.—O'Brien's circus was Saturday attacked by a mob after the evening performance. The mob opened fire on the wagons on their way to the depot accompanied by a guard of showmen. Eight or ten circus employees were shot, some seriously. Charles Henderson, one of the proprietors was shot in the eye and heart, and one of the drivers shot from his wagon. A portion of the wounded were taken to the office of Dr. Wilson and their injuries attended to. The police made no arrests. A committee of citizens requested the sheriff to restore order and call out the militia if necessary to suppress an outbreak. He summoned a posse and waited upon the proprietors of the show and tendered his services. Under their protection the remainder of the wagons proceeded from the show grounds to the depot without being molested. All the wagons were loaded. At 3 o'clock this morning a special train started for Cambridge, and with a physician in charge of the wounded. No arrests are yet made. Several private residences and places of business were riddled with bullets. Breach-loading guns and revolvers were the weapons used by the mob who were dissatisfied with the show. A dispatch from Cambridge, where the show exhibits to-morrow, states there is no hope of the recovery of Henderson. The names of the other wounded men are not ascertained, nor the extent of their injuries.

A POLICEMAN KILLED.—NEW ORLEANS, April 22.—Policeman John Caffey was killed by Alfred Gassett, a negro. Officer Teller shot Gassett later and he is not expected to live.

KILLED IN A DRUNKEN QUARREL.—NEW YORK, April 22.—Peter Ratel, a coachman, was killed this morning by James Martin, in a drunken quarrel.

NASHVILLE, Tenn., April 22.—Near Murfreesboro to-day Van Ransom shot and instantly killed his cousin, William Ransom, deputy sheriff, in a quarrel over a game of cards, and instantly fell on his horse. The parties had been shooting at a mark, and Van claims he thought all the barrels were empty and aimed merely to snap at his cousin.

FATALLY STABBED.—Edward Hodgeman, a bartender, fatally stabbed Michael Meahan this morning.

FAILED TO AGREE.—LOUISVILLE, April 22.—The jury disagreed in the case of Thomas Crittenden on trial for two days past, charged with the murder of Robert Mosby, colored, at Anchorage last December. It is understood that six were for acquittal and six for manslaughter. The jury was discharged, and Crittenden, who has been in jail since the killing, will probably be released on bail on Monday. The case attracted much attention, owing to the high standing of the family of the accused, he being a grandson of the late United States Senator Charles J. Crittenden, of Kentucky.

SHORT IN HIS ACCOUNTS.—CHICAGO, April 22.—Wm. T. Church, Jr., the outgoing comptroller of the village of Hyde Park, arranged to meet the treasurer Saturday morning for the purpose of having his accounts verified preparatory to turning the office over to his successor. He failed to keep the appointment, and to-day the authorities broke open the safe in his office. An examination of his accounts showed a shortage of \$7,700. A warrant has been issued for his arrest. He was last seen in the village Saturday morning. He has always borne a good reputation.

ARRESTED FOR EMBEZZLEMENT.—CHATTANOOGA, April 22.—James Williams, of the firm of Williams & McCauley, lumber dealers at Big Creek, has been arrested for embezzling \$20,000 from a New York firm in 1876. Williams escaped to Mexico, but returned to this country. He failed last week for \$50,000, owing \$35,000 in this city. It seems that the true name of Williams is Lankoping. He was cashier of his father's banking house in New York city when the robbery was committed in August last.

A DROWNING ACCIDENT.—ROCHESTER, Mass., April 22.—The persons drowned Saturday in Meadow pond were Ely Ronnevise, aged nineteen, Minnie Phipps, aged twenty-three, two girls and a boy, children of H. F. Church. The party was Maying and the boat capsized.

FIRE.—EAST SAGINAW, Mich., April 22.—A fire at midnight burned five bars, two dwellings and did some damage to adjoining buildings. The principal losers are F. Hubart, P. Heller, G. W. Hill, C. Gonsmith. Loss, \$10,000; insured for \$8,000.

KILLED BY A HORSE KICK.—CLEVELAND, O., April 22.—Allen Spencer, aged fifty years, a farmer of East Spencer, was instantly killed by being kicked by a horse. He leaves a large family.

DAMAGED BY FIRE.—ST. LOUIS, April 21.—The extensive works of the St. Louis stamping company, on the block bounded by Collins, Main and Florida streets and Cass avenue, took fire about midnight and was damaged \$20,000 or \$30,000; insured.

FURNITURE FACTORY BURNED.—GRAND RAPIDS, Mich., April 21.—The Grand Rapids Furniture company's manufacturing establishment was burned this afternoon. Loss \$50,000, and insurance \$26,000.

BLOWN FROM THE TRACK.—DENVER, April 22.—During the storm in the mountains yesterday a passenger train on the South Park railroad, which left Leadville in the morning, was blown from the track near Como and the baggage car and three coaches turned over on their side. Several of the train crew and two or three passengers were slightly injured, but nobody seriously hurt. The storm was very severe, the wind attaining a velocity of sixty miles per hour and the snow badly drifted.

FELL THROUGH A BRIDGE.—ST. LOUIS, April 22.—A pile driving crew while at work on the bridge crosses creek eight miles from Helena, Ark., on the Iron Mountain railway, Friday evening, fell through the bridge, carrying with it four men. Four of them were badly injured.

FOREIGN NOTES.

COAK, April 22.—The cases of Carmody, Morgan, Oberly and "Featherstone," arrested charged with being engaged in the dynamite explosions, has been remanded until Friday.

LIVERPOOL, April 22.—The warehouse of Sir Edward Bates and the ship Chandery of Yarnock, Bibby & Co., Lancolot, Liverpool, were destroyed by fire last night. Loss over £100,000.

LONDON, April 22.—S. J. P. Kruger has been elected president of the Fransvaal. Rome, April 22.—Cardinal Luigi Intici Mattei is dead in his seventy-second year. He was created a cardinal priest in 1875.

UNDEK, April 22.—At the seizes two alleged accomplices of Oberdank have been acquitted. CONSTANTINOPLE, April 22.—Foreign diplomatic representatives have addressed a note to the porte, protesting against the establishment of a petroleum depot. They claim that the duties claimed by the concessionaire of the project are contrary to the treaties of commerce, and injurious to merchants.

LONDON, April 22.—An explosion occurred to-day at the government manufactory of small arms, at Enfield. A quantity of burning tins and pieces of a tin box were afterwards found among the debris. A passer-by saw two men with a box creaking just before the explosion. Little damage was done.

MADRID, April 22.—An explosion occurred in a dynamite factory at Loperucua Leon, to-day. The bodies of seven victims have been recovered. It is feared more will be found.

ST. PETERSBURG, April 22.—The nihilist Bogdanovitch was hanged and Boutevitch shot. PARIS, April 22.—It is reported the British ambassador is instructed to ask the French government for the extradition of two Irishmen suspected of complicity with the dynamite conspiracies.

LONDON, April 22.—The Times says the disagreement of the jury in the Kelly trial was due to the obstinate refusal of one juror to convict on any evidence.

BERLIN, April 22.—It is intended to raise the German consul general in Central America to the rank of minister resident.

A masked skating and dancing party will be held at the Wigwam, Wednesday evening, April 25. Music by Great Union Band.

BEAUTY BEHIND THE COUNTERS.

The Romantic Wedding of a Pretty Little Shop Girl.—Many of the ladies who have been in the habit of shopping on Lexington street, says the Baltimore American, now miss from behind the counters of one of the popular establishments of this favorite thoroughfare the face of a lady whose face has attracted the general admiration and charmed many a heart. Inquirers were told that the delightful little brunette, whose name is Miss Hannah Simson, had been married on Sunday a week ago at the house of her father, a very widely known and highly respected citizen, to Mr. Daniel A. Mayer, of New York. Of course questions were eagerly plied by those whom the young lady had charmed, how she appeared on her wedding day, her dress, ornaments, etc. These interrogatories were as eagerly answered by the intimate friends whose good fortune it had been to be present at the wedding. These declared enthusiastically that in her bridal array she was a "perfect vision of loveliness," a beautiful bride, whose tastefully arranged outfit was admirably becoming to her petite form, dark complexion, expressive eyes, and wealth of dark brown hair. The enthusiastic admirers related to their eager listeners the romantic incidents connected with the marriage, and the many respectable ones whom Miss Simson, though very unassuming and averse to being publically noticed, had, by her beautiful face, gentle bearing and amiable disposition, made captives. They related how, within about six months, Miss Simson had been in the employ of Mr. Joel Gutman, who has one of the very largest ladies' goods establishments in this city. Not long before she quitted this employment the son of her employer went to Europe, and it was rumored that his parents, having discovered that the too susceptible youth had allowed his heart to go out to the beautiful beauty, had, in a fit of parental disapproval, had sent him thither, deeming it prudent to transport him beyond the influence of her dangerous fascination, evidently not laying much stress upon the adage that "absence makes the heart grow fonder." Those who believed this thought that their views were confirmed, when, soon after the young man took sail for the old world, the young lady's capture by the establishment was dissolved. Her services were, however, eagerly sought after by other merchants in the same business. Miss Simson was then employed in the Lexington street store, where she stayed until she entered upon her matrimonial venture. Soon after the occurrence of the incident above related, Miss Simson, complying with an oft-made request, sent her photograph to a cousin in New York. Mr. Mayer, who is a buyer for a large tobacco firm in New York, was visiting at the house of this cousin. When he saw the photograph, and at once fell desperately in love with the beautiful face he saw portrayed. He secured a letter of introduction, and soon after presented himself to her who has now linked her lot with his for better or for worse.

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WOOD'S OPERA HOUSE.

Monday, Tuesday and Wednesday Evenings, April 23, 24 and 25th. The Comedians, ROBSON & CRANE, Supported by their excellent Comedv Company, Monday Evening, The Very Amusing Comedy Sharps and Flats. Court Sharp.....Mr. Stuart Robson A Man of Nerve. Dullstone Flat.....Mr. Wm. H. Crane Bald-headed, Bare-headed, Shirt-sleeved Spouter. Tuesday Eve., Bradford's Very Funny Comedy, Our Bachelors. Juan Bangle.....Mr. Stuart Robson. Judge Jowler.....Mr. Wm. H. Crane Wednesday Evening, Shakespeare's COMEDY OF ERRORS. Dromio of Syracuse (Twin) (Stuart Robson) Dromio of Ephesus (Brothers) (Wm. H. Crane) Sale of seats Saturday, 9 a.m. Prices 50c, 75c, \$1, 111

MARKET HALL.

Monday Evening, April 30, 1883. Signor Jannotta, Grand Testimonial Concert. ROSSINI'S IMMORTAL STABAT MATER. Will be repeated by general request. With Miss Kate Kovacs, Miss Nellie Thurston, Mr. Will Dorgan and Mr. Chas. DeLoay, supported by the full chorus of the Choral Society and Seibert and Dana's full orchestra of thirty musicians.

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